

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
Anniston City Meeting Center, Anniston, Alabama, on
the 15th day of November, 1999, commencing at
approximately 6:30 p.m.

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

CAPTION SHEET	1
REPORTER'S INDEX	2
RESTORATION ADVISORY BOARD	3-64
CERTIFICATE	65-66

1 MR. PETE CONROY: Shall we get
2 started? Thank you everyone for attending. This is
3 the November meeting of the Fort McClellan RAB. And
4 instead of doing the roll call, how about if we go
5 around the room and introduce ourselves since this is
6 our public meeting. And although I don't see too much
7 public, why don't we go ahead and introduce ourselves
8 and tell folks where you're from.

9 MR. CUNNINGHAM: I'm
10 Don Cunningham, and I have been at Fort McClellan for
11 many years, and currently work for a local contractor
12 and been on the RAB board since its inception.

13 MR. JERRY ELSE: Jerry Elser. I
14 live in Saks. And I have retired from Sears last
15 year, Sears Repair Services.

16 DR. BARRY COX: Barry Cox,
17 Jacksonville State University, live in Jacksonville,
18 Alabama.

19 MR. CHARLES TURNER: I'm Charles
20 Turner. I'm from Anniston.

21 MR. IKE BROWN: I'm Ike Brown, I'm
22 also from Anniston.

23 MAYOR KIMBROUGH: Ed Kimbrough,

1 represent The City of Weaver.

2 MR. LEVY: I'm Ron Levy, Fort
3 McClellan BRAC Environmental Coordinator.

4 MR. CONROY: Pete Conroy, and I
5 work at Jacksonville State University. And I'm acting
6 as co-chair right now.

7 MR. CHRIS JOHNSON: Chris Johnson.
8 I work for ADEM in Montgomery and help Ron clean the
9 Fort up.

10 MR. HOOD: I'm Ron Hood, and I live
11 in Alexandria.

12 KEN WHITLEY: I'm Ken Whitley. I'm
13 the Executive Director of JPA, and I live in
14 Jacksonville.

15 MR. THOMASSY: And I'm
16 Fern Thomassy, and I live in Jacksonville.

17 MR. JAMES MILLER: Hi, I'm
18 James Miller, and I live here in Anniston.

19 DR. MARY HARRINGTON: I'm Mary
20 Harrington, and I live here in Anniston.

21 MR. PETE CONROY: Does everybody
22 have an agenda before them? One thing I wanted to do,
23 which is not terribly positive news, but we're going

1 to be sending around a note from the RAB to Jimmy
2 Parks who is not feeling all that well, some of you
3 may know. And here it is. We're going to start it
4 this way and hope everyone gets a chance to sign on.

5 MR. RON LEVY: I might mention that
6 Jimmy's told us verbally that he needs to resign his
7 membership on the RAB. And we had talked about that
8 in the past. So, his is one of the positions we'll be
9 looking at filling, although the plan is maybe keeping
10 him as a de facto member and then even -- and then
11 bringing somebody in, as well. Instead of just
12 telling Jimmy that we no longer want your services, I
13 think it will be better just to keep him.

14 MR. CONROY: Would anyone like to
15 formalize that?

16 MR. THOMASSY: So moved.

17 MR. CHARLES TURNER: Tell me --

18 MR. JAMES MILLER: I second --

19 MR. CHARLES TURNER: Now, tell me
20 again what we're talking about doing.

21 MR. PETE CONROY: I think Ron is
22 saying --

23 MR. RON LEVY: Keeping Jimmy -- and

1 I don't know if that's the right term -- but as a de
2 facto member, even though he probably won't be able to
3 attend meetings and be here.

4 MR. CHARLES TURNER: Well, a de
5 facto member would be a member in fact. So, would it
6 be an ex officio member?

7 MR. CONROY: I think that would
8 maybe be a better term.

9 MR. THOMASSY: Sure, I'm sure
10 that's the term he was looking for, yeah.

11 MR. CHARLES TURNER: Or a member --

12 MR. JAMES MILLER: I saw him
13 Thursday and he was looking a lot better than I
14 expected. You know, he's a little thin in the face,
15 but he's up and around.

