Fort McClellan

Restoration Advisory Board

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

(Whereupon Mr. Thomassey had roll call.)

MR. THOMASSEY: Did I miss anybody? Good. Okay, I did that in reverse order. Let's call it to order. Approval of the minutes. Has everybody had a chance to take a look at the minutes that Lisa sent to you? Any comments?

MR. TURNER: Move to approve the minutes.

MR. THOMASSEY: I had one comment. I think we're talking about under new business that should be in October Chris Johnson speaking on risk assessment. We'll change that. Any other comments? Okay, I heard a motion.

MAYOR KIMBROUGH: Second.

MR. THOMASSEY: Now there's a second. All in favor say aye. Opposed. Thank you, the minutes are approved. Now, Chris, you are our speaker tonight for risk assessment.

MR. JOHNSON: Okay. Good evening, I

think you all know who I am. So we'll make this as painless, as informal as possible. When asked to talk about risk assessment I thought it's kind of a broad area, so what I wanted to do was really touch on kind of give you the big picture on risk assessment and risk management. Why it is we're even here, why I even have my job, and why we're meeting at the RAB is because to me it all boils down to risk and how we deal with risk, assess risk and manage risk. So, I'm going to be looking at it in more the overall and not really getting into the specifics of say the risk assessment, baseline risk assessment and superfund. I can't remember who was here, that we had the training on, you remember that, and you can really get into a lot of technical stuff. But I didn't want to overwhelm you with all of that tonight, so.

To start out with just some basic definitions and kind of contrast between

risk management and risk assessment. As you can see, risk management is the overall way in which we evaluate, identify and deal and address the cause and effect of risk and uncertainty. Whereas risk assessment is basically a tool or component of the risk management process, one of many tools and activities that we use at risk management to make decisions on whether or not we need to do something. Whether or not we need to clean a site up or put deed restrictions on it, or continue to monitor it for a little longer. So there's definitely a distinct difference between the two. And, but I just wanted to make sure that we realize that risk assessment is a component of risk management, so.

Now under what is a risk. Well, it's basically just probability of a situation, event, happening or a loss occurring. And uncertainty is the doubt that we all, it kind of comes to the

surface, we're evaluating the risk, the uncertain factor is always there. For example, as simply as a game of chance, rolling of dice, you know, we can evaluate the probabilities of flipping a coin but there's always going to be the uncertainty of whether or not you're going to have heads or tails on the second roll or the third roll. So, uncertainty has to be a part of what we look at. Because the greater uncertainty we have in our calculation, the more conservative we have to be; whether in the number of samples we take, the level of clean up we take, so it has to be weighed in. So, you can't have risk without uncertainty. And Ron, Bart, anybody, y'all can just chime in whenever. If y'all have got a question, just stop me and I'll try to answer it.

Sources of risk. It's hard to really categorize it sometimes, but this is what I've kind of come up with.

Physical risks: you know, natural disasters, pollution, floods, and our case here which would be hazardous substances potentially being released or known to have been released in the environment. Economic risks: Inflation, recession, profit loss, uncertainty of the markets. Social risks: Changing morales in our morals and values. Civil unrest, wars. There's basically risk in everything we do on a daily basis. Of course, political risks, regulations, change in regulations that change every day, cuts in funding, of course, the beloved taxes. And then the legal, which really kind of speak for themselves, but of course there's always the change in liability, whose responsible within the codes of conduct within our society.

Defining what is acceptable. Some major factors that we deal with are, of course, the risk of communication, which is a major component, there's the actual

versus perceived risk. What might be a risk to me, it might not be a risk to you. Or just communicating an actual versus a perceived risk. It's a situation we get into a lot in our public meetings. A classic example is the incinerator. We, the department feels comfortable with issuing the permit. We wouldn't do so if we didn't feel it was a safe and protective of human health and the environment. But communicating that to the public is a very, it's hard to deal with because people have perceived risk when they hear of nuclear weapons being destroyed -- excuse me, chemical weapons being destroyed. It causes instant fear and uncertainty and doubt. And it should if people aren't familiar with what goes on in that type of situation. So, risk tolerance factor is basically people's tolerance factor for risk changes. You know, I might be comfortable putting five hundred dollars

on the Auburn Tigers whereas Ron might feel more comfortable with twenty-five. It's all relevant, we all have different factors of risk tolerance. Voluntary versus involuntary. Of course, we know that you know you have a choice whether or not you want to smoke cigarettes or if you want to fly, if you want to drive a car. Whereas the situation we get into here at Fort McClellan is really an involuntary risk. You didn't put the contamination here, you didn't ask for it to be here and you didn't ask for it to be in your community. So, you have to weigh those factors out with the public on what is voluntary versus involuntary. Background versus site specific. What we mean by that is that, site specific would be, for instance, an underground storage tank leaking petroleum into the soil. But we get into some background risks where the metals in the soils could be naturally occurring. Those metals could

have constituents in them that are a risk, they pose a risk even though they are natural. Radon is a good example of naturally occurring risk. It's not something that was manmade or deliberately put somewhere. So, that's a sticky issue we have to deal with in being able to determine what is site specific or site related versus what was already there or beforehand. Of course, limited resources will always play a factor in everything we do. I mean, you can't, our goal of having zero risk would be, it would be a lofty goal. There's no way that we could ever afford or fund to have zero risk on earth. Our cars would be way overpriced. You have to decide what can we accept, and that is a big factor of the resources and the amount of money we have to weigh that out.

And, of course, the uncertainty factors I talked about earlier about the more uncertainty you have the more

conservative you are going to tend to be. So, touched on the zero risk. Is it unrealistic. Yes, I definitely feel it is unrealistic. That's why I'll tell you in a minute how we established our risk levels. What is acceptable versus what's not. And, zero risk, it could certainly be a goal, but I don't know if it would be a goal worthwhile.

What level of risk is acceptable? We'll get to that shortly. Who decides what is acceptable? Is it government, is it the community, or is it everybody. We like to feel it is everybody, all stakeholders. We at ADEM and EPA and, of course, Army, we all, in a sense, work for the public. I mean, if we can't, if the public is not happy with the risk that we've decided or chosen or tried and established as being safe, then we've got a problem.

