

RESTORATION ADVISORY BOARD

FORT McCLELLAN, ALABAMA

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Taken before SAMANTHA E. NOBLE, a Court  
Reporter and Commissioner for Alabama at Large, at  
Building 141-A, Basement Conference Room, Fort  
McClellan, Alabama, on the 19th day of May, 1997,  
commencing at approximately 6:30 p.m.

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1 MR. FERN THOMASSY: I'll go ahead  
2 and call this meeting to order. And if I can take the  
3 role. Mr. Levy?  
4 MR. RON LEVY: Here.  
5 MR. FERN THOMASSY: Mr. Anderson?  
6 Mr. Brown?  
7 MR. IKE BROWN: Here.  
8 MR. FERN THOMASSY: Mr. Conroy?  
9 MR. PETE CONROY: Here.  
10 MR. FERN THOMASSY: Dr. Cox?  
11 DR. BARRY COX: Here.  
12 MR. FERN THOMASSY: Mr. Cunningham?  
13 Mr. Elser?  
14 MR. ELSER: Here.  
15 MR. FERN THOMASSY: Ms. Harrington?  
16 MS. MARY HARRINGTON: Here.  
17 MR. FERN THOMASSY: Mr. Hood?  
18 MR. HOOD: Here.  
19 MR. FERN THOMASSY: Mayor  
20 Kimbrough? Ms. Longstreth?  
21 MS. MARGARETTE LONGSTRETH: Here.  
22 MR. FERN THOMASSY: Mr. Miller?  
23 Mr. Moore? Mr. Parks?



1 MR. PARKS: Here.

2 MR. FERN THOMASSY: And I'm here.

3 Mr. Reedy?

4 MR. BART REEDY: Here.

5 MR. FERN THOMASSY: Mr. Johnson?

6 MR. CHRIS JOHNSON: Here.

7 MR. FERN THOMASSY: Okay. Well,  
8 since we're still under suspended --

9 MR. RON LEVY: Might ask, if you've  
10 all looked -

11 MR. FERN THOMASSY: -- rules, we  
12 can go ahead and dispense with the minutes.

13 MR. RON LEVY: Yes. I might ask,  
14 though, if you've looked at the minutes and if you've  
15 got any comments associated with the minutes, or any  
16 corrections, just, please, let us know.

17 MR. FERN THOMASSY: Now is a good  
18 time to bring them up, if anybody has any comments or  
19 corrections to them. I didn't see any, either.

20 One of the big things -- and I  
21 believe everybody that's here got a copy of the little  
22 notice that Lisa put in front of it that said, we need  
23 questions for the DERTF. So, I hope you brought them

1 along with you. And we'll get to that as we get into  
2 new business.

3 Today we're going to have a follow  
4 on with the UXO; is that right?

5 MR. RON LEVY: Yes. We have got  
6 Chuck Twing. And excuse me, but I'm terrible with  
7 names. Chuck, are you the only one that's going to  
8 brief tonight?

9 MR. CHUCK TWING: Yes.

10 MR. RON LEVY: We have Chuck Twing  
11 from the Huntsville Corpors of Engineers. And he's  
12 going to give you a little overview and introduction  
13 to ordnance and explosive sites.

14 Chuck, do you want to take the  
15 stage now and --

16 MR. CHUCK TWING: Sure.

17 MR. RON LEVY: If you all remember,  
18 we had decided that we were going to talk something  
19 about UXO issues at the upcoming RAB meeting  
20 associated with the DERTF. We stated that our DERTF  
21 meeting, next RAB meeting was going to be held at the  
22 Anniston meeting center. And the DERTF, the Defense  
23 Environmental Restoration Task Force, which is a very

1 high level group, was going to be in the audience of  
2 the RAB and was going to listen in to our discussions.  
3 And one of the issues that we were going to talk was  
4 UXO, eastern bypass.

5 I think we also said that Bart and  
6 Chris were going to come back and brief us, back brief  
7 us as it related to what they learned from the coming  
8 conference workshop in Nashville next week. We've got  
9 also another member -- Pete, are you going, as well?

10 MR. PETE CONROY: (Witness nods  
11 head in the affirmative.)

12 MR. RON LEVY: Pete Conroy is  
13 going. I'm going, myself.

14 MR. FERN THOMASSY: Mark Anderson,  
15 I think, is also going to go, was going to go, as  
16 well. And, of course --

17 MR. RON LEVY: Yes?

18 MR. BART REEDY: I'd like to  
19 apologize for my dress. I was -- nearly -- it was  
20 5:30 or later in Stone Mountain for mandatory EPA  
21 retreat, picnic, cook out. And so, I could either  
22 stop by the house and be late or you can look at me in  
23 a T-shirt.

1 MR. CHRIS JOHNSON: Don't let it  
2 happen again.

3 MR. BART REEDY: I won't let it  
4 happen again, too often.

5 MR. FERN THOMASSY: We'll put you  
6 and Chris together and cut you in half and you dress  
7 like the rest of us.

8 MR. BART REEDY: Yes, I'll just  
9 stand behind him.

10 MR. RON LEVY: Anyways, Chuck, do  
11 you want to go ahead?

12 MR. CHUCK TWING: My name is Chuck  
13 Twing. I'm a project manager for Huntsville. And now  
14 we're the center. We used to be division support  
15 center.

16 We are a mandatory center of  
17 expertise for explosives and explosive waste. Which  
18 is by the way, inclusive of a whole lot of things I'll  
19 get into in a minute.

20 Key words here are eminent hazard,  
21 immediate area. It's not a long-term health effect  
22 that we're concerned with, more than the immediate  
23 hazard to an individual. A lot of folks over the



1 years say, well, it didn't go off. It's not going to  
2 hurt anybody.

3 Unfortunately, that's not true. We  
4 find world -- yes, World War I in Spring Valley, all  
5 the way back to cannon balls from the Civil War.  
6 They're still very, very active, very alive, and can  
7 do exactly what they were intended to do.

8 Most ordnance and explosives and  
9 those type of devices that the military has put  
10 together, designed for one thing, and that's to kill  
11 people or to damage equipment or etcetera, etcetera.  
12 And we did a pretty good job of engineering some of  
13 this stuff to do what it was intended to do.

14 Along with the design came  
15 training, ranges, things of that nature. And we have  
16 installations like Fort McClellan. We have formerly  
17 used defense sites like Seibert up the road a ways  
18 that are a legacy of the tremendous effort that was  
19 put together during World War II.

20 Seeing some of these sites all  
21 across the country, as I have been privileged to do,  
22 it's very amazing that we had that many people that  
23 were working on only the defense industry at that

1 time. It's just a phenomenon. There are cities out  
2 in the middle of nowhere that were abandoned right  
3 after they no longer were needed or in use because of  
4 the fact that the war was over and just left.

5 In this particular case, over the  
6 years, ranges move, they fire from one direction one  
7 year and a another direction another year. These are  
8 just a few of the various and sundry things that we  
9 deal with out of the Huntsville office.

10 Soils contaminated with what we --  
11 either in the explosive reactive or in the chemical  
12 agent form. We found viable agent in soil forty to  
13 fifty years after they were supposedly decon. We  
14 recently remediated Raritan, New Jersey and in fact we  
15 found a new form of a vesicant agent, a mustard,  
16 sulfur mustard, which was in fact a tarry substance.  
17 We didn't know. We, the Department of Defense didn't  
18 know, existed before until we found it. We knew there  
19 was a crystalline form. This is somewhere in between  
20 the liquid and the crystalline.

21 This is just an example of some of  
22 the items failed to function as designed. In other  
23 words, it was supposed to go explode and it didn't for

1 some reason.

2 I've actually seen on a hand  
3 grenade range where a wire spring is holding a  
4 detonator in place, only by a couple of grains of  
5 sand. Just a slight jar allows it to continue to  
6 forward progress and function as it was intended.

7 We've had several military  
8 accidents over the years where those kinds of things  
9 have happened. Something interrupted the function and  
10 the train of these rounds that are out there, wherever  
11 they may happen to be. And something else can make  
12 that complete its function. And you have a  
13 detonation. It's known to happen. It happens quite  
14 frequently.

15 That's why we got into this  
16 business, because of some people that were killed out  
17 in California. Housing area that used to be a Marine  
18 base called Tiera Sana (phonetic), there were some  
19 children killed out there. And over the years of the  
20 environmental, legal process, trying to figure out how  
21 to do this, because it had never been done before, we  
22 wasted a lot of time.

23 We're trying to eliminate the

1 immediate hazard today on places all over the country.  
2 Phases that we're looking at preliminary site  
3 character -- site characterization, we're somewhere in  
4 this area right now here at McClellan. We've done a  
5 preliminary site investigation or characterization  
6 with an archive search.

7 We have not started in the physical  
8 characterization of the ground. I say "we," from the  
9 Corps of Engineers perspective. After that are  
10 excavation and recovery may be the path chosen. It  
11 may not be. It's very possible that in certain  
12 instances or locations, it may be found unnecessary to  
13 do recoveries or excavations or something of that  
14 nature or it may be found that it was overly expensive  
15 for the amount of use the land is going to get.

16 And again, this is generically  
17 across the board. So, there are several different  
18 ways one of these investigations could go. Finally,  
19 after the explosives and ordnance is removed -- and  
20 this, by the way, is a chemical storage structure that  
21 PM for non-stockpile chemical materials, designed and  
22 put into place in an area that may have that kind of a  
23 problem. We had that in New Jersey.

1                   Final disposal or destruction,  
2           disposition. And then we look at the hazardous and  
3           the toxic waste investigation part of it, because  
4           that's the long-term health hazard, as opposed to the  
5           eminent hazard it could cause harm to the immediate  
6           vicinity or the person coming in contact with it.

7                   There's no blueprint to say  
8           everything or anything is going to go this exact way.  
9           There are like spider webs. It can vary from site to  
10          site.

11                   It could inquire -- or require some  
12          intrusive activities outside of where we've made the  
13          surface clearance map of an anomaly. An anomaly, in  
14          this case, what we're referring to is primarily a  
15          deviation in what's usually found in the ground. It  
16          could prove out to be a buried ordnance. It could  
17          prove out to be a piece of rock that has iron content.

18                   The geophysical, geotechnical  
19          methodology used varies, the ground conductivity,  
20          various ordnance location. A whole myriad of  
21          different things that could be used. So that  
22          basically, this is just an example of what could --  
23          can happen.

1                   We also do soil samplings, if  
2           warranted. We also do well installation and water  
3           sampling and analysis.

4                   The soil gas sampling depends on  
5           what you're looking for as to whether we would use it  
6           or not. In a lot of cases, it's going after semi or  
7           almost non-volatile. It really doesn't help a whole  
8           lot.

9                   There is a varied amount of  
10          agencies that could or could not be involved in  
11          different aspects of these. It depends on again, the  
12          circumstances of that particular investigation.

13                  And if anybody has a question at  
14          any time, just, you know, holler, because I would be  
15          more than happy to stop and tell you I probably don't  
16          know or get one of my colleagues to help me.

17                  Exhumation and recovery, it means  
18          we found something in the ground. We kind of got a  
19          pretty good idea what it is, the extent of it. We've  
20          made plans for the disposition of it. That's the key  
21          issue here.

22                  When we go out and excavate  
23          something in intrusive activity, we have to have



1 everything in place to be able to deal with what we  
2 find underneath the ground. In other words, if we're  
3 out here looking for a high explosive round, we have  
4 to have a place that we can take it or we have to have  
5 engineering controls we can put around it to prevent  
6 the disposal of that particular round from affecting  
7 the immediate area. In other words, keep people safe.

8 If we in fact find a thousand pound  
9 bomb next to the base clinic, we'd have to have in  
10 place a methodology to be able to go deal with that,  
11 if in fact it was too hazardous to move. So, there  
12 are engineering controls that we could put in place.

13 But the key issue here is all of  
14 our work in the recovery excavation stage is blessed  
15 by the Department of the Army Safety Board. We can't  
16 go in and do this without very high level approval.  
17 And in fact, the Deputy Assistant Secretary of the  
18 Army for Installations, Logistics, and Environment is  
19 one of the authorities that has a chop or a review  
20 process on our documentation.

21 Now, I'm getting a little bit more  
22 specific, but still in the preliminary stages, because  
23 we're still in the talking stages. One of the things



1       that we have been asked to do is look at this eastern  
2       bypass.

3                       We feel that it's about -- well,  
4       the area in the brown is the potential impact area.  
5       The acreage varies as to whether it's the entire  
6       length or whether it's just part of it. We're looking  
7       at four hundred feet wide by four and a half miles  
8       long. Obviously, we don't want to go into some place  
9       and get people hurt, if we can avoid that by any  
10      means.

11                     Yes, sir?

12                     MR. FERN THOMASSY: What is the  
13      depth that you're going to have to go with some of  
14      these clearances?

15                     MR. CHUCK TWING: There is a  
16      specific Department of Defense regulatory depth of  
17      usage, based on usage. It's one, four, ten. However,  
18      a little bit further on, I think you'll be able to see  
19      that this is impossible in this particular case to use  
20      because cut and fill. So, I guess my answer to you  
21      would be: How shallow is bedrock and I can tell you  
22      how deep I have to go.