16 MR. PETE CONROY: So, I guess the
17 motion is that Jimmy would be maintained as a ex
18 officio member. Second?

19 MR. JERRY ELSER: Second.

20 MR. PETE CONROY: All in favor?

21 (All in favor.)

22 MR. PETE CONROY: Approval of the
23 minutes. Does everybody have the minutes? Has

1 everyone had a chance to look at them? Are we looking
2 at them, now? We'll take a minute. When everybody is
3 ready with a motion to adopt these minutes --

4 MAYOR KIMBROUGH: So moved.

5 MR. PETE CONROY: Mayor Kimbrough.

6 Is there a second?

7 MS. HARRINGTON: Second.

8 MR. PETE CONROY: Minutes are
9 approved. At this stage, even though there is some
10 folks getting coffee, and it looks like a good idea,
11 how about we introduce ourselves.

12 MR. JOE DOYLE: Hi, I'm Joe Doyle.

13 I'm from the legal office at Fort McClellan.

14 MR. BRIAN GARLAND: I'm Brian

15 Garland. I'm his son.

16 MR. BILL GARLAND: I'm

17 Bill Garland, and I represent the U. S. Fish &

18 Wildlife Service.

19 MR. BILL SHANKS: Bill Shanks from

20 the Fort McClellan Environmental Office.

21 MS. KAREN PINSON: Karen Pinson

22 from the Fort McClellan Environmental Office.

23 MR. BOB (INAUDIBLE): I'm Bob

1 (inaudible) from the Alabama National Guard
2 Environmental Office at Fort McClellan.

3 MR. BERNIE CASE: I'm
4 Major Bernie Case. I work -- Army National Guard
5 Environmental Office.

6 MR. ELLIS POPE: I'm Ellis Pope
7 with the Corps of Engineers.

8 MR. PAUL JAMES: Paul James from
9 the Fort Environmental Office.

10 MS. LISA KINGSBURY: Lisa
11 Kingsbury, Fort McClellan Environmental Office.

12 MS. MICHELE MALONE: Michele
13 Malone, community relations environmental.

14 MS. JOAN MCKINNEY: I'm Joan
15 McKinney with the RAB.

16 MS. DONNA FATHKE: Donna Fathke,
17 East Alabama Planning and Development Office.

18 MR. PETE CONROY: It's great to
19 have everybody here. And it's also good to see
20 Mr. Buford join us. Thank you.

21 MR. RON LEVY: Pete, updates from
22 the JPA, you had asked for that.

23 MR. PETE CONROY: I'm sorry?

1 MR. RON LEVY: An update from the
2 JPA, you had asked for that.

3 MR. PETE CONROY: Yes. We're real
4 glad to have Kenny here with us. And as a regular
5 function of these RAB meetings, I've asked that we
6 have an update from the JPA and no one is more
7 qualified to do that than Ken Whitley.

8 MR. KEN WHITLEY: I don't know what
9 you're interested in, but I can tell you that I think
10 we're comfortably on track in every way that I think
11 it's important to be. We're on our way to the master
12 lease in December, assuming the FOSL gets shaken out
13 comfortably. And I don't imagine any problem there
14 that can't be overcome.

15 If we get that master lease, when
16 we get that master lease, I've got a considerable cube
17 of people interested in leasing and then later perhaps
18 buying on the installation. One of the problems that
19 I'm faced with is: Often they will ask you to keep it
20 confidential. They don't want it in the paper. I was
21 -- Pets America was kind enough to let us do that,
22 just so we could kind of let the public know that
23 we're actually doing some marketing, but the poor guys

1 have been inundated with phone calls with people
2 looking to go to work for them and by other
3 communities that are interested in getting him to
4 locate there. So, I'm very reluctant to air firms'
5 names.