So, role of the risk assessments. This is a very, very general schematic

here, it's not, certainly there's a lot of steps in between. But, overall you assess the site, you get your data, you get your data back and you make a risk management decision. Do I need to go on? Do I need more data? You know, and then you do the risk assessment. It tells you where are we right now. Do we need to go ahead and do a removal? Is there emergency risk right now? Do we need to take action? Eventually you work down to no further action. That's our goal, we're trying to get to a no further action response. If we do have a response action it would, again, it could be a removal, it could be deed restrictions, it could be a pump and treat system like for a landfill, or it could be dig an ordinance. It's a number of things can be a response action. And then eventually we get down to our goal no further action.

The actual risk assessment process

is basically four major steps, and this is for really any risk assessment, whether it's superfund or dealing with resource conservation recovery act. You really go through the same steps of calculating the risks. So, again, you gather your data, you evaluate your data, you do an exposure assessment, which is basically, you know, Barry would be in his front yard so many days a year eating so much soil per day at certain levels of soil or certain levels of contamination in the soil. It's human health, receptors and, or either animal exposure, and there's several parameters in the exposure assessment that you go through. Toxicity assessment is basically where a lot of your toxicology and your epidemiology studies come in. Lab rat studies, study the effects of chemicals to animals and then EPA puts together data bases. For instance, one is I.R.A., it's information, risk information

system. It basically tells us what a reference station should be, what our slope factors for risk are. Those are all pretty much given data there. So, it's kind of plug and chug on the toxicity. And then eventually you characterize your risk, you know, what are our risk levels? And again, it's measured as a probability for the carcinogens. Carcinogens, or I'll get to it in a minute are a hazard index for your noncarcinogens. Acceptable risk level standards. This is coming from superfund, federal program, CERCLA. Basically it's divided into two categories. You're looking at either something that causes cancer or something that does not. So, an acceptable range for carcinogenic risk is one in ten thousand to one in a million. Excess cancer risk. So, I'm going to break it down a little further. That is the probability of potentially getting cancer

over and above whatever the cancer level is in the community. It's not stating that one in ten thousand people at Fort McClellan will get cancer from chemicals at Fort McClellan. It's a probability that it may occur if something is not taken care of out here.

So, the goal there though, even though the range is one in ten thousand to one in a million, one in a million is walk away. It means we've cleaned it, it meets that risk level, and we walk away, there's no further action. When you typically clean, and that's usually the target goal, but, when you clean anything less in that range, say one in ten thousand or one in a hundred thousand, it basically means we've cleaned to a level that we can achieve. However, we will place deed restrictions on the property. We may put deed notification because we know we can't meet the level we need. But it's acceptable and remains in

control. So -- come on in. Is that clear? I don't know, sometimes it's hard to understand the risk level stuff. But it basically means that, you know, if we're less than one in a million, we're going to put deed restrictions, or we're going to look at it and watch it. We don't just turn our backs on it and walk away.

Noncarcinogens, they deal with a hazard index, a hazard quotient. A hazard quotient really is a single chemical, for example, benzene. So, the level that we like to meet is a hazard quotient of one percent of chemicals. With multiple chemicals we look at the hazard index. Which all that is is a lot of hazard quotients added together to achieve a hazard index. So, the goal is again one, I will add on that that we do look at a range from a risk management decision. We might look at from a point one up to a ten, or even a thirty just to

see what the clean-up levels would be within that range. Noncarcinogenic risks, an example would be how chemicals effect target organs. Necessarily wouldn't cause cancer, but it could cause abnormalities with the heart, with the lungs, and so forth. So, it's not, you've got to look at the activities of risk from multiple chemicals, that's why you have a hazard index in there.

MR. THOMASSEY: One question before you go to the conclusion, Chris, do you have available to you or maybe Bart does, some examples that lay risks out in terms that are more palatable for the average citizen? You look at one to ten thousand or one to a million, and many people don't have a good feel to what that means in terms of normal things that we experience in day-to-day activity. Such as, what's the likelihood of being involved in a fatal automobile accident in Alabama or the likelihood of being

involved in a tornado fatality.

MR. JOHNSON: I do have those probabilities, I don't with me. But again, we've got some sheets that talk about your probability of getting struck by lightening or dying in an airplane crash. Yes, we have those. I agree with you, it is a good thing to show. Sometimes we get in situations though, where we show those, and because it's a voluntary risk versus an involuntary risk, sometimes it can backfire on you.

MR. THOMASSEY: Tolerance then becomes the issue.

MR. JOHNSON: And really, normally, we always talk ten to the negative four or ten to the negative six. That's the, ten to the negative four, all it is is one in ten thousand. There's a one in ten thousand chance that somebody might get cancer is all that's saying. We tend to say that a lot, ten to the negative four and ten to the negative six, and

it's really --

MR. MILLER: Is that an acceptable risk?

MR. REEDY: Those two levels that Chris is talking about on the slide here, Superfund, which is the federal mandate is where Chris and I operate. Congress said, and Congress approved all of that, we are to clean sites up to a range between ten to the negative four, one in ten thousand, to ten to the negative sixth, one in a million. Anywhere in that window is acceptable. Acceptable however, there's a little caveat to the word acceptable. Ten to the fourth, if we clean something up, we've got a chemical at a known concentration or a suite of chemicals at a known concentration, we have, back in Atlanta, you can pull up all the data bases of people that work in those data bases every day. Add all of it up, see what your total carcinogenic risk is, and it

has to fall legally between ten to the fourth and ten to the sixth.

MR. JOHNSON: Or greater than one in a million. You can obviously clean to a greater standard than one in a million.

MR. REEDY: Right.

MR. JOHNSON: But you can't be below--

MR. REEDY: Now, for property transfer it falls between those two, or, you know, pre-human being clean would be real good. But, you know, we can't do that. We couldn't do that anyway. But, between those two numbers is where we've got to go. But, as we all know, sometimes you can't make everything perfect again. So, when we go to transfer property, if there's a piece of property that we've looked at, we've, let's say we've taken a removal action, taken dirt out and cleaned it, by whatever means, put a pump and treat system in in the ground water. We can

calculate, I've got a group of folks in Atlanta that can generate a number. And that number will be somewhere between ten to the fourth and ten to the sixth. And those, before that property is transferred, if it is less, if the property is still dirty, meaning that it's not one in a million, then there has to be some sort of a flag, some sort of an indicator that says the property is not quite as clean as it ought to be. We have cleaned it up, not to one in a million, which is what residential standard is. Which means you can go out there on that property and do anything. Ten to the fourth, one in ten thousand, is a lower limit for industrial use, a machine shop something along those lines. Those are the two end points.