23                     If bedrock is on the surface, I

1 don't have to go any deeper, especially in an impact  
2 area. But if we've got a lot of cut and fill, we  
3 probably wouldn't have to go as far. So, it varies.

4 Some of the factors involved in  
5 this particular site, very hilly to steep, three to  
6 four hundred foot altitude change, lightly to heavily  
7 wooded. We recommend clear cutting. Of course, the  
8 engineers from the highway department thought that was  
9 a great idea.

10 Numerous deposits. Iron ore may or  
11 may not impede our efforts, because they may interfere  
12 with the instrumentation. We don't know until we get  
13 out and do a site visit and cost estimate.

14 This, by the way, is some guys  
15 doing some mulching operations. I believe that's in  
16 California.

17 MR. PETE CONROY: Fort Ord?

18 MR. CHUCK TWING: Ord?

19 MR. PETE CONROY: (Nods head in the  
20 affirmative.)

21 MR. CHUCK TWING: That's one of the  
22 other BRAC sites we're working right now. Cost, not  
23 sure whether anybody is really at this particular



1 point in time, really looking at that because of the  
2 fact that we're, again, in our preliminary talking  
3 stages. But the depth and the clearance, as you  
4 asked, is -- obviously, if I can do a surface sweep  
5 and I don't have to do excavation, it's going to be a  
6 lot cheaper. If I have to excavate to four feet,  
7 that's going to be a lot more expensive. If I have to  
8 excavate to four feet and then excavate another four  
9 feet and then excavate two feet, because our  
10 instrumentation only goes down to about four feet,  
11 depending on the size of the item, then it gets real  
12 expensive.

13 And I can guarantee a hundred  
14 percent clearance, as long as you will allow me and  
15 pay for sifting of every square foot of soil that we  
16 take out of there. That's the only way that we're  
17 going to certify it's a hundred percent clear, because  
18 the instrumentation today, we've got the best that's  
19 on the market, but it's not infallible.

20 MR. PETE CONROY: I read a figure  
21 that came from Jefferson Proving Grounds --

22 MR. CHUCK TWING: I knew somebody  
23 was going to bring up Jefferson --

1 MR. PETE CONROY: Well, there are  
2 some dramatic numbers associated with Jefferson  
3 Proving Grounds.

4 MR. CHUCK TWING: Yes, there is.

5 MR. PETE CONROY: Because there was  
6 a Department of Defense report that used the figure  
7 sixteen billion dollars, with a B, sixteen billion  
8 dollars. That's a lot of money. And I was just  
9 wondering if that was a valid number. Of course, it  
10 comes from Department of Defense, it would be hard to  
11 say it's not.

12 Was that based on four feet? Can  
13 you tell us about those numbers?

14 MR. CHUCK TWING: Well, now you're  
15 making an assumption that there is a conspiracy within  
16 the Department of Defense to do something (inaudible)  
17 unified. There's a gentleman back there that could  
18 answer that better than I could.

19 MR. GARY HARVEY: We need to --  
20 because Jefferson Proving Ground is always going to  
21 come up. It will come up when Sherry Goodman is here,  
22 right --

23 MR. CHUCK TWING: Yes.

1 MR. GARY HARVEY: -- because that's  
2 probably the only place she saw. You've got to know  
3 what Jefferson Proving Ground was.

4 MR. PETE CONROY: Very different.

5 MR. GARY HARVEY: It was where they  
6 shot artillery day after day after day to test it.  
7 So, you're talking about millions and millions of  
8 artillery rounds. And we haven't fired that much here  
9 lately. I mean, not even close. So, you really can't  
10 compare the two. There is just literally ordnance  
11 stacked up out there, because that's what they did day  
12 after day for years.

13 Kind of like Dug Way (phonetic).  
14 Fern is familiar with Dug Way. And it was a test  
15 place where they shot it. We never reached that kind  
16 of scale.

17 MR. PETE CONROY: Clearly, it's two  
18 different uses.

19 MR. GARY HARVEY: Right.

20 MR. CHUCK TWING: That's one of the  
21 things that I keep trying to make people aware of.  
22 Don't use Jefferson as the example, because it's not.  
23 And I think I said the last time I was down here that

1        what they've proven at Jefferson is that on that date,  
2        during that test, under those soil conditions and  
3        moisture of the soil, etcetera, etcetera, etcetera,  
4        that's what they came up with.

5                        And I'll guarantee you, it's going  
6        to be a hundred percent different if you run the same  
7        testing right here.

8                        MR. PETE CONROY:    Sure, on  
9        mountains, deep wells, deep slopes.

10                      MR. CHUCK TWING:    So, it really  
11        can't be compared.    We've got a test bed sitting up at  
12        Redstone that we ran the same instrumentation across a  
13        different time of the year and we got different  
14        results from the same contractors.

15                      We did that again six months later  
16        and it was different again.

17                      MR. PETE CONROY:    What literature  
18        might be available that would help to explain how that  
19        figure was derived?

20                      MR. CHUCK TWING:    Oh, I can't  
21        answer that, but there is a sensory technology  
22        document that's been put out by Jet Propulsion  
23        Laboratories that has a lot of information in the

1 capabilities of different sensor technology.

2 We've done a lot of trial and error  
3 stuff. We've done some helicopter mounted stuff. You  
4 know, there is some good stuff out there, but there is  
5 some limitations. For instance, if you've got a fall  
6 leaf pattern blown over your ordnance on top of the  
7 ground, the helicopter sensors won't find it. If it's  
8 in the middle of the summertime, they might be able to  
9 find it. It just depends on the conditions, at the  
10 time.

11 For instance, we employed a  
12 particular instrument up in Spring Valley. We brought  
13 it down to Seibert a few years ago and told the  
14 contractors, who did everything based on this  
15 instrumentation, go ahead and show us where we buried  
16 these rounds. They couldn't find them.

17 So, what worked up there didn't  
18 work here. And that happens all over the country.

19 Again, until we get in and get to  
20 looking at some of the stuff, we can't get a more  
21 accurate cost of what this eastern bypass is going to  
22 end up costing. I don't think the eastern bypass --  
23 the ordnance removal portion of it will probably be



1       minuscule to the actual construction.

2                       MR. BART REEDY: Chuck, can you say  
3       that based on -- you said the ordnance survey would be  
4       minuscule.

5                       MR. CHUCK TWING: The ordnance  
6       removal action would be minuscule based on --

7                       MR. BART REEDY: You are  
8       differentiating that than between survey and removal.

9                       MR. CHUCK TWING: Not really.  
10      Because once we get an idea with a survey -- and  
11      that's either random or a non-random -- we'll go in  
12      and dig everything up. So, it really doesn't matter.

13                      Once we give you a target goal of  
14      how much it's going to cost per acre, whether we  
15      eliminate any -- and I don't see us with the  
16      technology today to eliminate any of the anomalies  
17      that we run across.

18                      We're trying to do it right now in  
19      Alaska. We've got forty-three anomalies. We're  
20      looking for four rounds. We picked out forty  
21      anomalies that most -- are identified mostly with that  
22      particular round we're looking for. If we look for  
23      all forty-three thousand, yes, it would get real

1 expensive.

2 Are we going to find the four  
3 rounds of those forty? I doubt it, seriously. So,  
4 what I'm saying is: If we're going to do a clearance,  
5 we're going to dig up everything. We're going to move  
6 through and we're going to magne-flag (phonetic) and  
7 then go back in with a back hoe and dig everything up.

8 That's not going to vary the cost a  
9 whole lot.

10 MR. BART REEDY: And you -- okay.  
11 Thank you.

12 MR. RON LEVY: That's all going to  
13 be situation-dependent.

14 MR. CHUCK TWING: Absolutely.

15 MR. RON LEVY: Because I mean,  
16 that's some -- you talking about major damage in terms  
17 of, you know, what's -- what do you get out of this?  
18 And that's always been my concern; what type of damage  
19 are you doing just to find four rounds?

20 MR. CHUCK TWING: Again, this is  
21 strictly on the eastern bypass we're talking about  
22 here.

23 MR. RON LEVY: Well, the eastern

1 bypass is a different situation. They have got to go  
2 and cut and fill through there, anyway.

3 MR. CHUCK TWING: That's right.  
4 And that's what I'm addressing right here. Now, if we  
5 want to shift to the investigation portion of the rest  
6 of the installation, it's going to be taken on a  
7 site-by-site basis, based on number one past use and  
8 number two is projected future use, and then, some  
9 surveying.

10 MR. FERN THOMASSY: Yes. But the  
11 -- on the eastern bypass, there's two things you're  
12 talking about. You're talking about the actual  
13 roadway, itself --

14 MR. CHUCK TWING: Yes.

15 MR. FERN THOMASSY: But you're also  
16 talking about a four hundred foot wide strip, because  
17 this bypass is going to have property on each side of  
18 it. And you're going to use a different method, I  
19 would assume, to handle that. Or are you talking  
20 about sifting and straining that, as well?

21 MR. CHUCK TWING: Oh, no, we're not  
22 talking sifting and straining, at all, until we get  
23 into something that's going to be a lot deeper, like

1 footers or things of that nature.

2 MR. FERN THOMASSY: Yes, maybe the  
3 road bed --

4 MR. CHUCK TWING: Yes.

5 MR. FERN THOMASSY: -- versus the  
6 other portion of it.

7 MR. CHUCK TWING: What I'm looking  
8 at, as far as a major variation is concerned, is:  
9 Basically, this area in brown has been identified as a  
10 known impact area. We're going to have to clear that.  
11 There's no getting around it. We're going to have to  
12 clear that area.

13 If we get say halfway through it  
14 and we haven't found one item, we may want to revert  
15 back and say, hey, Ron, you guys think that maybe the  
16 rest of it, we might want to try random sampling,  
17 because we haven't found anything. But we know we're  
18 going to find something. It's an impact area.

19 But the areas that aren't shown on  
20 this particular map, because they were a little bit  
21 too large, are through a whole lot of the installation  
22 that supposedly is not part of an impact area unless  
23 you look on a different map and it may be. That's the

1 area that your costs are going to go down, because  
2 we're going to recommend sampling and statistical  
3 analysis on those things.

4 So again, if we go down here and we  
5 do this and do sampling and we find one round, we may  
6 end up having to do the whole thing. But it just  
7 depends on what the statistics come out and tell us.

8 MR. HOOD: I've got two questions  
9 for you real quick. You're talking a four hundred  
10 foot wide. That will surely take care of the  
11 construction limits for the building of this thing,  
12 except possibly where that interchange is located  
13 they're showing up there.

14 MR. CHUCK TWING: I believe that's  
15 been taken into account, the interchange.

16 MR. HOOD: Four hundred feet?

17 MR. CHUCK TWING: I'm saying, you  
18 know --

19 MR. HOOD: Okay, it would be a  
20 little wider there.

21 MR. CHUCK TWING: A little wider.  
22 You're not going to get much more involved -- if you  
23 go four hundred and fifty feet, it's going to cost.

1 MR. HOOD: Yes, but it could be a  
2 little (inaudible.) But that aside this is going to  
3 be limited access, I'm assuming since you're not  
4 clearing beyond that.

5 MR. CHUCK TWING: I --

6 MR. RON LEVY: That's what the  
7 highway department has told us.

8 MR. HOOD: Would be limited access?

9 MR. CHUCK TWING: Yes.

10 MR. HOOD: Fenced, like interstate  
11 on both sides.

12 MR. CHUCK TWING: It is an  
13 interstate.

14 MR. HOOD: The last question, you  
15 were talking about not clearing for fills. But  
16 everywhere you do a fill, there's always a culvert or  
17 pipe or something that goes through there.

18 MR. CHUCK TWING: Absolutely.

19 MR. HOOD: And I'm assuming you  
20 would clear extensively, wherever that was going to  
21 go.

22 MR. CHUCK TWING: Actually, it all  
23 depends on what we're going to do. If we've got a



1 ditch or let's say just envision a cut out there  
2 somewhere where a ravine is and there is a river going  
3 through it --

4 MR. HOOD: Well, even if there's  
5 not, even if there is no water flow right now, there  
6 is always one put in.

7 MR. CHUCK TWING: What I'm saying  
8 is: There is no reason to spend all the money to do  
9 all of that if all you're going to do is fill it up  
10 with dirt and go eighty foot over the top of it.

11 MR. HOOD: True. But whoever has  
12 to get under that and build that culvert or that  
13 portion of --

14 MR. CHUCK TWING: We call that  
15 construction support. And we would do that. That's  
16 built into what we do.

17 MR. HOOD: Okay.

18 MR. RON LEVY: Charles, Chuck?

19 MR. CHUCK TWING: Either way.

20 MR. RON LEVY: We've been trying to  
21 do some planning in terms of defining EECAs and then  
22 OE removal. And you told us at one point that we just  
23 ought to go in there and do OE removal, because of the



1 cut and fill requirements. It's not really smart to  
2 do the EECAs, because you're not really getting  
3 anything out of that.