6 But if I talk in the most general
7 terms, I can tell you that Pets America, we finished
8 reviewing their business plan. It is a viable plan.
9 Any E-Commerce activity has both a more rapid growth
10 rate and a greater risk than traditional businesses by
11 and large. So, you kind of buy into the gamble, if
12 you will, when you go in there. But we'll enter into
13 negotiations with them if they're still interested and
14 we finished their -- you know, this business plan,
15 it's a big, thick thing. Took a while to get through
16 that.

17 I have a potential buyer for the
18 former WAC Museum that will produce a not
19 unsubstantial number of new jobs.

20 We have this non-profit
21 organization that the paper talked about recently that
22 we're entertaining.

23 We're down to the lawyer-to-lawyer

1 talks over an entity interested in buying the former
2 dental clinic. Would turn one side of it into a
3 medical clinic, the other side of it into a dental
4 clinic, and the back third of it into a dental lab.
5 And we're well along on that.

6 I've got a guy that wants to rent
7 the upstairs of building 61. If I get through that,
8 I'll get my first customer up there and help me pay my
9 rent.

10 We have a very large developer, a
11 coalition of corporations, who is interested in
12 developing the Fort. I have talked -- there are two
13 other LRAs who have partnered with major developers.
14 And we're getting copies of the documents. They are
15 substantial. One of the contracts from another place
16 is three volumes. You know, they're big, because it
17 gets down to the aesthetics of construction. And, of
18 course, they still have to adhere to all of the BRAC
19 requirements.

20 But there will be other major
21 developers that will show up on the horizon very
22 shortly. We have to shake those out and look at
23 revenue and a lot of things are involved in that.

1 The education consortium, we're
2 working closely with them to figure out the best
3 property for them to locate on the installation. You
4 know, we did reach a tentative contract with Auburn
5 for their activities out there. That was -- to tell
6 you the truth, came in handy.

7 We have submitted a site out there
8 for the states microelectronics industrial initiative.
9 It's about a two hundred acre site. That feedback
10 says we're about the best in Alabama, but there are a
11 number of states competing for that kind of business.
12 But one of the things that I could say, in sitting and
13 talking with these guys is, hey, Auburn is going to be
14 right down there, you know, and just because the
15 research level institution. We also talked about the
16 educational consortium and how they can pre-screen and
17 train up their employees.

18 The up side of that, were we to get
19 it, is just huge. I think it starts out at about
20 eighteen hundred employees and goes to nearly three
21 thousand. Because of that, of course, the politics of
22 it far outweigh the attractiveness of the property, by
23 the time it's all done.

1 But we haven't even marketed the
2 place. This is just what's showing up on the
3 doorstep.

4 This Wednesday we are having a tour
5 at the Fort for site selectors and developers that
6 were brought in and want to show around. And that
7 really kind of is the kickoff of our marketing
8 efforts. So, we'll go forward from there on.

9 We hope to have a deed to the
10 property that is -- that will be in the master lease
11 probably next summer, because it's category one. But
12 that's -- I'd be way too far out on a limb to predict
13 a time. We would shoot for May 15th and then, you
14 know, we'll have to work it and see how it shakes out.
15 Once we have that, then we can get down to sales.

16 Then, as other property out there
17 migrates from category seven to category one, it will
18 be integrated into the master lease or into the
19 deeding process, with the appropriate land use
20 constraint paragraphs, presumably.

21 The cleanup, you all may --
22 probably know more about that than I do on the length
23 of time it's going to take. But there is property out

1 there that will not be developable for some years to
2 come. There are ways to clean up large tracts of land
3 quickly, a thing called a FOSFET, finding of
4 suitability for early transfer, wherein the federal
5 government provides the funding for that directly to
6 the JPA and we would contract directly with the
7 cleanup authority. At the end of the cleanup, the
8 government buys the environmental insurance for the
9 JPA. And it takes a lot of players out, layers of
10 bureaucracy, and you get it cleaned up quicker. So,
11 that's a prospect that we're looking at.