MR. MILLER: What's the range in Anniston or the ratio in Anniston, the carcinogenic ratio of how many people in Anniston come down with cancer per ten

thousand population.

MR. JOHNSON: Just in general, I can get that for you from Doctor Hughes from the Department of Public Health.

MR. MILLER: This is just over and above the normal.

MR. JOHNSON: Exactly.

MR. REEDY: This is excess, somewhere --

MR. TURNER: It's actually based on studies in the past that people being exposed to whatever it is, one per ten thousand will get cancer.

MR. JOHNSON: No.

MR. REEDY: Negative, no, sir, that is a very important distinction. When we say, when you look at that number one in ten thousand, that's the same, of course, as you understand as ten to the negative fourth. We use those terms interchangeably. What that number is trying to state is, that it's the, it is a probability, a likelihood only. It

does that say that one, that it will happen.

MR. TURNER: That's not what I said either, Bart. What I said is that's based on some kind of information that suggests those numbers. It's not saying that, stating a prediction that one in ten thousand will get it. That historically one in ten thousand got cancer by being exposed to it.

MR. REEDY: No, sir. No, sir. It is not a compilation of data from human, necessarily from human health, from exposure, like Chris said to benzene. Benzene is a bad choice. Heptane. It's not, you didn't come up with a parts per million in the soil of heptane that relates to ten to the negative fourth. That number was not generated by studying society being exposed to heptane in a quantity. That number is generated by--

MR. JOHNSON: Toxicity testing of say lab rats.

MR. REEDY: An extrapolating count.

MR. TURNER: I mean, it comes from data. I mean, some pointy-headed guys in a lab just didn't say, "Well, that's what I think it is. Let's call it ten to the negative fourth." It came from data somewhere.

MR. REEDY: If you could take that pointy-headed part away from it, yeah. There's a distinction there. It is not statistical data from society. That is, that's included in it, but it's not that alone. It is, what you are doing is you take a lab rat and you expose it to benzene. What does it take to kill it? And you take those numbers, the weight of the lab rat, do it a bazillion times. Some person at Southern California, Berkeley, University of Georgia, University of Alabama, you take all of those numbers, EPA has done this. And the ATSDR has done it as well. You take all of those sets of data and what does

it take to kill a lab rat. A lab rat weighs two pounds, I weigh one thirty-five, and so then I could probably take more of the contaminant in question than the lab rat. That's where that exposure comes from.

MR. TURNER: I think that what my point was that it's not abstract. That it's based on a lab rat, it's intended to be based on practical numbers that are extrapolated somehow to come up with that. It's not an imaginary number.

MR. REEDY: No, sir, it's not imaginary.

MR. CUNNINGHAM: What is the relationship of the credibility or validity of that number to the human population?

MR. REEDY: Ask me again, because I had something going in one ear.

MR. CUNNINGHAM: What is the relationship of one in ten thousand of getting cancer in a lab rat relative to

that of the population of human beings? Because, after all, that's what we're concerned about.

MR. JOHNSON: The one in ten thousand is stating that that's a risk acceptable for the public to receive. An acceptable level of risk potential excess risk. That one in ten thousand, that range does not correlate to lab rats and so forth. Basically, they do a dose response. Let's take a rat. They'll give him a certain dose of chemical and they will study the effects, and they keep increasing doses until they get a dose response, a dose response curve to that lab rat. That's where they generate these numbers called the slope factor. And from that slope factor is what they use to extrapolate from over to human beings. I mean, we've even got chemicals that are, they even categorize chemicals as known carcinogens, probable carcinogens, not sure if we know it's a

carcinogen or not. There are so many uncertain factors even in that realm, -- (inaudible) Where the uncertainty comes in, that's where conservatism comes in.

MR. HOOD: (Inaudible.)

MR. JOHNSON: Right, exactly. In fact, there's some reference doses that, I mean, really they are so -- if you look at them you'd think there's just no way, they're not right. And they do that because they just don't have the data to feel comfortable with putting it out there for the public use.

MR. HOOD: (Inaudible) -- if you don't know you reduce it by a factor of ten. If you don't know, you reduce it by another factor of ten.

MR. JOHNSON: Right.

MAYOR KIMBROUGH: About this other system then, when we determine the land use at Fort McClellan, then how to determine let's say the risk factor, if I remember right, there are different

levels for clean up and all like that. Is that correct?

MR. JOHNSON: Yes.

MAYOR KIMBROUGH: Now, my understanding was when we had the group in from, the national group, when they determine the land use and they clean it up to that level and that property is transferred, then I understood them to say that that met the obligations of the federal government, their obligation as far as clean up. Is that correct?

MR. REEDY: That is correct. Let me give this back to you to make sure that I understood what you said. We've got a parcel of property out here and ADEM, EPA and the Army, we've all looked at it and we have all said we have performed whatever clean up we're going to do on it and we transfer it to Mr. Miller.

MR. JOHNSON: For his machine shop, for example.

MR. REEDY: For his machine shop.

The federal government, at that point, the Army at that point, has met its obligation and has done all it's going to do to clean that property up for Mr. Miller's intended use. And we would put a flag on the deed, it will be on the deed.

MR. MILLER: If it meets one in ten thousand.

MAYOR KIMBROUGH: But if Mr. Miller wants to sell that property and it calls for a higher degree of clean up.

MR. REEDY: Say he wants to sell it to Don and Don wants to put a day care center on it.

MAYOR KIMBROUGH: Then the federal government has no obligation?

MR. REEDY: That's where the deed restriction comes in. Because it will say that it's got to be industrial use deed. Mr. Miller cannot sell it to Mr. Cunningham for that. There have been cases where that's slipped through the

cracks, but we are extremely diligent in trying to watch that.

MR. LEVY: That's the current policy of the Army. The Army's current policy is that they will transfer land based on its current use and will clean up to its current use. But it will not come back --

MR. REEDY: Intended use, Ron.

MR. LEVY: Excuse me. Intended use. But will not come back and do clean up for a level that's beyond that. As Bart said, there will be some restrictions associated with the land use.

MAYOR KIMBROUGH: I understand that's regulations and that's law. What bothers me is when they put something and if it does change over the years, which it could change in development, that there's no obligation there from the federal government or the Army or whoever put the contaminant in there, and I don't see how they can ever be relieved from

the responsibility of cleaning that up.