4 Isn't that what you said?

5 MR. CHUCK TWING: No. That's  
6 almost what I said. I've got a slide to address that  
7 a little bit farther out.

8 MR. RON LEVY: Okay. If you're  
9 going to talk about it, I'm going to raise the  
10 question when that happens.

11 MR. CHUCK TWING: Okay.

12 MR. PETE CONROY: I heard you use  
13 the figure -- is it four hundred and fifty foot  
14 right-of-way or a thousand foot, because --

15 MR. CHUCK TWING: I believe the  
16 number I was given was four hundred foot. Really  
17 doesn't matter to us --

18 MR. GARY HARVEY: That's what  
19 Alabama D.O.T. said when they were here.

20 MR. RON LEVY: There was a thousand  
21 foot listed somewhere.

22 MR. PETE CONROY: Rob (inaudible).

23 MR. GARY HARVEY: The Alabama

1 Department of Transportation is the one that says  
2 that. I don't know where Rob got --

3 MR. PETE CONROY: So, this is just  
4 requested?

5 MR. RON LEVY: Yes. The LRA stated  
6 a thousand foot. That's where I saw it. A thousand  
7 foot right-of-way.

8 MR. GARY HARVEY: It's going to be  
9 what D.O.T. wants.

10 MR. PETE CONROY: Yes.

11 MR. CHUCK TWING: It doesn't matter  
12 whether it's a thousand foot or four hundred foot.

13 MR. RON LEVY: It might, depending  
14 on -- if he's asking for a thousand foot, it might.  
15 There may be some real estate issues that go along  
16 with it.

17 MR. CHUCK TWING: Yes. But to me,  
18 for the clearance effort, it means absolutely nothing.

19 MR. GARY HARVEY: D.O.T. Didn't say  
20 a thousand foot.

21 MR. BART REEDY: Chuck, the figure  
22 that you threw up there, two twenty, two hundred and  
23 twenty acres --



1 MR. CHUCK TWING: Yes.

2 MR. BART REEDY: During the  
3 presentation a couple of weeks ago, didn't we  
4 establish that that was not the correct number of  
5 acres?

6 MR. CHUCK TWING: I think we  
7 established that was the number of acres across the  
8 impact area and not across the rest of -- I believe.  
9 I could be wrong.

10 MR. BART REEDY: And when we were  
11 talking last -- how long has it been? Was that two  
12 weeks ago?

13 MR. CHUCK TWING: Three, two.

14 MR. BART REEDY: Three?

15 MR. CHUCK TWING: I don't know.  
16 I've been to three other states since then.

17 MR. BART REEDY: Well, me, too. It  
18 seems -- correct me if I'm wrong -- but there was a  
19 legitimate concern that we would end up with a lot of  
20 false positives -- we would anticipate a --

21 MR. CHUCK TWING: Absolutely.

22 MR. BART REEDY: -- highly  
23 anticipate a lot of false positives, simply by the

1 virtue of the iron ore.

2 MR. CHUCK TWING: Absolutely.

3 MR. BART REEDY: And when we say  
4 could, that might be -- that might not put the correct  
5 spin on it. It might be pretty likely we're going to  
6 end up with some false positives, which is going to  
7 drive the cost up.

8 MR. CHUCK TWING: I can't really  
9 address that, because I haven't had anybody on the  
10 ground or looked at it or know anything about what  
11 it's going to show us. Typically, we get a lot of  
12 false positives. Typically, because of the fact that  
13 people throw a lot of junk out. It could be because  
14 of magnetic rocks. We've seen that before.

15 So, yes, there is going to most  
16 likely be a lot of false positives.

17 MR. RON LEVY: Simulators, things  
18 of that nature.

19 MR. CHUCK TWING: Unless they've  
20 got some ferrous metal in them, not usually. Most of  
21 the simulators are primarily paper with a detonator.

22 MR. RON LEVY: Some of them  
23 aluminum.

1 MR. PETE CONROY: (Inaudible).

2 MR. BART REEDY: That's what I'm  
3 talking about.

4 MR. CHUCK TWING: Okay. I accept  
5 that.

6 MR. PETE CONROY: I have data on  
7 it.

8 MR. BART REEDY: You do?

9 MR. PETE CONROY: (Nods head in the  
10 affirmative.)

11 MR. RON LEVY: What was that you  
12 said? Pete, I didn't hear what you said.

13 MR. PETE CONROY: There is data  
14 available as to the occurrence of naturally occurring  
15 iron ore.

16 MR. RON LEVY: In this area?

17 MR. PETE CONROY: In the area.

18 MR. RON LEVY: We've got a history  
19 of iron ore or iron production in this area, so there  
20 should be some data.

21 MR. PETE CONROY: Sure.

22 MR. FERN THOMASSY: Are you saying  
23 then it's not homogeneous and you can't set a baseline



1 based on the content of the area you're working in and  
2 eliminate those anomalies?

3 MR. PETE CONROY: I don't know  
4 whether or not you can --

5 MR. CHUCK TWING: Not generally.

6 MR. FERN THOMASSY: Just can't  
7 generally do that?

8 MR. CHUCK TWING: What we've done  
9 is used rays of two to three different types of, you  
10 know, varying types, like a metal detector, an active  
11 rather than passive, and then a magnetometer and then  
12 maybe a ground conductivity reader.

13 Basically, what we've ended up with  
14 is spending more time fooling around with the  
15 instrumentation than if we had just gone out and done  
16 a sweep, stuck a flag in -- pin flag in the ground and  
17 start digging after we clear the site. It ends up  
18 being cheaper that way.

19 Now again, this may be different.  
20 It may be one massive anomaly from one end of that  
21 road to the other end of the road. It's possible.  
22 I've never seen that, but it's possible. But we'll be  
23 better able to tell you that when we get out there and



1 start taking a look on the ground, preliminary site  
2 visit.

3 What we've kind of addressed here  
4 is the EECA, engineering evaluation cost analysis, the  
5 documentation we generally use to go further on with a  
6 non-time-critical removal action. In other words, the  
7 legal documentation, the action memorandum that says,  
8 I've got everybody's -- whoever is signature  
9 authority, in some cases the district engineer, some  
10 cases it goes all the way to the Pentagon for the guy  
11 to sign, this is a smart thing to do.

12 In this particular case, we don't  
13 really see that that's very -- it's not really  
14 necessary for construction support. However, if we  
15 ended up moving somewhere else or doing the rest of  
16 the installation, that would end up having to be done.  
17 Now, only for the ultimate decision as to what to do.  
18 And I would recommend breaking those into smaller  
19 sectors, so they're more manageable.

20 MR. RON LEVY: My question is --  
21 and it's a matter of timing on this -- assuming all  
22 things being okay, in terms of them -- in terms of the  
23 eastern bypass going through and that happening, we're

1 talking anywhere from what, five, ten years, Gary,  
2 down the line before we see any construction?

3 MR. GARY HARVEY: We're trying to  
4 move that quicker.

5 MR. RON LEVY: All right. Well,  
6 even if it was quicker, we've still got two years  
7 before closure that we're using ranges in that area,  
8 and destructive nature of the removal action, because  
9 you're not doing any --

10 MR. GARY HARVEY: I'm not sure  
11 which ranges we're using in that area.

12 MR. RON LEVY: You've got the  
13 pistol ranges up there.

14 MR. GARY HARVEY: The pistol ranges  
15 are all to the other side.

16 MR. RON LEVY: I think they're  
17 pretty close in to that.

18 MR. GARY HARVEY: No, it doesn't  
19 hit the road out there. And the ranges are right next  
20 to the road, firing in the opposite direction.

21 MR. RON LEVY: Still, you know, it  
22 may be an issue whether the installation is prepared  
23 to do that, starting in '98, because that's where



1 we're asking for money in to do that work, at least  
2 from a removal standpoint.

3 MR. GARY HARVEY: I don't know that  
4 going out there and putting flags in the ground would  
5 be disruptive to training.

6 MR. RON LEVY: But he's not talking  
7 about that. His suggestion here is that you don't  
8 necessarily need to do the EECA, you might just move  
9 right into the removal action. Am I right?

10 MR. CHUCK TWING: Only for that  
11 area that's going to be the eastern bypass.

12 MR. FERN THOMASSY: Uh-huh.

13 MR. RON LEVY: Right. Which,  
14 they're --

15 MR. CHUCK TWING: And then any  
16 information that we found while doing that removal  
17 action would feed into the overall site installation  
18 --

19 MR. RON LEVY: Are you tracking  
20 with me on this?

21 MR. GARY HARVEY: Yes.

22 MR. RON LEVY: What we're talking  
23 about is -- first off, the NEPA documentation still

1 has got to be done, because we need to insure that the  
2 land is actually going to be transferred in there.  
3 And we can't do any leases or --

4 MR. GARY HARVEY: If the land is  
5 going to be transferred to somebody. I mean, we can't  
6 do every action, sequentially. Never get anything  
7 done that way.

8 MR. RON LEVY: I'm just a little  
9 worried about timing on this, that's my point. Maybe  
10 it's a -- shouldn't be bringing it up in this forum.  
11 Maybe it needs to be talked about in another forum.

12 MR. GARY HARVEY: I think we need  
13 to sit in the next Alabama D.O.T. meeting we have, and  
14 we've got all the players around the table, let's  
15 press for everybody's time line, because there are  
16 probably things that could be done now that's not  
17 intrusive to us.

18 MR. RON LEVY: Well, if the things  
19 that are -- what he's saying, the things that can be  
20 done now is the EECA. But if we're not doing the  
21 EECA, then the only other thing we're talking about is  
22 the removal action. And that's at least a couple of  
23 years down the road. Am I right? If he's not doing

1 EECA, then it's a removal action. We won't know  
2 what's out there, we just --

3 MR. CHUCK TWING: They're not  
4 exclusive of one another. We can do those at the same  
5 time.

6 MR. RON LEVY: No. Actually, I  
7 think they should be exclusive in this case. That's  
8 what my point is. You need to do the EECA first and  
9 --

10 MR. CHUCK TWING: That's what I'm  
11 saying. I'm saying that they can be done at the same  
12 time on two different -- I mean, there are two  
13 different animals here that we're talking about.

14 MR. RON LEVY: I need to explain it  
15 to you.

16 MR. GARY HARVEY: No need to  
17 explain. I understand what you're saying.

18 MR. RON LEVY: I'm worried about  
19 going in and doing any work, short of an EECA, before  
20 a closure of the installation.

21 MR. GARY HARVEY: But we're trying  
22 to get around to getting everybody out of here, close  
23 the damn gates, and tell the LRA, well, have a nice

1 day, here it is. And then they start from ground one,  
2 ground zero. And then they've got to start  
3 everything, sequentially.

4 MR. RON LEVY: Well, I understand  
5 that.

6 MR. GARY HARVEY: What we need to  
7 look at is: We get back in, first of all, that's  
8 still a wide route there, Alabama D.O.T. has got to  
9 come back. We bring all the players around the table.  
10 And let's get out there and get us an accurate survey  
11 line on the ground so we're not playing with four  
12 hundred meters this way and five hundred this way. We  
13 need to get a surveyed line through there and then  
14 start playing with the time lines.

15 We can't close the post and then  
16 say, hey, we're going to --

17 MR. RON LEVY: I agree, Gary. It's  
18 just my issues are the NEPA, you know, which may or  
19 may not be an issue, and the real estate associated  
20 with that, in terms of the transfer. I know it's  
21 eventually going to be transferred to them. If they  
22 go out there and do a clearance on something that was  
23 surveyed there and it turns and then all of a sudden,

1 a year later, we turn around and we find out the route  
2 is different and we spent all that money, those are my  
3 --

4 MR. GARY HARVEY: It's hard now to  
5 get a year later on anything. You're only two years  
6 away.

7 MR. RON LEVY: We just need to --

8 MR. GARY HARVEY: We need to settle  
9 that with the LRA and the Department of  
10 Transportation.

11 MR. RON LEVY: But y'all need to  
12 know that that -- just going out there and doing it  
13 tomorrow or the next day is just something that is not  
14 necessarily doable right away.

15 MR. BART REEDY: Switch horses on  
16 you here a minute, if you could. I heard you say, if  
17 I'm not mistaken, that right now, you would recommend,  
18 if we were going to build an eastern bypass, you would  
19 recommend not doing an EECA. And without going to  
20 some level of effort that you are not under contract  
21 to do right now, you cannot do it, give us a cost  
22 estimate on what it's going to cost per acre.

23 Is that -- two things; one, if we



1       were going to build -- if the eastern bypass was good  
2       to go tomorrow, you would dispose -- you would  
3       dispense of the EECA and just go out and start  
4       flagging and cutting?

5                       MR. CHUCK TWING: No, that's not  
6       what I said.

7                       MR. BART REEDY: Okay. I  
8       misunderstood you. Correct me, please.

9                       MR. CHUCK TWING: I said that  
10      they're -- as we see it, there are two actions here.  
11      One involves the entire installation and ordnance.  
12      And that's basically going to require an EECA to give  
13      us the level of effort that we need and the decision  
14      documentation to be able to close this base in the  
15      EECA process and turn it over as is required by law.

16                      I don't see that we need to go out  
17      and do a lot of studying on an area that we know we're  
18      going to have to clean, anyway. Why not just go out  
19      and clean it?

20                      MR. BART REEDY: Then we're saying  
21      the same thing, I believe, because I was just speaking  
22      only of the eastern bypass.

23                      MR. CHUCK TWING: As I see it,

1       there is two issues.  There's the eastern bypass and  
2       then there is the installation EECA.