12 But right now, I feel very positive
13 that we're going to generate a significant number of
14 jobs. Those that are on the table here, would come to
15 about seven hundred, over a period of four years. So,
16 you know, we're not going to beam in three thousand
17 jobs to replace those that went away instantly, but
18 we're at the right place geographically, we're at the
19 right point in time in the economic cycle for the
20 United States, and we sit right between Atlanta that's
21 kind of running out of water, and Birmingham that's
22 kind of running out of air and employees. So, now is
23 the time.

1 MR. PETE CONROY: Any questions?

2 MR. CHRIS JOHNSON: Have you guys
3 gotten moved?

4 MR. KEN WHITLEY: We haven't signed
5 the lease, yet, so no. Although, we've been over
6 there and moved some furniture into the building,
7 dusted off the place. But we're not physically there.

8 MR. PETE CONROY: Into where are
9 you moving?

10 MR. KEN WHITLEY: Okay, Building
11 61, and it's the former post headquarters right under
12 the flag pole.

13 MR. PETE CONROY: Right.

14 MR. KEN WHITLEY: I want to tell
15 you that ADEM and EPA were both extremely helpful to
16 us in allowing us to pull that building out of the
17 master lease to a separate FOSL and get it through the
18 process and get us out there so we can be on the point
19 end of the sword.

20 MR. PETE CONROY: Terrific. What
21 are the primary environmental concerns, more
22 specifically, that you have right now?

23 MR. KEN WHITLEY: The first is to

1 understand the environmental issues that are out
2 there. There is still lots of testing going on. I'd
3 like to see the outcome of those and go from there.
4 So, it's just -- it's those known, unknowns that still
5 have to be defined.

6 And then I think resolving the
7 issue of land-use constraints, making sure that
8 they're appropriate and reasonable, and then the idea
9 that how do you know -- how does somebody twenty years
10 from now know they're not supposed to dig there, you
11 know, and what kind of controls -- how do you manage
12 that downstream, many years down? And that's the
13 major discussion, as I understand it, to put it in the
14 crudest terms, but that's what it is.

15 MR. PETE CONROY: Thank you.

16 MR. KEN WHITLEY: Okay. My
17 pleasure.

18 MR. PETE CONROY: Ron, do you want
19 to get started with old business?

20 MR. RON LEVY: Yes. If you all
21 remember, last month we passed out a copy of the FOSL,
22 finding of suitability of reuse for the master lease
23 to the Joint Powers Authority. And it was at that

1 time that I asked you to take a look at it and come
2 back with your comments, concerns, issues for this
3 meeting. And I'll point out again, as I mentioned to
4 you before, the property in there -- of course, we
5 also know that there is some issues in here already.
6 But the property in there was category one. Although
7 there is a piece in here that ADEM pointed out to us
8 wasn't category one. Well, it's a category one, but
9 it was qualified that we're looking at and going to
10 remove. But what I asked is for you to go back
11 through it and tell me what your concerns were. So,
12 I'll open up the meeting to discussion about the FOSL
13 and about those facilities. We do have comments on
14 this FOSL from ADEM. We don't see any reason why we
15 can't satisfy the State's comments and addressing them
16 all. So, we think that's good.

17 Still waiting on comments from EPA.
18 So, that's where we stand in terms of regulatory
19 involvement.

20 MR. PETE CONROY: Chris, do you
21 want to summarize your comments?

22 MR. CHRIS JOHNSON: The main issues
23 were, we got into some areas on the maps that -- based

1 on the way the maps are done, you can't really tell,
2 but it just -- it really seems that there was land
3 getting into range issues, like UXO, small arms
4 ranges, artillery fire ranges. And we just need to
5 make sure those properties aren't within this lease.
6 That was probably the biggest concern we had.

7 MR. PETE CONROY: Sure.

8 MR. CHRIS JOHNSON: Everything else
9 was, you know, fairly minor. You know, the maps --
10 the maps need to be probably done a little bit better,
11 just, you know gridded off and coordinated where, you
12 know, these guys know what they're getting, as well as
13 anybody else that's coming out there.