MR. REEDY: There is a, let me turn that. Your point has absolute merit. And I understand where you're coming from. Let's turn the coin over. We have seen this happen years ago in the very first bunch of BRAC. Let's say Mr. Miller owns the property, say he's the Army. I come to you and go, "I'd like to buy this piece of property over here." Mr. Miller, "Well, that's fine. Be advised that we have cleaned it up and had some oil and solvents out there and we've cleaned it up and you can only use it for industrial." "That's all right. I'm going to build, I'm building ball bearings out there." So, I buy it from him for an amount to clean up ball bearings. I get the deed, then I'll subdivide it and I'll sell it to Don, Charles and you and build a subdivision on it. Should Ron then, should the Army have to go back and pick up the bill?

That's the question that we have to ask as taxpayers, should the Army have to come back once they have met their obligation under the law, should they come back and have to clean it up so that I can profit, an individual can profit from the land speculation which is what that would be? And Congress saw through and said, "No, no, we'll sell it at fair market value but you can only, if you want it for ball bearings, we'll sell it to you for ball bearings. If you want it for day care, you may have to take another piece of property."

MAYOR KIMBROUGH: I've expressed how I feel. You haven't changed my opinion.

MR. REEDY: Like I said, all I'm doing, not to change your opinion, I'm just explaining --

MAYOR KIMBROUGH: Technology has changed. We've seen, you know, from the 1930's industrial revolution, technology has changed and we've had to tear down

and convert it. And what we're saying, if you don't use it for that specific purpose, then that land cannot develop or you can't do anything because of restrictions on the deed. And I understand the restrictions and I understand what you are saying, but I still --

MR. TURNER: Restrictions can be limited and they expire over time.

MR. MILLER: Two hundred years from now there might not be any machine shops in Anniston or Fort McClellan.

MR. JOHNSON: We could make a day care out of the entire main post --

MR. LEVY: If the reuse authority came back and said, "Well, by god, this whole place is going to be related to child care." If they came back and said that, we'd be stuck trying to hit those reuse levels. We really would.

MR. TURNER: But the opposite, what keeps us from doing that is if the

property does not get back on the tax roles, there's no economic development until it's that clean. So that's why we've come up with a preferred map. It shows the areas we want that clean and those areas that will still be mine fields long after you and I are dead.

MAYOR KIMBROUGH: The point of it all is that a risk factor, and that has been determined and drawn on the maps and everything, and then as we look at the contamination and everything, then this risk factor will be used to see what level that property needs to be cleaned up to meet what the reuse authority has designated in the different areas. And from that standpoint, when federal government cleans it up, then if it meets the level of machine shop and it's got to stay at that level and cannot ever be used for anything else unless the property owner chooses to clean it himself if he wants to transfer that

property.

MR. REEDY: And actually that does happen in the private sector.

MR. JOHNSON: I was going to say one thing we've done though, in fact we did it recently, I did it at a superfund site in Florence. It was an industrial cleanup. We cleaned up, it was lead. And we had industrial levels, but after we cleaned it up, we were going to put deed restrictions on the property, but we went back and did a post-risk assessment and realized, well, you know, we met the residential standard here. Because when you are out there with a backhoe, you know, sometimes it's hard to know if you are getting, you know, dirty stuff or clean. In this particular situation, we met residential. So, took the deed restrictions off. Even though it's currently in an industrial park, you can go out there and build a playground on it. So, that post-risk assessment is

something that I'm sure we'll try to take advantage of when we can.

MR. LEVY: I think as a taxpayer another question that you have to ask yourself too, what is the value of that piece of property? If you are buying on acre's worth of land which would normally cost you, I don't know, what does an acre's worth of land go for?

MR. TURNER: Say three thousand dollars.

MR. LEVY: Three thousand dollars and it's going to cost you, you know, forty million dollars to clean it up. What is the value of that piece of property? Is it worth the forty million dollars?

MR. TURNER: It has what the reuse authority says, the whole post has, and that is a negative value. That is the government is going to have to pay us to take it. I'd appreciate you going ahead and tell them next time you talk to them.

MR. JOHNSON: It is tax dollars we are talking about.

MR. LEVY: Yes, that's a consideration we need to think about when we go into cleanup phases. Is the value of that land worth the forty million to clean it up or whatever it costs to clean it up. Is it better to clean it up to a certain level and accept a certain risk to that level and have the cost less.

MR. JOHNSON: Any other questions?

MR. THOMASSEY: Yeah, one other sort of twist on what we're talking about. And that is, if we determine a piece of land in the feasibility study is going to be cleaned up to say the one in ten thousand level to be turned over for a machine shop. Then later on, that particular chemical or suite of chemicals is later found to be more toxic than it was at the time a determination was made and now you're down to the one to five thousand or the one to one thousand

level. Is the government going to take and carry the liability to bring it back to that new level?

MR. JOHNSON: Yes.

MR. THOMASSEY: So even in the future, the U.S. government will be liable to keep it to the proper level if new information comes along?

MR. LEVY: Yes. In fact under CERFA, in 128 in CERFA, we have a liability to come back and clean up property where, what's the word, new discovery, I don't know what the terminology is. Assuming you occupy the land, all of sudden you go out in your backyard and you dug up twenty drums of some sort of solvent that had been contaminated that we didn't know about, then the government would be liable and we'd have to come in and do that clean up.

MR. TURNER: Subsequently discovered.

MR. LEVY: And that's by law, right.

But, you know, change in, I don't know how change in standards affects that.

MR. THOMASSEY: Or toxicity.

MR. LEVY: Or toxicity. But if we went back and said we believe that the carcinogen levels for this particular thing are actually not there and they are some here, I don't know how --

MR. JOHNSON: That changes because in fact the reference doses and toxicity change a lot. Just like PCP's did recently. We changed the, I believe the reference dose for it actually was a little bit less stringent than it was before. But, that's kind of general wording and all of our no further action, regulations change, or if the risk changes or so forth, we'll come back to see. Any other questions?

The last slide basically I'm just talking about, really our mission. Actually it's our mission statement that we adopted not long ago, we've been working on this. I

mean, it, of course, protecting human health and the environment while maintaining stewardship of our resources. And in doing so, we're going to use risk management and risk assessment and use these tools to make decisions to get this base cleaned up.

MR. LEVY: As opposed to the other alternative which is what?