3                   MR. BART REEDY:  Fine.  If we can  
4       confine it, the discussion right now that you and I  
5       are having, just to the eastern bypass, it's been your  
6       experience that an EECA would not be cost effective?

7                   MR. CHUCK TWING:  I can't see why.

8                   MR. BART REEDY:  Okay.

9                   MR. RON LEVY:  There is --

10                  MR. BART REEDY:  When we were here,  
11       however many weeks ago, we were talking about maybe  
12       getting some sort of a cost figure, a guesstimate, on  
13       cost per acre.

14                  MR. CHUCK TWING:  Yes.

15                  MR. BART REEDY:  And I've had --  
16       bear with me again -- I believe I heard you say that  
17       right -- you don't have the capacity to do that right  
18       now.

19                  MR. CHUCK TWING:  I believe we said  
20       we didn't have the money to do that right now.

21                  MR. BART REEDY:  That's what I  
22       meant by capacity, yes, financial capacity.

23                  If we can't do that, then how can

1 we make an intelligent decision on the road location,  
2 because -- would you put the map back up there?

3 MR. CHUCK TWING: Sure.

4 MR. BART REEDY: Please. One of  
5 the things that jumped out at a bunch of us and -- is  
6 the Alabama D.O.T. -- this is their proposed route  
7 right through here. That route is -- was chosen for a  
8 couple of reasons. Those reasons were the amount of  
9 dirt to be moved.

10 MR. RON LEVY: Engineering  
11 requirements.

12 MR. BART REEDY: Engineering  
13 requirements. What was the other one, geometry? Same  
14 thing.

15 And we were just wondering, did the  
16 cost of UXO survey and clearance come into that? And  
17 the answer was, well, no, it didn't. And we were  
18 wondering, well, what would happen if you would just  
19 bump this road over here a little closer to the  
20 mountain. And, obviously, it's going to, you know --  
21 probably more dirt work. But could we weigh the cost  
22 of that dirt work against this much UXO clearance?

23 MR. CHUCK TWING: Sure.



1 MR. BART REEDY: And what I'm  
2 hearing now is: We're not going to have that -- we're  
3 not going to be able to answer that question a month  
4 from now.

5 MR. RON LEVY: Well, we're working  
6 on that.

7 MR. CHUCK TWING: I'm not sure  
8 about that. I've seen some traffic going back and  
9 forth that said we might be able to. But as I believe  
10 I mentioned the last time, there isn't any money to do  
11 anything. And unfortunately, we don't do anything  
12 without money.

13 MR. BART REEDY: Sure.

14 MR. RON LEVY: We're working to get  
15 you some money right now, Chuck.

16 MR. CHUCK TWING: And I'm aware of  
17 that traffic that's been going back and forth. But to  
18 answer the question, are we going to give you an  
19 answer in a month? I don't know. I can't tell you  
20 that.

21 MR. BART REEDY: Okay.

22 MR. CHUCK TWING: I can tell you I  
23 won't answer you, unless I send a crew out on the

1 ground, and that costs money.

2 MR. BART REEDY: I understand.

3 Okay.

4 MR. RON LEVY: Not to correct your  
5 mistake, but there is actually three issues as it  
6 relates to UXO: Eastern bypass, a retirement  
7 community going over range sixteen, and then the rest,  
8 as you've said.

9 MR. CHUCK TWING: Correct. I  
10 considered that retirement community in the rest.

11 MR. RON LEVY: That actually got it  
12 -- the LRA has got it as a separate issue.

13 MR. CHUCK TWING: Okay.

14 MR. RON LEVY: From a UXO  
15 standpoint.

16 MR. CHUCK TWING: And that's just  
17 about it, as far as our presentation, unless there is  
18 a lot of other questions. You've seen all my slides.

19 This one is where we say what we  
20 think that most of this would fit in. Now, if there  
21 is a time line problem -- in other words, if this  
22 isn't going to happen until after the installation is  
23 turned over and everybody has gone home and I'm

1       retired, then it's obviously a misnomer. So, it  
2       depends on your time desires or your time driven as to  
3       what goes first.

4                   MR. RON LEVY: I'm personally  
5       interested in hearing what the RAB or members of the  
6       RAB think -- it doesn't have to be the RAB, but  
7       members of the RAB think, individually, about what's  
8       going on here and how all that's been proposed, all  
9       that's been proposed and what your thoughts are on all  
10      this, if anybody wants to chime in and let me know.

11                  MR. CHUCK TWING: This is certainly  
12      not the first RAB that I've been a member of. I will  
13      say that this is the quietest RAB I've ever been  
14      involved with.

15                  MR. GARY HARVEY: Ron, I wish there  
16      was a member of the LRA here, because I don't remember  
17      the exact date. I would have to go back by the  
18      office. But there is another town hall meeting, I  
19      think it's the 5th of June at Jax State. Has anybody  
20      here heard about that?

21                  MR. RON LEVY: I knew there was a  
22      town hall meeting coming, but I didn't know --

23                  MR. GARY HARVEY: I think it's the

1 5th. I'll have to run back to the office. They're  
2 going to brief the reuse plan again. And some of you  
3 RAB members -- and I can go up to the office during  
4 the break and get the exact date and time. It's at  
5 Jax State. I think it's at 7:00 p.m. And they're  
6 going to brief the community on the reuse plan. And  
7 you might see how the eastern bypass fits to that  
8 thing.

9 MR. FERN THOMASSY: Yes. And,  
10 Gary, something you said I think is quite important,  
11 it's really a very important consideration to me, and  
12 that is: The eastern bypass and its timing is  
13 dependent on the ability to come through Fort  
14 McClellan. And whether or not the Army is going to do  
15 something after it closes Fort McClellan or do it  
16 while it is able to do it and meet the time line of  
17 the eastern bypass completion is an issue we ought to  
18 be discussing in here, I think, in getting to the  
19 bottom of it.

20 MR. RON LEVY: Yes.

21 MR. FERN THOMASSY: Because I  
22 believe if the Army puts its money forward in '98 and  
23 '99 and 2000 and does some of the site



1       characterization that might still need to be done,  
2       certainly some of the definition of recovery and  
3       excavation now, even to the point where it might have  
4       to move some of those pistol ranges, which it could  
5       do, I think that we need to consider that and we need  
6       to make that information available through us to the  
7       community and to the LRA. And if it becomes an issue,  
8       debate it.

9                       MR. RON LEVY: I would agree.  
10       That's the kind of input, feed back that I'm looking  
11       for.

12                      MR. FERN THOMASSY: That's where we  
13       can be functional and I think, useful.

14                      MR. RON LEVY: What are your  
15       feelings about all this? Do you have a line? Do you  
16       have a position? Do you feel that this is a smart  
17       thing to be doing? Do you not feel it's a smart thing  
18       to be doing? Do you like the approach that we're  
19       suggesting that we take on this?

20                      I mean, all those things the RAB  
21       has to talk to us about and let us know, you know. If  
22       you're not -- you know, if you're not sure, just say  
23       that, I don't know whether or not there is a big issue

1 here or not.

2 MR. GARY HARVEY: And one of the  
3 parts -- we ought to report back to the RAB after our  
4 next meeting with Alabama Department of  
5 Transportation. You know, Chris is in those meetings  
6 and Bart. We ought to -- they should have a better  
7 idea of insuring-wise if they can move that line like  
8 we asked.

9 Then there is another part with  
10 competing milestones. The state might not have the  
11 money for fifteen years, that might cause somebody to  
12 change things. But I'm not trying to get out of  
13 anything I said. I'm saying there is a lot of  
14 competing things that have to be in place. You know,  
15 you might then all of a sudden switch and want to  
16 clean up this area, if you're not going to build the  
17 road for ten or fifteen years.

18 MR. RON LEVY: That's part of my  
19 issue. The BRAC -- base clean up team, Bart, myself  
20 and Chris over there, we're making decisions on where  
21 to put resources and what to do from a clean up  
22 standpoint. And if the road is actually not going to  
23 be ready but ten, fifteen years down the line, or

1       they're not going to start construction ten or fifteen  
2       years down the line, should we be putting resources or  
3       focusing our effort on the clean up, at this point in  
4       time or what?

5                       And that's my point. I know it's a  
6       priority of the LRA. I know that they're really  
7       interested in seeing this. It's one of the center  
8       pieces to the development of the Fort. We all  
9       understand that. But, you know, where does it fall in  
10      along the time line of what's to be done? That's all  
11      I --

12                     MR. GARY HARVEY: And it might be a  
13      case where they're all priorities, but you reduce the  
14      amount of money for eastern bypass if it's going to be  
15      way off, you just do a little bit until you get there.

16                     MR. FERN THOMASSY: And it's the  
17      answers to those things that we need fairly soon, as  
18      to what the funding picture is for finalizing the  
19      design, for coming in and making the money available.  
20      I saw something recently in the paper that said some  
21      seventy-five million dollars --

22                     MR. GARY HARVEY: That's under the  
23      bond project that we're going to (inaudible) Mark and

1 then Sessions, Shelby, and Riley are up there trying  
2 to get federal money for it.

3 MR. FERN THOMASSY: But that's  
4 being worked. That's not a certainty, at this point.  
5 That's the types of things we need to follow.

6 MR. GARY HARVEY: In other words,  
7 the other thing, too, Fern, if we can get the state  
8 out there soon, and it's not next week, whenever they  
9 can, when they can draw a precise line, then these  
10 guys can go out there and say, well, we don't have to  
11 worry about this area. You start whacking the acres  
12 away that you don't even have to play with, because  
13 it's going to fill this whole ravine. You get more  
14 precise milestones then, more precise statements of  
15 work and more importantly more precise costs.

16 Because, you know, any project, you  
17 try to get the crap out of the way to get at the  
18 really tough items that you can get your arms around.

19 MR. CHRIS JOHNSON: I tell you  
20 where we stand on it with ADOT is we're going to -- in  
21 about a week they're going to tell us whether or not  
22 they can make the turn that was requested in the last  
23 meeting. ADOT has requested to meet on June 3rd and

1 we're going to talk about that probably tonight,  
2 whether everybody, Bart and Ron can meet that date.  
3 And then we're going to go from there, because that  
4 really was how we sequenced this.

5 MR. RON LEVY: What was the day on  
6 that?

7 MR. CHRIS JOHNSON: And if they  
8 can't move the line, then we're going to go from there  
9 and decide --

10 MR. BART REEDY: June what?

11 MR. CHRIS JOHNSON: June 3rd, Terry  
12 Robinson requested June 3rd, Tuesday, 10:00 in  
13 Montgomery.

14 MR. BART REEDY: There is -- I  
15 think there might be a point we need to be sure and  
16 keep clear in our minds that we're -- that we are  
17 talking about -- we're -- it's all tax dollars, it's  
18 all money that you and I send in every year.

19 But what the issue that Chris and  
20 Ron and myself and Lisa and Ellis, the issue that  
21 we're concerned about is how much money is Fort  
22 McClellan going to get. That is a separate pot of  
23 money than the road building money. And one of the --

1 we've not come -- we're just to the point right now  
2 where we're kind of being able to identify what  
3 alternatives might be around.

4 It's going to be an expensive  
5 proposition to clear four and a half miles of range.  
6 And we're -- you know, we just got word that, you  
7 know, some resources are shrinking, yet again. Now,  
8 to color outside of the box just a little bit, if the  
9 road were to be positioned in such a way as to  
10 minimize the amount of UXO clearance that's required,  
11 it might free up some Army funds to do some of the  
12 other things that the LRA has requested.

13 Now, I'm -- that is a possibility.  
14 I don't know that and I don't think that you or I or  
15 any of us right here can accurately speak to that.  
16 But I would have y'all be aware of that, that it's a  
17 possibility if we go and request a bazillion dollars  
18 to clean up for a road, are we going to have money to  
19 clean up the Seibert Hall and Truman Gymnasium and  
20 whatever needs to be done there. And I can't, off the  
21 top of my head, speak to it.

22 But those are the kinds of issues  
23 that we're trying to weigh. Did that come out clear?



1 MR. HOOD: So, you're wanting to  
2 look at the total cost of the road, just lump it all  
3 together; clearance for UXO, construction, etcetera,  
4 and get the cheapest --

5 MR. BART REEDY: I want -- I think  
6 that as tax payers, we ought to do that, yes, look at  
7 the total cost. But then again, I think it would  
8 benefit us to -- in turning the base over, to look at  
9 is there danger three years from now, two years from  
10 now, of requesting a pile of money to clean up a route  
11 for the road through all the ranges and running out of  
12 money to do anything else at the base.

13 MR. HOOD: Uh-huh.

14 MR. BART REEDY: Where, if we bump  
15 the road over a couple of miles and let Alabama D.O.T.  
16 and the federal D.O.T. pick up the cost of it,  
17 minimize the range clearance, are we going to come out  
18 -- you know, are you guys here in Alabama going to  
19 come out money ahead?

20 MR. HOOD: Are you proposing --

21 MR. BART REEDY: I'm not proposing  
22 anything. I'm just saying those are the things that  
23 we ought -- that I believe we ought to be thinking



1 about.