14 Another concern we have, too, is
15 along with the land-use controls, not necessarily just
16 with the FOSL, but making sure these guys and the
17 folks they bring on the base are well aware of the
18 problems of where they are and where -- and the areas
19 to stay out of and why. So, it's some education that
20 needs to go on --

21 MR. PETE CONROY: Sure.

22 MR. CHRIS JOHNSON: -- you know, as
23 they bring these tenants on the base and start showing

1 them around.

2 MR. RON LEVY: Let me point out for
3 you, this is the map in this area -- (pointing) -- I'm
4 sorry to do this -- but this area up here in the blue,
5 part of that is cat -- it's listed as category seven,
6 but it's qualified. And the state and both EPA also
7 mentioned that the issues associated with that in
8 their concurrence letter -- or conditional concurrence
9 letter were still to be worked out. So, we're going
10 to -- we're looking -- and we talked this with Miki,
11 we're going to look at removing that property, because
12 it is range areas that we're going out after from a
13 cleanup standpoint.

14 MR. KEN WHITLEY: Right. But it
15 shouldn't be a problem.

16 MR. RON LEVY: Yeah.

17 MR. CHRIS JOHNSON: But overall,
18 it's a large master lease. It's a lot of land. What,
19 eight hundred and --

20 MR. KEN WHITLEY: Yeah, eight
21 hundred and fifty buildings.

22 MR. CHRIS JOHNSON: So, there is a
23 lot of property.

1 MR. RON LEVY: Why don't we just
2 pass the map around in case you want to take a quick
3 look at it. We're looking at approximately thirty-one
4 hundred acres and eight hundred and fifty-three
5 buildings that are part of the master lease.

6 MR. PETE CONROY: How many
7 buildings?

8 MR. RON LEVY: Eight hundred and
9 fifty-three buildings. Is there actually a change to
10 that number, Lisa?

11 MS. LISA KINGSBURY: A few of them
12 will drop out, based on comments, accidental category
13 sevens have gotten slipped in there.

14 MR. RON LEVY: It's split up into
15 areas. It was done like that on purpose to -- for
16 management purposes. Usually easier to manage in term
17 of defining areas.

18 MR. FERN THOMASSY: Ron, one
19 question: What's the time line now on this draft FOSL
20 that -- do you think that it's going to be -- the
21 comments will be back and it will be approved in some
22 few months?

23 MR. RON LEVY: We were hoping to

1 see the comments all in this month. In fact, thirty
2 days, given the time lines that we actually got it
3 out, I think it was received -- Chris, you got it
4 what, the 2nd of November?

5 MR. CHRIS JOHNSON: The 3rd. I
6 think November 3 is when we got it.

7 MR. RON LEVY: Excuse me, yeah.
8 I'm sorry, October.

9 MR. CHRIS JOHNSON: October 3rd. I
10 think the comments were due November 3rd or 5th, maybe
11 November 5th I think we may --

12 MR. RON LEVY: So, you know, the
13 thirty day -- our requirement is to give the
14 regulatory agencies thirty days to review and then try
15 to address their comments. And we're still waiting on
16 comments from EPA, so I don't see -- and having talked
17 with Bart, I don't see that there is going to be
18 substantial or significant comments from the EPA,
19 either. Although I can't tell you, because I haven't
20 seen -- for certain, because I haven't seen their
21 comments, yet. But I would be very surprised if there
22 was anything really substantial that we couldn't get
23 through, because we all understand that this is cat

1 one property where there is not supposed to be
2 anything significant in terms of environmental
3 constraints.

4 MR. FERN THOMASSY: So, once you
5 get them, unless there is something unexpected,
6 hidden, that would come out of EPA, do you expect you
7 would be able to resolve them and then incorporate
8 them into a final by the first of the year?

9 MR. RON LEVY: What I expect to be
10 able to resolve -- I expect they'll get the comments
11 and resolve them before the end of this month.