MR. JOHNSON: As opposed to the philosophy we're familiar with the old (inaudible) attach approach. Regulations in the past tend to have a number that was pulled out of the air and said "Thou shalt clean to this level. We don't care what it cost. We don't really care what the risks are, that's the number that we've got. And you're going to clean it to that standard. And if you don't, we'll fine you, arrest you, and throw in jail, whatever." With time, and I think with the tools such as this, we realize that now we can calculate risk,

understand risk, we can start to use our money and time more wisely. In fact, we're fixing to get ready to come out in a few months with a risk-based clean up program for our tanks. UST's were a classic example. A hundred TPH's was clean. If the soil was over that level, you clean it up. Was a hundred TPH a risk? No, it wasn't. Where did the number come from? That was the number we were given, so you see.

MR. TURNER: That's the imaginary number I was talking about earlier.

MR. JOHNSON: That is an example of numbers pulled out of the air. Where did they come from? So, because I've got sites now where we got some oil ponds out here and, you know, we've crunched the numbers, we're like, there are no risks here. It's an esthetic problem, it looks bad, what do we do? Well, we'll go ahead and remove it as an esthetic problem, but as far as risk to human health there were

none. We didn't have to have it at this site. We could have had some ecological risks, but the setting it was in, they just were not there. So, you're able to make more wise decisions now. RIKER is going to the same concept with the risk base clean-ups. I doubt we'll ever see any set limits in stone. Even MCL's, water clean up standards. If the public is not tapped into a drinking water and the contamination is say in the surface but it's not ever leaking into the ground water, it's not ever causing a problem. Then why would you want to go and spend millions of dollars cleaning it up? Is that a wise choice? Well, not really. Now, there's potential there for that to leak or cause problems. I think we need to go ahead and take care of it. So, that's the change the paradigm shield from the old way of environmental regulations to today.

And the last, my last note was if we don't get

buy-in from all stakeholders, including the RAB, the IRA, the community, everybody on what we're doing here, then what good is it? If we can't demonstrate that we've done a good job, we've protected human health and environment, then I'm not so sure we've done a good job. So that kind of summarizes or sort of concludes my presentation. Do you want to add anything, Bart?

MR. REEDY: I would like to point out that, let's take the one in ten thousand. That usually gets everybody's attention. Again, that's, that is just a probability it's not a prediction. That number is generated on a whole bunch of assumptions, and those assumptions are necessarily, from my point of view, the EPA's point of view, those assumptions are necessarily conservative because of all of the things that we don't know. For example, there's just simply no data on the synergistic effect of chemicals.

What happens when you mix benzene and tolulene and cigarette smoke? What happens when you mix all of that up and a person is in that day after day after day? There's no data for that. There's no information out there. So, we make assumptions when we start generating these numbers to finally get to a level and say, "If you clean it up to fifty parts per million you'll be at ten to the fourth." The assumptions that got us there are extremely conservative. For example, in air, in air emission, it is assumed that the person is naked, on the fence line at the property in question, always down wind for seventy years, eight hours a day.

MR. TURNER: Eating eighty pounds of dirt a day.

MR. JOHNSON: Breathing one cubic meter of air per second.

MR. REEDY: Okay, those are the assumptions that's made. Now, we could

all go back, that's unrealistic. Yes, it is unrealistic. But those unrealistic things, those unrealistic assumptions are built in there because really there's just not a data base available. We just simply don't know. And that's why some of the assumptions you'll see you'll go, that'll never happen.

MR. JOHNSON: Now, if the group as a whole or the technical review committee or anybody, I mean, we can sit down and go through specifically how we calculate risk. We can do a scenario where I'm coming to put fifty-five gallons of benzene in your front yard, and I'll calculate a risk for you, and show you the numbers, show you the conservatism, everything. We can do that if you want to see it. Or if, you know, if the technical review committee would like to see that. I mean, if it would help folks understand those uncertainties or the conservative elements that were put into

this assessment

MR. THOMASSEY: Chris, you used a term the technical review committee.

MR. JOHNSON: I was thinking that y'all had adopted one now, I might be wrong there. Is that true?

MR. THOMASSEY: No.

MR. LEVY: No, I don't think so. We never had a technical review committee. In fact, a technical review committee were predecessors to RAB's.

MR. COX: The depot has one.

MR. JOHNSON: I won't even use that as an official name. It was more like the document review committee or something that we talked about in the initial charter.

MR. THOMASSEY: So far we're just one big board with the membership charter committee and the community relations committee, as far as I know. Correct me if I'm wrong.

MR. TURNER: I think that's right

MR. THOMASSEY: Okay. I think that Chris made an offer that's certainly worth discussion if anybody has any desire or any feel for getting into the risk assessment area in more depth and understanding it in greater detail.

MR. CUNNINGHAM: Seems to me somehow there is a tradeoff here that we have to deal with, we the RAB, that you've got to have some more information to be able, I believe, to intelligently deal with that. That is what is the LRA's plan for the different areas in order to somehow arrive at an acceptable risk for specific areas throughout the post. And it will vary depending on the projected use of this

MR. TURNER: It gets worse, and that is the projected uses are going to change. We've got a comprehensive reuse plan that is being finished as we speak. The thing is primarily designed not to apply for future use but to get the

property conveyed from the government in terms most favorable to the LRA's or to the community. So those future uses can change. But the reuse plan can be amended.

MR. LEVY: The Army will take at the time we generate the risk assessment, which will be for the RAB's review, what is the proposed reuse of that piece of property at the time. We can only do what we know at the time. So the risk assessments will be generated based on what, at that point, we've been told is the intended reuse. And you should see that in the documents that are put together.

MR. JOHNSON: One thing I'd like to add, though, see, when we actually calculated the risks, we go ahead and crush the numbers for industrial and residential. That way you've already got the numbers there in the document. Reuse, we haven't gotten to clean up yet,

we can automatically pull that document and say, well, they have got to that, we'll go to the residential clean up instead of industrial. So go ahead and kind of tailor your risk assessment to be used in the reuse plan.

MR. LEVY: And we'll be asking for your input at the time we make those decisions. Landfill three for example, and the risk assessment that goes along with that.