2 MR. HOOD: Well, I know some  
3 limitations they run into, if they're designing it to  
4 handle transfer trucks, you know, the big heavy rigs,  
5 and they've got a grade requirement and --

6 MR. BART REEDY: Sure.

7 MR. HOOD: And one of the things  
8 you were talking about, the mountain wouldn't fit  
9 their grade requirements, at all. That's one of the  
10 reasons they chose that particular route.

11 MR. BART REEDY: I understand.

12 MR. HOOD: There is one other way  
13 they could run it, but they haven't discussed it,  
14 which would be to tie it further east, basically  
15 through Bains Gap area, and hook up with the existing  
16 431. But for whatever reason, that hasn't been  
17 discussed, I think, because they want to run it down  
18 through that industrial park down there.

19 MR. RON LEVY: I think costs were a  
20 factor in that, that would have been --

21 MR. HOOD: And then there is a cost  
22 factor in there, too, you would factor in that you  
23 would avoid the UXOs considerably going that way, I

1 don't know.

2 MR. RON LEVY: I don't know if  
3 that's the case. Because, you know, if you go through  
4 the middle of Choccolocco, that's all been designated  
5 as -- to include Bains Gap Road.

6 MR. HOOD: Yes, no matter which way  
7 you go, you're going to hit something.

8 MR. RON LEVY: Yes. But their  
9 intent --

10 MR. HOOD: But I do know they can't  
11 swing it over into that mountain, though.

12 MR. RON LEVY: Bart's issue is just  
13 to move it slightly. And they're looking at cost now.  
14 They've gone back -- they've said they'll go back and  
15 look at the cost of moving it over. And we'll try to  
16 bounce that off of what cost -- because we're trying  
17 to get funded -- we're trying to get Huntsville funded  
18 to tell us what the costs are going to be, too.  
19 Because they can't just do it. I mean, they've got to  
20 go out there and get on the ground, survey, and define  
21 what those costs will be.

22 Am I right, Chuck?

23 MR. CHUCK TWING: Right.

1 MR. RON LEVY: So --

2 MR. BART REEDY: The first step,

3 Ron --

4 MR. RON LEVY: And then we'll start  
5 bouncing numbers off.

6 MR. BART REEDY: -- of that is what  
7 Chris said, if I'm not mistaken, The June 3 meeting is  
8 a meeting to discuss is it doable.

9 MR. RON LEVY: Right.

10 MR. BART REEDY: Not cost. We're  
11 not even --

12 MR. RON LEVY: Doable. They  
13 weren't even going to give us cost on that, Chris?

14 MR. CHRIS JOHNSON: Right now  
15 they're just trying to find out if they can make the  
16 turn outside the range in that northern part of the  
17 area. And Barge Wagner (phonetic) --

18 MR. RON LEVY: That was a major  
19 part of it. And if they could, then what the cost  
20 would be to do -- the additional cost would be to do  
21 that, yes.

22 MR. CHRIS JOHNSON: Right.

23 MR. HARVEY: And they thought right



1 off at the top that the cost would be prohibitive, if  
2 they had to go over on the other side of the mountain.

3 MR. RON LEVY: Yes.

4 MR. HARVEY: There were two things.  
5 The main thing they were worried about was their  
6 geometry. And it is a sixty mile an hour road and  
7 that had quite a bit to do with it.

8 MR. HOOD: Yes, that's how fast a  
9 big turn you can put it.

10 MR. CHRIS JOHNSON: In fact, I  
11 requested Terry to let us know within a week and give  
12 us about a week's prior notice to that meeting. And  
13 he stated that they probably would know within a week  
14 whether or not they could make the turn.

15 MR. RON LEVY: My question is even  
16 simple enough, because, you know, no matter whether  
17 you make the turn, there is still some level of UXO  
18 that you're going to have to go through and there will  
19 be some clearance required there. And the timing of  
20 the construction of the road and how all that fits in,  
21 like the time lines I was talking to you about -- and  
22 when we hit these points, you know, when are we going  
23 to do an EECA or a clearance? So, we don't commit to

1 something that's not going to be done fifteen years  
2 down the line.

3 MR. CHRIS JOHNSON: I requested  
4 that from Terry, as well. He said they were going to  
5 put together their time frame for the (inaudible) for  
6 the road.

7 MR. PETE CONROY: How much money is  
8 Chuck saying for the preliminary determination?

9 MR. CHUCK TWING: We asked for  
10 forty-five, we got five. And that's being used to  
11 come down here and some other things such as setting  
12 up the crew to come down.

13 MS. LISA KINGSBURY: Twenty K  
14 should be --

15 MR. RON LEVY: The twenty K is on  
16 its way. That's just it, you know, every time we send  
17 somebody out to do these studies, it's expensive,  
18 extremely expensive.

19 Anymore discussion on UXO? Eastern  
20 bypass?

21 MR. PETE CONROY: There could be.

22 MR. FERN THOMASSY: What's the  
23 area, Ron, of the range sixteen for the retirement



1 village? How big is that?

2 MR. GARY HARVEY: Range sixteen?

3 MR. FERN THOMASSY: Yes.

4 MR. GARY HARVEY: The fan is pretty

5 big, Fern. That's the old range where you shot

6 bazookas. Remember when you were a young fellow?

7 Remember when you were young a long time ago?

8 MR. FERN THOMASSY: You going to

9 blame me, now.

10 MR. GARY HARVEY: It's all in a

11 very small area. It all got caught in that little

12 knoll.

13 MR. RON LEVY: Based on the fan,

14 they'll probably have to do some statistical analysis

15 of various parts. But the majority of the clearance,

16 as Gary said, will probably be in a concentrated area.

17 MR. GARY HARVEY: I can give you a

18 good news story. The Dep Sec, the wonderful Dep Sec

19 on post here, you all know him? He has turned that

20 range over, back into DA, so y'all can start on that

21 any time.

22 MR. FERN THOMASSY: Oh, nice going.

23 MR. GARY HARVEY: We're not using



1 it. Ron is going to have it tomorrow.

2 MR. FERN THOMASSY: What are you  
3 talking about, a four hundred by four hundred meter  
4 area?

5 MR. GARY HARVEY: Probably just a  
6 little bit bigger than that. There might be some  
7 overshoot on the little knoll. But where it is is  
8 really concentrated.

9 MR. RON LEVY: Just depends on how  
10 many shots you made over there when you were out  
11 there.

12 MR. GARY HARVEY: All the shots  
13 that you missed.

14 MR. FERN THOMASSY: Got to go a  
15 little further.

16 MR. GARY HARVEY: Got to go a  
17 little further.

18 MR. FERN THOMASSY: No, I was  
19 pretty accurate.

20 MR. GARY HARVEY: But you can start  
21 on that one, now. The Dep Sec has turned it into  
22 post.

23 MR. HOOD: Along those lines, are

1       you still using any portion of that range that would  
2       involve the eastern bypass for other than small arms?

3                   MR. GARY HARVEY: No, we're not  
4       using any ranges out here but small arms. They're all  
5       on this side of Iron Mountain Road. That route  
6       doesn't bother those range fans.

7                   MR. FERN THOMASSY: Not even the  
8       four hundred foot distance? It might get into some of  
9       those pistol ranges.

10                  MR. GARY HARVEY: You don't have  
11       the map in front of you, but it starts quite a bit  
12       before. And ranges are right on Iron Mountain Road.

13                  MR. FERN THOMASSY: Right.

14                  MR. GARY HARVEY: It starts before  
15       and it doesn't join Iron Mountain Road until quite a  
16       ways down.

17                  MR. RON LEVY: I think what we  
18       might want to do in the future is get a lay down and  
19       show how the ranges, the small arms ranges -- what  
20       they define as UXO and also the highway.

21                  Lisa, would you as an action item  
22       -- we need to consider that in the future.

23                  MS. LISA KINGSBURY: Okay. Sam has

1 got it.

2 MR. FERN THOMASSY: I would like, I  
3 think, some time soon, it would have to be in July, to  
4 have somebody here from the LRA provide us some time  
5 lines on the eastern bypass. What has to be  
6 accomplished? What money has to be acquired? When do  
7 they think that's going to happen? What has happened  
8 so far? So that we know what to look for as we try to  
9 make these decisions on where money ought to be spent  
10 between now and the time the Fort closes, if at all.

11 MR. RON LEVY: Now, we have in  
12 June, even though we're referring to the DERTF, we  
13 have in June a presentation by Barge Wagner. They are  
14 D.O.T.'s contractor. They may have some of that that  
15 they can talk to us about at that time. So, we might  
16 even get it in June. If not, you know, then we can go  
17 back and formally ask the LRA to come in and talk to  
18 us about what the time lines --

19 MS. LISA KINGSBURY: They'll also  
20 explain the do ability as to whether we can move that  
21 bypass to the east like Bart was saying. They'll be  
22 explaining to y'all during the June RAB.

23 MR. FERN THOMASSY: And that will

1 be an outgrowth of the meeting Chris was talking --

2 MS. LISA KINGSBURY: Right.

3 MR. FERN THOMASSY: Does that makes  
4 sense?

5 MR. RON LEVY: Do we want --

6 MR. PETE CONROY: (Inaudible.)

7 MR. RON LEVY: I think they all  
8 want to move on. Fern, do you want to talk about  
9 committees?

10 MR. FERN THOMASSY: Okay. Yes, at  
11 this point, without Mark here, we really have no  
12 report from the community activities. And without  
13 Charles here, unless somebody else has some other part  
14 to report, I know of nothing from the charter and  
15 membership.

16 MR. RON LEVY: We've got one thing.

17 MR. FERN THOMASSY: You have a copy  
18 of the letter here.

19 MR. RON LEVY: We drafted a letter  
20 --

21 MR. FERN THOMASSY: Okay.

22 MR. RON LEVY: -- to go out to the  
23 community. And we're talking about six hundred

1 mailings.

2 MS. LISA KINGSBURY: Yes,  
3 approximately, seven hundred.

4 MR. RON LEVY: Seven hundred  
5 mailings. This letter will be used in the mailings.  
6 Sue Estes, who has been supporting us, is going to do  
7 the mailings. But this was proposed as the letter to  
8 go out. If you want to take a quick look at that and  
9 see if you guys got any concerns, if you'll just let  
10 us know.

11 When is the time period when we're  
12 going to send these out?

13 MS. LISA KINGSBURY: We're planning  
14 on having them out by the 30th of May and the cut off  
15 date for the 30th of June.

16 MR. RON LEVY: Now, we did -- we've  
17 got -- the mailing list came from -- help me out here,  
18 Lisa.

19 MS. SUE ESTES: Environmental  
20 Justice.

21 MR. RON LEVY: Yes, that's it. The  
22 Environmental Justice where we were looking at  
23 minority, low income.

1 MS. MARY HARRINGTON: I have those  
2 new addresses, because what they have, Glen Johnson,  
3 their office, most of those are old addresses, because  
4 I'm on that mailing list that comes out of Atlanta.

5 MR. RON LEVY: Mary, if we could  
6 get it from you.

7 MS. LISA KINGSBURY: Mary, could  
8 you give it to me?

9 MS. MARY HARRINGTON: I've got it.

10 MR. RON LEVY: We'll make sure that  
11 gets in so we can get mailings out to those folks, as  
12 well.

13 MS. MARY HARRINGTON: Because if  
14 y'all got it from Glen Johnson, most of theirs are  
15 old. Some of the offices have changed and everything.

16 MR. RON LEVY: Okay.

17 MR. FERN THOMASSY: Mark Anderson  
18 was going to give you a list. Did he ever give you --

19 MS. LISA KINGSBURY: He never did.  
20 I called him and he never did.

21 MS. SUE ESTES: I think we have  
22 some (inaudible) --

23 MS. LISA KINGSBURY: We have the

1 old one.

2 MS. SUE ESTES: We're getting it  
3 from Environmental Justice.

4 MR. FERN THOMASSY: The old one,  
5 the original one?

6 MS. LISA KINGSBURY: Right.

7 MR. RON LEVY: I think that's all  
8 we've got as relates to the community relations.

9 So, if anybody has got any  
10 comments? Mary, we'll get from you that list that  
11 you've got.

12 Yes, Bart?

13 MR. BART REEDY: Yes. I had a  
14 question here in the third paragraph. I'm just  
15 wondering about -- and you guys would know -- you  
16 know, you guys are volunteering. This is my job.

17 The very end of the first sentence  
18 there, asking people to volunteer for at least two  
19 years. While that would be optimum, do you think  
20 that's going to scare folks off?

21 Because there is going to be some  
22 turnover. And I'm just wondering if we say, you know,  
23 ask to volunteer for at least a year, if --

1 MR. FERN THOMASSY: I would --  
2 excuse me for interrupting. But I would say if that  
3 scares people off, we're probably better off without  
4 them.

5 We need continuity on this board.  
6 There is so much knowledge and so much detail into  
7 what we're getting into, that if people only serve for  
8 one year, I don't think we're going to be effective.

9 So, I think that's at the lower  
10 end, from my viewpoint, the type of people that we  
11 would like to have on this board. I would say we  
12 encourage people to come on this board who are going  
13 to stay for a long period of time and maintain that  
14 type of continuity. That's my opinion.

15 MR. PETE CONROY: And I tend to  
16 agree. I also agree with you that it will scare  
17 people off, which is too bad. But I think some of us  
18 are still struggling with a lot of the most  
19 fundamental issues even still. There is a lot of  
20 education that needs to take place before you can be  
21 effective on this volunteer board.