MR. REEDY: Maybe by way of illustration this will maybe clear it up. Keep in mind, one ten thousand is the risk that we were talking about while ago. Let's just talk about that for a minute, being industrial. It's industrial clean up level that's equal to one times ten to the negative fourth, for a particular chemical. For a particular chemical and, help me out here, for a particular chemical, a chemical of concern for a particular chemical in the

soil. You can, we have, what did you call them pointy heads? We've got a whole pile of pointy head folks that can generate a number that says for chemical A, chemical of concern A, that equals, let pick fifty-five parts per million in the soil. So let's say, are you with me so far? One in ten thousand is industrial, ten to the negative fourth. If we take chemical A, whatever it may be, this would be cleaned to ten to the negative fourth, that's the one in ten thousand at fifty-five parts. So we can literally go out and sample, okay. Just the way you would dig a footing, with lime or flags, however you want to mark it off and have a sampling to know where it's fifty-five -- let's say, I will for illustration purposes only, because it's not reality, fifty-six in here, fifty-five here, and fifty-four at this point. Okay, that means, and we can do that laterally and this way, okay? So

that's where we know how much we want to clean. Now, one of the decisions that we'll be looking at when we get, when we finally get to cleaning up is going to be if this right here, if that much of the property is good at for ten, this right here, this volume right there, let's say that equals, this little wad of dirt right there, let's say that wad of dirt right there is ten thousand cubic yards. Clean up ten thousand cubic yards is going to cost so many dollars. However, if we want to go out here to -- fifty-four is obviously not the right number -- but if we go out here just a little bit further, we can get to a ten to the negative sixth. That will be one in a million. And that, we can, we can equate that cost so many more cubic yards, how much extra is it going to cost? Sometimes this difference, sometimes this delta is very small. And actually you'll find most DOD components,

if this difference is not that substantial, let's go ahead and clean it. That way there's no encumbrances on the property. Truth be told, you and I as the taxpayers probably make out a lot better because we've got the attorneys out. There are no deed restrictions to have to check for the next fifty years.

MR. THOMASSEY: Another pointy headed group.

MR. REEDY: Charles is too close for me to say that. He can reach out and get me. And does that make sense? And that's the realty that we're going to come to right there.

MR. THOMASSEY: Bart, would you put some of the terms that we've been using, I think that process of generating those numbers is remedial investigation, and then getting into the risk assessment determining what you are going to do is the feasibility study. Portion of what we are going to be doing and how we are

going to be looking at what happens.

MR. REEDY: The risk assessment is actually part of the remedial investigation. The feasibility study, and that's in the risk assessment, the feasibility study says "Well, now, we can clean this up for this many dollars. We can clean this up for this many dollars." And also it looks at nine criteria: What's it cost, what are the benefits, community acceptance. There's nine of them, and I'm just drawing a blank. I wish I could spout them off to you, but I can't. But that's in the feasibility study. The feasibility study is actually, can we really do this or is it a pipe dream.

MR. LEVY: And it also looks at capping versus pump and treat.

MR. REEDY: Yeah, and that's another thing. We could cover the whole thing up with concrete, that would cost us so much. We could dig all of this up, that

would cost so much.

MR. COX: Or you could treat it in place.

MR. REEDY: Or you can treat it in place. Or we can leave it alone, put a fence around it and let the bugs eat it if it's something that biodegrades.

MR. CONROY: This might take a minute. And actually I'm more interested in getting home than taking up more minutes. But, we understand I think basically how chemicals of concern affect lab rats and how that then relates to the statistical models that we discussed. Poisoning lab rats with chemicals, poisoning lab rats is one thing, but how about blowing lab rats up? And my point then is how do you calculate risk when it comes to unexploded ordinance and that's a bigger subject of course, but is there a quick answer? We discussed that a little bit. I think it's important for this group to get a feel for that.

MR. JOHNSON: I think the problem, the sticky issue right now at the EPA and the DOD and the UXO for that very reason is coming up with the statistical way of modeling risk to people. What's the probability of you walking out there and getting blown up?

MR. REEDY: You can literally calculate, the pointy head person calculate what's the chances of blowing up if we take off walking across Pelham Range. And we can generate a number and you could swear that number is good. The problem with it is the end point. Chris mentioned the end point. The end point is where DOD and EPA are at absolute far ends of the spectrum. The end point, which is where the slope intersects is a really dramatic kind of an end point. You blow up. And so DOD and EPA are fighting tooth and nail right now over that.

MR. LEVY: You don't blow up slowly,

you just blow up quickly.

MR. THOMASSEY: Before everybody blows up, why don't I let everybody take about a five to seven minute break and come back and get this finished.

(WHEREUPON A BREAK WAS TAKEN.)

MR. THOMASSEY: Two more quick pieces of business. One is the called business, and the first one is the report of the committees. Chartered membership to my knowledge has not had a meeting in some time, nor does it need to. Community relations, I don't think we've done anything specific in that area, mark would have reported on it, except Ron and I gave a presentation to the Oxford Rotary on the 29th of September, Ron?

MR. LEVY: Yes, sir

MR. THOMASSEY: And I'd say there were fifteen to twenty members there. And generally I gave them an overview of what our mission is, who we are, what they can expect from us, and a little

idea where the baseline survey for Ft. McClellan is, took the maps down, and just talked about where we are going and how I thought we interfaced with the community, and the fact that we need to interface more. There were some people who were interested in what was happening and a couple of questions about things like risk and responsibility of the government. Any other points, Ron, that you would think of that came out of it?

MR. LEVY: No, I thought they seemed real interested and there was some good questions. One gentleman kept referring to the situation down in Childersburg and his experiences down there. But we are going to try to do more of that if possible. I know that Charles has suggested that we try to get on the T.V. show that's on Channel 2. I don't remember what the name of that is. And I talked with the public affairs office about doing that, and they said they

would look into it and in fact, they haven't gotten back with me yet. We're attempting to do more. If there are any other groups that you all know of that you think you would like us to address, please let us know. I'd be glad, as far as Fern is willing to do what we did last time.

MR. THOMASSEY: I think we need to get more than just me going out and speaking. I think we need to get a group of people who are willing to go out and do that type of thing and interface with the community. I'm certainly willing to do it, but I don't want to hog the show. Secondly, and I think everybody has a different perspective to some extent. Each person ought to go out once in a while to talk to these groups. For instance, and we go back to the Rotary, and I told them that they probably ought to ask for us to come back in nine months to a year so they can give them an

update. I think somebody else ought to go back and talk to them the next time for a fresh view from the board. Any other discussion along that line? From the old business, one of the things we talked about, I'll start it in reverse, future guest speakers. Ron?

MR. LEVY: The last RAB I remember, we not only discussed doing this risk assessment, we discussed doing cultural, historical and I've talked with TRADOC who has got an archeologist up there that's working the programmatic agreement, which may be of some interest to the group. Essentially that's a document that's signed by the State Historic Preservation Office, the advisory council, which is the federal side of that, and the Army, saying -- simplistically what can and cannot be done to the historic properties. And it also addresses things like archeological investigations, future ongoing actions

there. So that's something that I had proposed and don't know what the RAB feels about that.

MR. THOMASSEY: The one question that comes to mind are there specific areas on Ft. McClellan right now that we should be focusing on from an archeological standpoint, and do they collide or conflict at all with some of the LRA's requirements or desires?

MR. LEVY: At this point not that I'm aware of, no. The historical buildings would probably be of the most significant, in terms of what may or may not happen with the LRA. The sites, most of those are out in areas that have not been identified for, other than passive reuse.

MR. CONROY: The archeological sites are interesting, I don't think there is any doubt about that. But how do they relate to clean up and the focus of this group?

MR. LEVY: Well, we haven't done any phase two work. Phase one being the shovel test and defining that there is something there, and phase two going in and looking hard at the site to try to pull out whatever artifacts are in the site and then from there move on. Our next step is to do phase two work. And until we are really done with those phase two sites, we really won't know what's truly going to qualify or not qualify from a preservation standpoint. Those are archeological sites now.

MR. CONROY: So there are contaminated areas that are of archeological significance?

MR. LEVY: No, I didn't say that. I'm not aware of any archeological sites that were identified in phase one that are in areas identified from a clean up standpoint.

MR. JOHNSON: Even UXO?

MR. LEVY: UXO is a different story.

UXO, yes.

MAYOR KIMBROUGH: Ron, where are we on the original time line we were sent as far as the procedure?

MR. LEVY: For where?

MAYOR KIMBROUGH: In clean up. You know when we went through the date, the time line --

MR. LEVY: For unexploded ordinance?

MR. TURNER: Just the environmental baseline.

MR. LEVY: So you are asking me where we stand on completing?

MAYOR KIMBROUGH: Yes, where are we?

MR. LEVY: The EBS document, we're still working through. And our best guess is that we can complete it at the end of November. That's our best guess. It could, in fact, take longer. But that's what we are hoping for so we can work through all the issues that are going on right now.

MR. TURNER: The last IPR I went to

talked about environmental baseline survey last March and an EIS in August.

MR. LEVY: The EIS will be completed in August, the ROD that's expected, the record of decision, is 15 October.

MR. TURNER: Last week?

MR. LEVY: 15 October 98.

MR. JOHNSON: I'd like to add that the EBS is an important document no doubt. But I don't want anybody to think that's throwing a curve in our game plan. We are currently investigating dozens of sites right now on the base. We don't have to have that done to go forward.

MR. TURNER: The BCP is the more important document, isn't it?

MR. LEVY: It is. And that's not even stopping us from moving forward. We're still working sites, and the BCP again, best case, we're expecting thirty to sixty days after the EBS when we can complete that.

MR. TURNER: What's the hold up on

the EBS?

MR. LEVY: We've still got issues that we're trying to get through making some more changes to the document. One of the things I think I told you at the last meeting was that we had stop work action because of funding, the funding got back into the project and it's taken us a while to ramp back into it and get the contractor back going and changing the document the way it needs to be changed. So, we've got a meeting we've got a meeting scheduled for the BCP this week, talk to the BCP this week, myself, Chris and Bart and the base clean up team down at ADEM. And I think we've got all the comments in on the EBS and we're working those comments now making changes to the documents. So my best guess again for the EBS would be end of November. And for the BCP we're talking, best case thirty to sixty days after the final EBS. Worst case, at least six months after the

EBS. You guys, Bart, Chris, got any difference of opinion on that?

MR. JOHNSON: I think we can step that up. Now that we're getting some of the contractor issues I think resolved.

MR. THOMASSEY: Next item from old business, I just wanted to remind everybody that the last meeting the RAB voted to cancel the December meeting and reschedule January and February. And reminding everybody that January the 12th is the meeting in January of `98 and February the 9th of the following month. And then we get back on the schedule of the third Monday in each month.

MR. REEDY: Again those dates?

MR. THOMASSEY: No meeting in December. In January it is the 12th and in February it is the 9th.

MR. REEDY: So then March would be the 16th?

MR. THOMASSEY: The third Monday. Any new business?

MR. LEVY: Before we go on. The Restoration Advisory board web site is up and running, and WWW.McClellan.Army.Mil\Rab. If you go in under organizations under Fort McClellan's web site it's there. You've got to go under organizations under the home page.

MR. TURNER: Did they register it with Search Engines?

MR. LEVY: I know McClellan is with Search Engines. The other thing that's in there that's neat is a membership application which can be electronically submitted where we can now start membership electronically. Somebody can go in there and submit their application right off the web site and we can collect those and hold those for when we need to select members. So that can all be done electronically. Just type in and hit the button and submit it.

MR. REEDY: Charles, do you know how

one would go about notifying the people who are in charge of the various search engines of the sites?

MR. TURNER: I think there's a service where all you have to do is send it to one place that will register with forty of them at once. I think most people use one of three -- (inaudible) And if you register with those four, you are going to pick up most of the search engine traffic.

MR. LEVY: I know McClellan's home page is registered. Does that mean because it's a sub set of it that it would be registered?

MR. TURNER: It depends on how they registered --- (inaudible).

MR. LEVY: I'll check on that to see how that works because I don't really know

MAYOR KIMBROUGH: On the programs, and I don't know if this would be a valid point, could we have a discussion

sometime on the difference between EPA and DOD as far as the clean up of unexploded ordinance and what the issues are on that in the future?

MR. TURNER: Just explain the government to us, Bart.

MR. LEVY: That's a tough one actually.

MR. JOHNSON: Probably the best person though to pull in is the guy AEC heading up the range rule, and he's heading up the risk model, and get that perspective, and pull in somebody from headquarters in EPA possibly.

MR. LEVY: And the range rule right now is still out for comment. There's differences but, again, it's not a done deal. When it becomes a done deal, assumably EPA and DOD who have agreed by then.

MAYOR KIMBROUGH: I would just like to know the issues.