22 MR. CHRIS JOHNSON: How about just  
23 take that out and just state that for a period -- or



1 throughout the BRAC process. Do you have to quantify  
2 a time period here?

3 I'm like Bart, I think when  
4 somebody reads that, they're like, man, if I want to  
5 get out, I got to serve two years -- I'm not sure if I  
6 really want --

7 MR. RON LEVY: I think it's a minor  
8 issue, because if they want to get out, they can get  
9 out, anyway.

10 MR. FERN THOMASSY: Right.

11 MS. MARY HARRINGTON: Just don't  
12 come and you'll be out.

13 MR. CHRIS JOHNSON: As long as  
14 that's understood.

15 MR. RON LEVY: Since it's  
16 volunteer, if they want to walk away from this,  
17 anybody could walk away from this at any time they  
18 want to.

19 MR. BART REEDY: Granted. And I  
20 concur with you, Pete, a hundred percent and you --  
21 you know, it would be great to have a RAB that there  
22 was no change -- you know, there was no turnover.

23 MR. PETE CONROY: How about

1 long-term commitments are desired? Or preferable?

2 MR. BART REEDY: You know, if  
3 somebody offers you three quarters of a million  
4 dollars a year to move to North Dakota, you're gone,  
5 now.

6 MR. FERN THOMASSY: Like heck. I'm  
7 not going to North Dakota for a million.

8 MR. PARKS: Not Grand Forks,  
9 anyhow.

10 MR. BART REEDY: So --

11 MS. LISA KINGSBURY: What do you  
12 suggest, Bart? We can fix it. What do you suggest?  
13 Re-read that sentence the way you think it should  
14 read.

15 MS. SUE ESTES: Throughout the BRAC  
16 process?

17 MS. LISA KINGSBURY: That will take  
18 care of the two years.

19 MR. GARY HARVEY: You got that  
20 right.

21 MR. BART REEDY: But frankly, quite  
22 frankly, my concern is that when we say -- when we --  
23 if we put a two year --

1 MS. LISA KINGSBURY: Right. I --  
2 we can fix it.

3 MR. BART REEDY: Hold on a minute,  
4 now. If we put a two year thing on there, we want you  
5 to volunteer for two years, we are going to scare off  
6 some kind of people. And what are those kinds of  
7 people? I can't answer that question.

8 You know, maybe those are frankly  
9 the kind -- some of the kinds of people we need on the  
10 board that will help, you know, help us think a little  
11 bit outside the box.

12 MS. LISA KINGSBURY: This is easy.  
13 We'll just put throughout the BRAC process. That  
14 covers the two years and makes everybody happy.  
15 Right?

16 MS. MARGARETTE LONGSTRETH: That's  
17 right.

18 MS. LISA KINGSBURY: That's easy.  
19 I can fix that.

20 MR. BART REEDY: It's in the second  
21 and third paragraph.

22 MS. LISA KINGSBURY: Done deal.  
23 Got it.

1 MR. RON LEVY: Okay. Anybody got  
2 any other concerns about our letter?

3 MR. CHRIS JOHNSON: You going to  
4 sign it?

5 MR. RON LEVY: Right now.

6 MR. FERN THOMASSY: When would you  
7 like any additional comments in to you so we could cut  
8 it off and allow you to produce it and get it out by  
9 the 30th of May? Do we want to give people a few more  
10 days, another week?

11 MR. RON LEVY: Yes, we can do that.  
12 If anybody will get us comments up -- because it won't  
13 take --

14 MS. MARY HARRINGTON: I like the  
15 letter.

16 MR. RON LEVY: Up to the middle of  
17 --

18 MS. MARY HARRINGTON: Well, next  
19 week is --

20 MR. FERN THOMASSY: Well, I mean,  
21 next week is the 26th. It's Memorial Day. So, why  
22 don't we just say until the end of the week?

23 MR. RON LEVY: 23rd.

1 MR. FERN THOMASSY: 23rd, yes, end  
2 of the week.

3 MR. RON LEVY: Okay. Great, the  
4 23rd.

5 MR. FERN THOMASSY: And I would say  
6 those comments can be made to Ron. But my  
7 recommendation is that we, with the comments that Bart  
8 has suggested and the fix that Lisa came up with,  
9 accept the letter and allow those comments to be  
10 determined by Ron as they come in as to whether they  
11 actually be incorporated. I'd like to leave it up to  
12 his good judgment, at that point.

13 We can't have this whole thing run  
14 by committee, or you would have a completely changed  
15 letter.

16 MS. MARY HARRINGTON: That's right.

17 MR. FERN THOMASSY: Next issue.

18 MS. LISA KINGSBURY: Twenty  
19 questions.

20 MR. FERN THOMASSY: Okay. Next  
21 issue. There were no issues from any of the other  
22 committees? Nobody had anything they knew of from the  
23 community committee?

1                   The DERTF questions, that was the  
2           big thing that everybody was asked to prepare for and  
3           bring them in for Ron and Lisa to get to the  
4           committees.

5                   Everybody know what the DERTF is?  
6           Everybody planning to be there next June 17th? They  
7           are to be at the Anniston City Meeting Center. As  
8           that group comes in, they want to know what our  
9           questions are so they can prepare for them.

10                  So, I would like to open it up with  
11           two questions. Does anybody have them written down or  
12           does anybody want to start off with their verbal  
13           input?

14                  I wrote one down. I'm going to  
15           give it to you for what it's worth. But one of the  
16           questions I would like to ask is -- and this puts  
17           background into it first -- is: There is so many  
18           parts of this environmental restoration process at  
19           Fort McClellan, and to the manner that the process  
20           interphases with the proposals to reuse the Fort.

21                  Therefore, it's necessary for the  
22           RAB to determine what we're going to focus on. Now,  
23           we're getting some of that here as we get the

1 priorities of the LRA. And what to focus on certainly  
2 is dependent upon what phase of the closure process  
3 and the clean up that Fort McClellan is undergoing.

4 So, the question I have with that  
5 background for the DERTF is: Based on their  
6 experience with other military closure activities and  
7 other RABs that they've seen or the base process,  
8 where do they think we are in that parallel process?  
9 What should we be focusing on?

10 And get their opinion on it, as  
11 well. I think we have some ideas. We've focused on  
12 certain things. Let's get them to tell us, based on  
13 their experience, firsthand what they think we ought  
14 to be focusing on.

15 So, that was the question that I  
16 had asked.

17 MR. RON LEVY: It's a good  
18 question.

19 MR. FERN THOMASSY: And I limited  
20 it. I said, where do you think we ought to be  
21 focusing over the next six months to a year?

22 MR. HARVEY: Fern?

23 MR. FERN THOMASSY: Yes.

1 MR. GARY HARVEY: I would like to  
2 offer something, not being a RAB member. But you  
3 know, Fort McClellan is kind of unique. If you take a  
4 place like Camp Pickette, they received the orders of  
5 BRAC and stuff started moving out.

6 Well, here at Fort McClellan,  
7 you've got a four year time line where nothing moves  
8 and basically nothing is available to start cleaning  
9 up because you've got a major mission to pick up and  
10 move. And, you know, frame the question: Does the  
11 DERTF recognize, in that aspect, that Fort McClellan  
12 is unique?

13 We can't start the hard  
14 environmental clean up because we're still dirtying  
15 the place, if you will, or we're still using it. So,  
16 we pick up and move after four years. And are they  
17 going to -- is the leadership, Department of Defense  
18 and Army, going to recognize that and pump in a lot of  
19 money quickly, so the reuse can start?

20 Did I frame that, properly?

21 MR. FERN THOMASSY: Yes. I follow  
22 what you mean.

23 MR. GARY HARVEY: Because it is



1 kind of unique. Other places like Camp Pickette, you  
2 know, they started -- they got their closure. A unit  
3 started going here, going there, so they were doing  
4 nothing but drawing down.

5 We have been full bore, same  
6 mission since July '95 and going until the spring or  
7 summer of '99 and then picking up. Well, it's too  
8 late to -- I mean, you got to crash then to get the  
9 place ready for reuse. You know, you can't just  
10 piecemeal.

11 So, I don't know how you would want  
12 to frame that question.

13 MR. RON LEVY: Does the DERTF  
14 recognize the unique situation Fort McClellan is in,  
15 in that it can't start disposal actions until closure  
16 in FY 99?

17 MR. GARY HARVEY: Right. So, you  
18 got no draw down in mission where you go right to  
19 closure.

20 MR. RON LEVY: Did I frame your  
21 question right?

22 MR. GARY HARVEY: Yes.

23 MR. RON LEVY: Did you get that,

1 Sue?

2 MR. FERN THOMASSY: Weren't we  
3 discussing an exception to that? We were discussing  
4 the bypass. And I wonder what the DERTF feels about  
5 that exception. Is that something they're going to  
6 support us on?

7 MR. GARY HARVEY: Well, the  
8 follow-on to that is: Fort McClellan or the community  
9 is going to need help to start things that can be done  
10 now, you know, even though there's a mission going on  
11 now. Not sit here and run things sequentially, you  
12 know, close, do this, but recognize there is a major  
13 impediment the Army has put in, in that the mission is  
14 not picking up and moving, most of the land is being  
15 used, so we need some accommodation by EA and DoD to,  
16 you know, partner, work together, everybody buy in,  
17 that type thing.

18 MR. BART REEDY: Gary, one of the  
19 things that we're doing, as BCT, we're putting  
20 together a base closure plan and that is a very  
21 laborious process.

22 A lot actually of the property out  
23 here on this side of the road, we can go ahead and are

1 going ahead and prioritizing the investigation and the  
2 categorization of those properties. And if there is  
3 necessary clean up, going ahead and doing those.

4 So, I guess maybe my view of it is  
5 not quite as radical as what yours is, and I'd like to  
6 understand a little better.

7 MR. GARY HARVEY: All right.

8 MR. BART REEDY: Now, that's  
9 excepting the ranges.

10 MR. GARY HARVEY: I understand.  
11 But not just ranges.

12 MR. BART REEDY: Okay.

13 MR. GARY HARVEY: We have training  
14 that goes on here every day that doesn't use ranges,  
15 called maneuver area, where we're going through, even  
16 through the range fans -- when the ranges are not  
17 being used small arms, we're going through the fans,  
18 doing maneuver, you know, all sorts of things.

19 We're not always shooting. There  
20 is map reading courses, all kinds. So, you would have  
21 activities that you cannot do because we are training.  
22 It's going to impede training.

23 And these are huge areas. You

1 know, right now there is thirty-eight hundred and  
2 eighteen reservists on post these two weeks, using all  
3 of our areas, not just ranges. So, there's a lot of  
4 things, because we're at full mission, that you won't  
5 be able to get at to, because it will detract from the  
6 General's mission of conducting training.

7 I mean, I can take you up to the  
8 office and show you all the places that are being used  
9 on post right now that are not ranges, that there is  
10 training being conducted in them. In fact, each one  
11 of those maps up there -- I don't know if Ron will  
12 have them -- if you have one over here, see all those  
13 training areas are marked, you know, 6-A, 6-B, 6  
14 Alpha, Bravo, Charlie, 2, 2 Alpha, all those are  
15 trainings areas that training is going on, now.

16 MR. BART REEDY: Yes, we  
17 understand.

18 MR. GARY HARVEY: So, that's a  
19 major problem for getting at to clean up things.

20 So, what I'm saying is: Somebody  
21 has got to front load that thing, that as soon as it  
22 becomes available or where we can partner to minimize  
23 the effect on training, and pump a lot of money in

1 quickly. Otherwise, it's not going to be done.

2 MR. BART REEDY: Well, it's been my  
3 experience and -- that pumping money in quickly is not  
4 going to get us where we need to be, because the  
5 environmental -- the environmental work takes time.  
6 You can't just start throwing money at it and get an  
7 answer. And that's why -- that's why we're going to  
8 such great lengths and such struggles to get this base  
9 closure plan, because it may mean that we actually  
10 have to go to General Wooten and say, you know,  
11 General, we need to clean up sites X, Y, Z over here,  
12 can you run your tanks over here for the next six  
13 weeks or six months?

14 MR. GARY HARVEY: Oh, yes. I'm  
15 saying that same thing. I'm saying that Fort  
16 McClellan is unique in that -- when I say we need to  
17 partner, I'm talking the installation, General Wooten  
18 in there, and find work (inaudible).

19 It's like the eastern bypass, let's  
20 get the damn line drawn and let's get better estimates  
21 of what it is. And then when we've got that precise  
22 line, then I can go to the general and say, hey,  
23 General, I can move training over to this side of the

1 post for this period of time.

2 But you've got a unique situation  
3 here that the other bases don't have. They're picking  
4 up and moving and the training is in the way of doing  
5 things.

6 We've got to mitigate that. I'm  
7 not saying it can't be done. Just saying --

8 MR. BART REEDY: We're doing that  
9 -- we're doing it all --

10 MR. GARY HARVEY: I understand  
11 that. We are in here wanting the DERTF to know that  
12 we can't get really started because we're picking up  
13 the mission and moving it. You know, we've had no  
14 down turn in mission here.