MR. LEVY: Would would all like to

believe that all of our agencies are in total agreement and that there are no issues.

MR. REEDY: I might, folks, I'd love to, I'm not going to sit here and lie to you, I'm not sure that I know I could intelligently speak to what all the issues are. I'll see if I can find, I know a couple of people that are working on the range rule. Mayor, you're desire, I'll see what I can do before I make a commitment to you. But it would, let me check into it and then we'll talk.

MR. JOHNSON: Bart, I'll add too, Larry could do it, he represents the state on the range rule. Larry Bryant.

MR. LEVY: I'd like to see that. Larry would be a good person.

MR. REEDY: There is one point to that that we ought to be cognizant of. That is, we live in a political world, and whether we like it or not that's the way it is. And sometimes there are turf

battles that go on, and so things are presented as issues by one entity that really are no more than just kind of a smoke screen for being able to have control over one piece of the range rule. And it's there, there isn't anything much more contentious right now than the range rule. And it's extremely political. But I'll see if I can get a one-pager.

MR. TURNER: Something else we might want to be briefed on comprehensively.

MR. THOMASSEY: What we're doing is looking for something to hone in on in November or are we still going to go ahead and have the archeological presentation? I took from the discussion that it was probably something we could delay until there was more need for it.

MR. LEVY: You know, I'm at your beckon call in terms of what we want here.

MR. THOMASSEY: I'm asking the board

to some extent, because we did discuss that archeological proposal that had been the presentation that was in the minutes from the last meeting scheduled for November. Is that what we still want?

MR. TURNER: I think that would be good.

MR. JOHNSON: I would like to make a suggestion on the presentation, I mean, could we not just have a big rap session? Questions and answers, open up the floor, anything goes to anybody?

MR. THOMASSEY: Among ourselves.

MR. JOHNSON: Just to kind of give, you know, maybe a break off the formal presentations. That's just a suggestion.

MR. TURNER: For my part, I'm finally to the point where I'm understanding the presentation now. There was a long time when, you know, it was just acronym soup.

MR. THOMASSEY: I think what we were pointing at, you know, do we want to stay

with the archeological? Charles said yes. What do the rest of you think?

MR. THOMASSEY: We had it scheduled. Stay with it. It will give us a good point of reference, and at the same time, I think we ought to look at asking each other questions. We've done pretty good during this session too, with the interchange and the questions and the comments that have come up. So I think everybody is beginning to understand some of the alphabet soup.

MR. TURNER: I also notice attendance is up routinely just over the last four or five months. We are routinely getting eleven people here at 6:30. That's good. We went for a stretch there last year where there was five or six.

MR. REEDY: When will we get the data back from the background?

MS. KINGSBERRY: I don't know. I'll have to give Chris a call and find out for you.

MR. THOMASSEY: I didn't catch it all. What do you mean background?

MR. REEDY: One of the components, very briefly, suffer with me, one of the components that Chris touched on in the risk assessment was ambient baseline. We do, there is one thing that we know about Fort McClellan and the surrounding areas, and that is the soil is --

MR. LEVY: Highly mineralized?

MR. REEDY: No, it's not highly mineralized, it contains a lot of minerals. So, but you know, there are a lot of compounds. One of the compounds that we as clean-up people have seen over the years that can drive a risk assessment and drive it artificially is arsenic. Another one would be lead, another one would be chrome. Those things, we mine those, they come out of the ground. Some places in the world, you know, you dig it up. We have a feeling that might be pretty high here in

some settings. So what we have done is we've spent some of your tax money to go out to clean areas, areas where there is absolutely nothing that indicates anything other than just foot traffic every once in a while over the past two or three thousand years, take a soil sample and water sample and establish what background concentrations of lead, of all the metals, so that we can compare that suite against when we go to T-54 and yank a sample out of site T-54. And we can have the background concentration, what we found here, as opposed to zero or a best guess of what it ought to be. So we're doing this background survey. It's ongoing right now.

MR. JOHNSON: Ought to be about wrapped up.

MR. REEDY: It ought to be getting real close to getting done. And that will give us an idea of what we can expect and compare all the other sites

to.

MR. LEVY: Do you think we'd be ready for January?

MS. KINGSBERRY: Oh, I don't know. When they are done with it, I'll let you know and we'll schedule a briefing on it if you want.

MR. THOMASSEY: Ron, any additional?

MR. LEVY: Just know that next month we're back here again. December we're off, that was voted on the RAB last time. And January we were going to Weaver, correct? That's what we understood in the last meeting. So if anybody sees it any different than that, once a quarter we were going outside of Fort McClellan. And the next time would be Weaver. And Mayor Kimbrough, you mentioned that you thought the meeting center would be ready by January?

MR. THOMASSEY: Does somebody have a calendar? What is the third Monday in November?

MR. REEDY: The 17th.

MR. THOMASSEY: So the next meeting will be on the 17th right here at 6:30. Anybody else? Ron, do you have any other topics?

MR. LEVY: That's it.

MR. THOMASSEY: Anybody else have any topics?

MR. MILLER: I just wanted to ask a question. I guess several months ago Pete made a presentation and talked about a large block of acreage going to the national park service. Is there any update on that?

MR. CONROY: Relates to the National Wildlife Refuge and the US Fish and Wildlife Service, and the negotiations are still ongoing and actually things look good. We are continuing to have monthly meetings with the Fish and Wildlife Service and the Department of Conservation, and a non-profit group, the Nature Conservancy, which is helping to

facilitate. And we'll keep you in touch.

MR. MILLER: Do you think it will pass?

MR. CONROY: If I were a gambling man, I would put a little money on it.

MR. THOMASSEY: Anybody else?

MR. TURNER: Move to adjourn.

MR. ELSER: Second.

MR. THOMASSEY: Adjourned. Thank you, we'll see you next month.

(WHEREUPON THIS MEETING WAS CONCLUDED AT 8:15 P.M.)

C E R T I F I C A T E

STATE OF ALABAMA)

CALHOUN COUNTY)

I, DONNA D. GALLAHAR, a Court Reporter and a 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 as 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 above captioned, and was concluded without adjournment.

I FURTHER CERTIFY that I am not a relative, counsel, or attorney for any party, or otherwise interested in the

outcome of this action.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal at Anniston, Alabama, on this the _____ day of October, 1997.

_____
DONNA D. GALLAHAR
Notary Public in and for
Alabama at Large

My commission expires May 21, 2001.

_____