15 MR. FERN THOMASSY: Can I interrupt  
16 that for a minute? That's a good question. And  
17 that's one that certainly is going to be put down and  
18 given to them.

19 The reason I'm interrupting is that  
20 number one, I want to recognize, I think this  
21 discussion needs to go on at future meetings. It's a  
22 good point. But I want to stop it at this point so we  
23 can go around and get the questions that Ron and all

1 of us need to get to the DERTF.

2 So, I would ask those of you who  
3 are here to put your thinking caps on. Lisa did a  
4 good job when she sent this notice out to us. She  
5 said, there are a variety of areas that we can ask  
6 questions of this board. They are certainly a policy  
7 board and they're experienced.

8 We can talk about funding. We can  
9 talk about technical issues. We can talk about seed  
10 money for the UXO and other issues surrounding it, as  
11 well.

12 Those were some of the categories  
13 that she threw to us. So, does some of the others of  
14 you have some questions that could be put in front of  
15 them? Barry?

16 DR. BARRY COX: Nothing comes to  
17 mind.

18 MR. PETE CONROY: Is there a  
19 generalized framework? Do we have a few more days?

20 MS. LISA KINGSBURY: You can get  
21 them to me in a couple more days. I've got to have  
22 them sent out by the 23rd.

23 MR. RON LEVY: The DERTF is

1 tackling all sorts of policy issues; institutional  
2 controls, which we really haven't talked to you about,  
3 but institutional controls or encumbrances on deeds;  
4 restrictions in ways that keeps you from getting to  
5 the land; you know, laws that pass so that you can't  
6 do certain things to land that's contaminated.

7                   They're talking about future land  
8 use and its impact on reuse alternatives. There's  
9 discussion on natural attenuation as remedies.  
10 They're talking about -- natural attenuation being  
11 that the bugs eat it, so to speak.

12                   They're talking about  
13 indemnification of property and how all that works.  
14 They get into a lot of legal issues, things that we  
15 really haven't touched upon, yet.

16                   But when we start the disposal  
17 actions and you, as a community member, are worried  
18 about the Army conveying a piece of property that  
19 might have, say, historic significance to it, what is  
20 that historic significance -- what is going to happen  
21 to the historic significance of that piece of property  
22 after it's turned over to the community? Are they  
23 going to bulldoze that building or structure or



1 archeological site?

2 These are really very technical  
3 issues that they'll talk about here.

4 MR. GARY HARVEY: Got another one  
5 for you. It came out of our little meeting when we  
6 got a little upset with DENSIG (phonetic). There is a  
7 hundred million dollars available to remove asbestos,  
8 but it can't be used at a BRAC site. Now, asbestos is  
9 -- primarily, we're talking World War II wood, which  
10 seems stupid.

11 The reason it seems stupid is  
12 somebody has got to get rid of it, why not get rid of  
13 it now while it's here, rather than let the community  
14 bear the expense of getting rid of it later?

15 MR. RON LEVY: That may be a good  
16 question to ask.

17 MR. GARY HARVEY: Where it doesn't  
18 make sense -- and I tried to explain this to the BRAC  
19 office -- there is some lady up there in the DA that  
20 controls an account for taking out World War II wood.  
21 There's a hundred million dollars there and she's  
22 looking to give away money. But if BRAC sites go up  
23 and say -- no, no, it's not BRAC, you can't use it.

1 Now, it doesn't make sense, because  
2 the World War II wood has got to be torn down. If a  
3 congressman hears that, he don't care if it's a BRAC  
4 site or not, he wants the stuff gone. And they'll get  
5 it.

6 But there is money up there to  
7 remove World War II wood, but not for a BRAC  
8 installation. We have World War II wood. Very  
9 expensive for the community to get rid of, because  
10 it's got asbestos in it, so you've got to do all those  
11 things, you know, expensive contracts to remove the  
12 asbestos.

13 Why don't they change that policy?  
14 If they want to get rid of World War II wood, get rid  
15 of it on BRAC sites, too, and save the community the  
16 expense.

17 We really don't care whether it  
18 comes out off a BRAC account or another account, do  
19 we, as long as it's gone?

20 MR. FERN THOMASSY: In fact, I'm  
21 sort of surprised to hear you, at any time, would  
22 expect the community to take a piece of property that  
23 was contaminated with asbestos and then be responsible

1 for its disposition later on. I don't think that  
2 would be acceptable.

3 MR. GARY HARVEY: Or say we'll do  
4 it later, out of a BRAC account.

5 MR. FERN THOMASSY: Yes.

6 MR. GARY HARVEY: Who cares? Do it  
7 now, if there is a hundred million available.

8 MR. FERN THOMASSY: Right.

9 MR. GARY HARVEY: That's my point.  
10 If you got the money, you're looking for a place to  
11 spend it, bring it here.

12 MR. PETE CONROY: Is that a DoD  
13 rule?

14 MR. GARY HARVEY: No. Were you in  
15 this when Dennis and (inaudible) and Bart and Chris --  
16 I don't know if Ron was in there. I was in that one  
17 work shop. It made absolutely no sense. I don't care  
18 if there are special rules for BRAC installations or  
19 this, there is a hundred million dollars up there to  
20 take care of World War II wood. Then let's get rid of  
21 it where the wood is at. And we've got some of it.

22 MR. PETE CONROY: At what level is  
23 it confined?

1 MR. GARY HARVEY: It's up at DA.

2 MR. RON LEVY: I've got another  
3 question that we can maybe address.

4 MR. GARY HARVEY: That's a policy  
5 thing.

6 MR. RON LEVY: If we have long-term  
7 monitoring on any of our landfills -- and you know  
8 that Mayor Kimbrough has talked about landfill number  
9 three -- how is that going to be handled? What are  
10 the policies that keep DoD in place to insure that the  
11 long-term monitoring and therefore no contamination  
12 associated with that landfill are going to impact us  
13 or going to impact the community? Is that a question  
14 people would like to hear about?

15 MR. GARY HARVEY: Yes. After the  
16 Army is gone, you're saying?

17 MR. RON LEVY: Right.

18 MR. GARY HARVEY: After we close  
19 McClellan, how are you going to assure us that the  
20 long-term monitoring, example, the wells, is going to  
21 be done?

22 MR. RON LEVY: That's a good  
23 question.

1 MR. PETE CONROY: That's a good  
2 question.

3 MR. RON LEVY: Sites that -- the  
4 Army's position on future land use is that if the  
5 community comes in and says, I want to use that for --  
6 let's take an example. I want to use -- what's a good  
7 example?

8 MR. GARY HARVEY: 350 for --

9 MR. CHRIS JOHNSON: For (inaudible)  
10 purposes. And then later on, the community decides if  
11 they want it for a residential playground, the Army is  
12 not going to come back and clean it up.

13 MR. RON LEVY: Right. Your  
14 question may be, you know, if we decide -- if the  
15 community decides to change the use of that land, why  
16 won't the Army come in and clean it up?

17 MR. BART REEDY: Or will the Army  
18 come and clean it up?

19 MR. RON LEVY: Yes, or will the  
20 Army clean it up? Is that a good question?

21 MR. GARY HARVEY: Amen.

22 MR. FERN THOMASSY: See how they  
23 squirm with that one. That's a tough one.

1 MR. RON LEVY: These are questions  
2 they're dealing with.

3 MR. GARY HARVEY: It's a two edged  
4 sword. Let's just take building 350 over there, it  
5 may or may not be -- if you're going to come in and  
6 use it for like use, why should you spend tax dollars  
7 to clean it up to a day care standard? That part  
8 makes sense, in safeguarding taxpayers' dollars.

9 But if the community comes in with  
10 good reason, not just to make you spend the money, but  
11 with good reason and say, that's going to be a day  
12 care center, then they ought to be able to do that.

13 But you shouldn't clean everything  
14 to day care standards, but to like use. But what Ron  
15 is saying is the community ought to have the right,  
16 for good reason, to change that, not just to clean it  
17 to a higher standard, have a good reason for it.

18 MR. RON LEVY: There is another  
19 question, Pete, you might be interested in. If there  
20 is a decision on the part of the community, being the  
21 LRA, that this property, that being the Choccolocco  
22 mountain area, is to be used for a wildlife refuge or  
23 some sort of park, how do we keep -- how do we keep

1 from meeting the Army's goals of a four foot  
2 requirement? Because it's really, when you think  
3 about it, that's public access land. And when you  
4 look at what's the regulations or what the policies  
5 are for access to public and UXO lands, you've got a  
6 four foot clearance. The disturbance associated with  
7 that, how do we keep that from impacting the land?  
8 And are we forced into doing those kinds of things?  
9 Because there are echo considerations. You know,  
10 besides just clean up considerations, there are echo  
11 considerations. And should we not be concerned about  
12 the impact to the biological communities that are back  
13 in there?

14 MR. PETE CONROY: Excellent  
15 question.

16 MR. RON LEVY: Maybe you can  
17 capture that better for me, because I don't know if --  
18 Sue is trying to write this stuff down. Did you get  
19 it?

20 MS. SUE ESTES: We'll talk  
21 tomorrow.

22 MR. GARY HARVEY: Doing a good job,  
23 Ron.

1 MR. RON LEVY: What other questions  
2 that impact the community?

3 MR. CHRIS JOHNSON: Ask them why it  
4 takes two years to run a FOST.

5 MR. RON LEVY: Okay.

6 MR. CHRIS JOHNSON: Where is the  
7 accountability on --

8 MR. GARY HARVEY: Why is that  
9 called fast track?

10 MR. RON LEVY: Most of the RAB  
11 doesn't know what a FOST -- we briefed that  
12 originally. But that's the documentation used for  
13 transfer of property, finding of suitability to  
14 transfer. And it defines what's in the land and all  
15 of the environmental concerns that are in there. And  
16 they need that before they can do the real estate  
17 actions.

18 And what we have heard is it takes  
19 two years in some cases to do one of those. Now, if  
20 the community is trying to get into one and you need a  
21 FOST to do that, why is it taking two years from the  
22 initiation to the final FOST to be completed?

23 MR. GARY HARVEY: Especially, when



1 the FOST was drummed up to save time where you could  
2 do a suitability and get land to the community  
3 quicker.

4 MR. RON LEVY: Right. Sorry, you  
5 got to go, Mary. But hope to see you at the DERTF,  
6 right?

7 MS. MARY HARRINGTON: That is  
8 Tuesday.

9 MR. FERN THOMASSY: Everybody here  
10 is asked to chime in with those questions.

11 MR. GARY HARVEY: So, is the  
12 question, Ron, we want them to speed up that process?  
13 And fast track ain't fast track, yet.

14 MR. RON LEVY: How do we speed up  
15 the FOST process? We've heard all sorts of horror  
16 stories about it. Is that a good question?

17 DR. BARRY COX: Why don't you first  
18 ask them how long it takes to do it and --

19 MR. RON LEVY: How long does it  
20 take to do it. And if they come back and say, six  
21 months, we'll say, well, we've heard --

22 DR. BARRY COX: That's right.  
23 That's right.

1 MR. FERN THOMASSY: Do we have any  
2 requests in?

3 MR. RON LEVY: No. We haven't got  
4 to that point, yet.

5 What are some of the other issues?  
6 Help me out here, Chris.

7 MR. CHRIS JOHNSON: I could think  
8 of a lot, I just don't -- you know, I don't know if  
9 it's my place to --

10 MR. RON LEVY: Oh, it is, as a  
11 member of the RAB, certainly.

12 MR. FERN THOMASSY: Sure it is.

13 MR. CHRIS JOHNSON: Some of mine  
14 have no answer, so I don't know if it's worth asking.

15 MR. RON LEVY: Well, let's put them  
16 on the spot then. This group is supposed to think for  
17 -- is supposed to provide solutions to issues. Clue  
18 them in on our problems.

19 MR. CHRIS JOHNSON: Well, one  
20 they're going to talk about, anyway, but who is going  
21 to pay for it and who is going to enforce the  
22 restrictions? That one.

23 MR. BART REEDY: That's -- the deed

1 restriction issue is something you guys need to be  
2 kind of kicking around in your head a little bit. The  
3 plan right now, roughly speaking, we're kind of  
4 running out of time -- the plan right now is to turn,  
5 you know, Pelham Range over to the guard. Is the  
6 guard going to keep it all forever and ever and ever?  
7 If the Army turns it over to the guard, who is  
8 responsible for cleaning that up, should they --

9 MR. GARY HARVEY: Federal  
10 government.

11 MR. BART REEDY: -- it be  
12 abandoned?

13 MR. RON LEVY: It may be a simple  
14 answer, but why don't we ask it, anyway? The other  
15 thing is on the main post --

16 MR. GARY HARVEY: The book answer  
17 besides it depends is --

18 MR. BART REEDY: I think we're  
19 trying to storm questions here.

20 MR. GARY HARVEY: If the Alabama  
21 National Guard -- but this is a good question to ask  
22 them.

23 I can tell you an answer right now

1 and you might want to confirm it. If the guard tries  
2 to get rid of Pelham Range, they've got to go under  
3 the 1946 or '47 Federal Property Management Act, which  
4 they use GSA as their disposal action.

5 And you might want to ask the  
6 question: Is that going to happen or will you turn it  
7 back to the community like you do under the BRAC  
8 process?

9 MR. RON LEVY: Rephrase that, Gary,  
10 again.

11 MR. GARY HARVEY: All right. If --  
12 the question is Pelham Range. If in the future, the  
13 Alabama National Guard decides to -- they no longer  
14 need Pelham Range, will that be thrown in under the  
15 BRAC reuse, the President's five point plan, or will  
16 it just be disposed of under the Federal Property  
17 Management Act, which is GSA selling it?

18 MR. JOE BAKER: Because of the BRAC  
19 issue up front.

20 MR. GARY HARVEY: Right. So, if  
21 it's BRAC, then you get OEA planning grants and you  
22 get the reuse committee and all this other good stuff.

23 GSA has, you know, put up a little

1 box there and sell it to the highest bidder, with no  
2 community input, basically.

3 MR. RON LEVY: Of course, I've got  
4 my opinion on that. But, okay, we can try that one.

5 MR. GARY HARVEY: Yes. You're  
6 partial, you're in the guard.

7 MR. RON LEVY: That's got nothing  
8 to do with that.

9 Another question that you might  
10 want to consider: How about cemeteries on post?  
11 Anybody ask the question about cemeteries on post and  
12 what's happening with those things? Are we concerned  
13 about the maintenance of cemeteries and how DoD is  
14 going to handle those?

15 We know that in some cases we've --  
16 that cemeteries on main post have been said they're  
17 going to be retained.

18 MR. GARY HARVEY: Yes. DA has said  
19 that they're going to maintain them, but that's all  
20 they've said.

21 MR. RON LEVY: How do we get  
22 assurances that there is policies out there enough to  
23 protect them? Is that a good question?

1 MR. PETE CONROY: Good question.

2 MR. BART REEDY: How about the ones  
3 on Pelham Range?

4 MR. PETE CONROY: Same thing with  
5 --

6 MR. HOOD: Well, Pelham Range,  
7 again, supposed to stay in federal hands, and the  
8 guard and whoever is supposed to maintain them. But  
9 it could be part of the same question, yes.

10 I'm personally more concerned about  
11 these on main post, because when they go out to --  
12 when they go out -- well, actually, they won't go out  
13 to the community. They're supposed to be retained by  
14 the federal government.

15 MR. FERN THOMASSY: Yes. There is  
16 two large ones.

17 MR. PETE CONROY: There are  
18 patented answers to this, but I've got the same  
19 question for archeological sites.

20 MR. RON LEVY: And archeological  
21 sites, too.

22 You catching all that, Sue?

23 MS. LISA KINGSBURY: How many we

1 got there?

2 MR. GARY HARVEY: She hasn't picked  
3 her head up, yet.

4 MR. BART REEDY: One of the  
5 questions that EPA continues to go to DoD with is: If  
6 there is a FOST for a parcel or a FOSL for a parcel of  
7 property with the deed restriction on it, and that --  
8 we're getting ready to follow you out the door here --  
9 and the new owner takes that property and then  
10 subdivides it, is that deed restriction -- what's --  
11 what assurances does the state have or what assurance  
12 does EPA have that that deed restriction stays in  
13 place? Because there is -- in some -- in a lot of  
14 states, when we get on -- you know, get on the  
15 conference calls, those aren't required. Just one  
16 level of deed restriction is all that's required.

17 MR. CHUCK TWING: Ron, can I, just  
18 from experience?

19 MR. RON LEVY: Sure.

20 MR. CHUCK TWING: We've got the  
21 same problem all over the country, especially on World  
22 War II sites, restricted in their turnover deed  
23 language. And after about the second or third

1 iteration, there is absolutely no restriction  
2 remaining.

3 MR. BART REEDY: Yes. And that's a  
4 reality that we at EPA see happening all over.

5 MR. CHUCK TWING: We don't see any  
6 government agencies --

7 MR. RON LEVY: Yes. I mean, that  
8 should be a real concern. I mean, two, three  
9 generations down the line, somebody is building  
10 something on something that we had said it's too  
11 dangerous to do.

12 MR. BART REEDY: See, it's not --  
13 folks, this is why the old super fund -- this is why  
14 the old super fund came about is because years ago,  
15 there would be ghost companies set up and doing  
16 business and we would go to make them clean something  
17 up -- not the military thing, but ghost companies set  
18 up, doing business. We would go and force them to  
19 clean up a piece of property. They would fold up  
20 their tent and say, we don't exist and vanish.

21 And the property would be sitting  
22 there. And the federal -- and, you know, we at EPA  
23 were forced then to cough up our budget to clean it up



1 and so was the state.

2 The same scenario is playing out in  
3 the military installations. We have had cases in the  
4 nation just exactly like Chuck described. Somebody  
5 buys it, sells it to their cousin, who sells it to  
6 another good old boy. Pretty soon the deed  
7 restrictions are gone and you're putting child care  
8 right square on top of a landfill. And that's a  
9 reality. That's not a horror story.

10 MR. RON LEVY: Let me throw one  
11 towards Barry. Barry, are you interested in finding  
12 out what kind of policy is in place to allow major  
13 universities that are right down the road from a  
14 closing installation to play a part in the clean up or  
15 to play a part in reutilization?

16 DR. BARRY COX: Or consortium would  
17 be if the major university is the head of it.

18 MR. RON LEVY: Do you want to frame  
19 that question up, somehow?

20 MR. BART REEDY: Who, me?

21 MR. RON LEVY: No, Barry.

22 DR. BARRY COX: The question is:  
23 In other words, for a university as head of

1 consortium, to play a part in a clean up, how would  
2 that be different than a private company doing it? Is  
3 that --

4 MR. RON LEVY: Yes, something along  
5 that line or however you think would best be said.

6 MR. GARY HARVEY: Using the  
7 university's expertise.

8 MR. RON LEVY: How do we use local  
9 university expertise as it relates to doing the clean  
10 up or either advice or get involved in -- I don't know  
11 what I want to say contracting, but get involved in  
12 the actual clean up.

13 MR. FERN THOMASSY: You mean,  
14 technical --

15 MR. RON LEVY: I think probably be  
16 on a technical site.

17 MR. FERN THOMASSY: -- advice or  
18 oversight?

19 MR. RON LEVY: Technical oversight  
20 or something along that line.

21 DR. BARRY COX: Okay.

22 MR. RON LEVY: How can we use it as  
23 a teaching tool for maybe some of our students, too?

1 I don't know.

2 MR. BART REEDY: To the DERTF, I'd  
3 go -- I'd make a suggestion to take it a step further.  
4 We want to do this, not --

5 MR. JOE BAKER: If they want to  
6 earmark some funds to support that type of --

7 DR. BARRY COX: Funds.

8 MR. RON LEVY: Money.

9 MS. LISA KINGSBURY: This question  
10 is shaping up.

11 DR. BARRY COX: That's right.  
12 We're talking --

13 MR. CHUCK TWING: Is being done by  
14 the Western Governors Association. I don't know  
15 whether there's an equivalent to the Southeastern  
16 Governors Association, but they're doing it in the  
17 Western Governors Association.

18 MR. RON LEVY: Can you come up with  
19 a question on that line?

20 DR. BARRY COX: Yes. I'll get back  
21 with you.

22 MR. JOE BAKER: This is a one-time  
23 shot for the level of folks that you're going to get

1 at the under-secretariat level that make those  
2 decisions with the stroke of a pen that it shall be  
3 done and it's written that way. If we pass up that  
4 opportunity, then somebody else in the other part of  
5 the country is going to get a chance to do that, be  
6 the first one. And, no, it won't be an unlimited pot  
7 of money, but it's the first step and it could be  
8 woven into the loss of jobs in Calhoun County to the  
9 educational benefit for a new environmental department  
10 at JSU. So, there is a trade off that the Army gets a  
11 good bit of benefit from it, the university does, and  
12 it costs less money for the government than if they  
13 went out and got some, you know, big firm that's not  
14 in the local area, that would (inaudible) and travel  
15 the stuff to come in and do that. I mean, there is no  
16 savings out there. And the educational point of view  
17 is something that --

18 MR. LEVY: We could go into a lot  
19 of discussion. Let me see if I can't get some more  
20 questions going.

21 Angela, I know you're not part of  
22 the DERTF, but do you have any legal issues that  
23 you've been thinking about, as is relates to the

1 closure?

2 MS. ANGELA BOWEN: That one right  
3 in that letter there, indemnification. But let me  
4 think about it.

5 DR. BARRY COX: What about the  
6 question that if somebody uses property under a dirty  
7 FOSL for a number of years, what then is the  
8 government's liability to clean that up after they're  
9 through with it?

10 MR. LEVY: That's a good question.  
11 There is some policy out about that but -- I really  
12 can't frame it -- I can't really define it for you.

13 MR. BART REEDY: It can be  
14 wordsmith, the questions there.

15 MR. RON LEVY: Did you catch that,  
16 Sue?

17 MS. SUE ESTES: Under a dirty?

18 MR. RON LEVY: FOSL.

19 DR. BARRY COX: And say for  
20 example, they use the property for a number of years  
21 and they terminate their use, then what's the  
22 government's obligation to help clean that property up  
23 for another use?

1 MR. BART REEDY: What happens if  
2 you go out and buy a piece of property that we have --  
3 we, the BCT has -- in our really big wisdom has  
4 declared to be clean and you go out there and buy the  
5 property and low and behold you dig up a couple of  
6 drums of methel ethyl -- fill in the blank, you know,  
7 who is going to clean that -- who is going to clean  
8 that -- how is that going to work? Who is going to be  
9 liable for it?

10 The flip side of it is: If you go  
11 out and buy a piece of this base -- well, how is the  
12 Army going to be protected from you going out and  
13 throwing your trash out the back door and --

14 DR. BARRY COX: Alleging they did  
15 it.

16 MR. BART REEDY: Yes, and going,  
17 oh, no, Ron done that.

18 MR. GARY HARVEY: I saw it.

19 MR. CHRIS JOHNSON: That happens a  
20 lot, too, especially on FUD, formerly used defense  
21 sites.

22 MR. RON LEVY: Just before y'all  
23 go, if you would, take a look at the -- would you,

1 please, take a look at the -- the LRA has sent me a  
2 copy of their priorities. And they broke it down into  
3 unexploded ordnance and then CERCLA, non-CERCLA  
4 issues. If you would just take a look at that and  
5 become familiar with what they're asking, so we can  
6 discuss some of this in the future, as well.

7 MS. SUE ESTES: Ron, if they don't  
8 ask these questions, they're not going to answer them.  
9 You have to stand up and ask the questions at the  
10 meeting.

11 MR. JOE BAKER: We'll divide those  
12 up next meeting.

13 MS. SUE ESTES: We don't have  
14 another meeting. Y'all have got to stand up and ask  
15 the questions or they're not going to answer them.

16 MR. RON LEVY: What we'll do is  
17 we'll put the questions out that we framed and give  
18 everybody copies for the DERTF. And those that  
19 pertain to areas that you're interested in, if you  
20 would just stand up and ask the question that we have  
21 captured during this meeting -- as a matter of fact,  
22 I'll even try to put it next to an individual I think  
23 is interested in that area. I'll put an name next to

1 it. Okay?

2 MS. SUE ESTES: But they're not  
3 going to answer unless y'all ask them.

4 MR. HOOD: Are they going to answer  
5 a question that isn't on their list?

6 MS. SUE ESTES: Yes. They just  
7 like to -- but they may say, we don't know.

8 MR. RON LEVY: Anything else?

9 MR. FERN THOMASSY: Yes, one final  
10 thing. Lisa, when you put your next letter out, are  
11 you going to emphasize the DERTF and the fact that  
12 these questions are going to be provided to members  
13 who will then have to ask them? In other words, the  
14 next letter for the next meeting is for the one at the  
15 Anniston meeting center --

16 MS. LISA KINGSBURY: Right.

17 MR. FERN THOMASSY: -- with the  
18 DERTF. Are you going to give some additional  
19 information about that with your letter, including the  
20 fact that we're going to -- we want maximum attendance  
21 and we would like people to ask the questions that  
22 they've put in.

23 MS. LISA KINGSBURY: I can do that



1 and then I can also include a copy of the questions  
2 that we've come up with tonight.

3 MR. FERN THOMASSY: Yes.

4 Anything else? Everybody wants to  
5 go? You're in your starting gates? We quit.

6 (WHEREUPON, the proceeding was concluded.)

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C E R T I F I C A T E

STATE OF ALABAMA)  
CALHOUN COUNTY )

I, SAMANTHA E. NOBLE, a Court  
Reporter and Notary Public in and for The State of  
Alabama at Large, duly commissioned and qualified,  
HEREBY CERTIFY that this proceeding was taken before  
me, then was by me reduced to shorthand, afterwards  
transcribed upon a computer, and that the foregoing is  
a true and correct transcript of the proceeding to the  
best of my ability.

I FURTHER CERTIFY this proceeding  
was taken at the time and place and was concluded  
without adjournment.

IN WITNESS WHEREOF, I have hereunto

1 set my hand and affixed my seal at Anniston, Alabama,  
2 on this the 29th day of May, 1997.

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SAMANTHA E. NOBLE

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Notary Public in and for

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Alabama at Large

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MY COMMISSION EXPIRES: 11-14-97.

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