12 MR. KEN WHITLEY: We shot for 15
13 December as the signing date.

14 MR. RON LEVY: Well, what the JPA
15 --

16 MR. KEN WHITLEY: That's a
17 Wednesday. We might slip it to a Friday.

18 MR. RON LEVY: Once it leaves Fort
19 McClellan -- because, you know, we'll address it here
20 at Fort McClellan. Once it leaves Fort McClellan, it
21 goes up to our headquarters, TRADOC. And I know
22 they're concurrently working with the BTT. And from
23 there it goes through some legal reviews, and finally

1 will come back to the Corps, Corps of Engineers,
2 because they do -- they actually do the lease.

3 And all that, which everybody is
4 hoping, will be finalized before the middle of
5 December, knowing that the JPA is on a tight schedule
6 and trying to get people into those facilities.

7 I know headquarters TRADOC is well
8 aware of this and wants to meet those goals, but --

9 MR. FERN THOMASSY: Well, the
10 related question I have -- and I think it's been
11 answered, but I'm going to ask it again -- is the
12 institutional controls. And they're pretty well laid
13 out in here. I guess these are the ones that are
14 satisfactory or complete. Have they been agreed to by
15 the Army?

16 MR. RON LEVY: This is category one
17 property, so --

18 MR. FERN THOMASSY: Right.

19 MR. CHRIS JOHNSON: Yeah. What,
20 the environmental provisions in there?

21 MR. FERN THOMASSY: Yeah, the
22 environmental provisions that are in here.

23 MR. RON LEVY: Oh, you're talking

1 about the EPPs.

2 MR. FERN THOMASSY: These appear to
3 be something along the line of institutional controls.
4 Or am I incorrect?

5 MR. CHRIS JOHNSON: They're just
6 really one component of it.

7 MR. THOMASSY: Okay.

8 MR. CHRIS JOHNSON: The difficult
9 part of the institutional controls is kind of what
10 Kenny was talking to, as far as the actual
11 restrictions or covenants that go in the deed, more so
12 than to the monitoring and enforcement in the out
13 years. Who is going to do it? How is it going to
14 happen? How do we insure the people are staying out
15 of these areas?

16 And really, for this property, and
17 this being a lease, it's not -- we're not into those
18 issues on this property. We will be on other
19 property. And that's --

20 MR. FERN THOMASSY: You focused
21 them in on this one, on the few issues, asbestos --

22 MR. CHRIS JOHNSON: Yeah. A lot of
23 that's --

1 MR. FERN THOMASSY: -- lead-based
2 paint and things like that?

3 MR. CHRIS JOHNSON: Yeah, right.

4 MR. THOMASSY: You don't expect to
5 then have to have a complete approved set of
6 institutional controls going with the FOSL?

7 MR. CHRIS JOHNSON: For this FOSL?

8 MR. THOMASSY: For this FOSL?

9 MR. CHRIS JOHNSON: (Shakes head.)
10 Not for what we're -- what we're asking for, in
11 working with the Army, is the land-use control plan
12 that you've been hearing about. And that's not going
13 to have to -- we're not going to have to reach an
14 agreement on that to get this lease done.

15 MR. RON LEVY: The key here really
16 is that is a lease, as opposed to an actual transfer,
17 although that's still something that EPA and the State
18 are concerned about, even on leases. But when it
19 comes to transfer, it's -- and the property's actually
20 leaving the Army's hands, it becomes even more of a
21 critical issue for them.

22 MAYOR KIMBROUGH: Where are we on
23 the transfer of the properties to the governmental

1 agencies or -- I don't know if you've leased. But for
2 instance, Reilly Lake, Yahoo Lake, the water treatment
3 plant, where are we on those things? They were held
4 up. Are they still being held up or --

5 MR. RON LEVY: Well, Reilly Lake
6 and Yahoo Lake were in the parks and recreation lease.
7 And they were both pulled out of the lease because
8 there is additional investigative work going on. And
9 we're not anywhere near transfer. We haven't even
10 gotten to the lease piece on that.

11 So, other things like the waste
12 water treatment plant, we're still waiting on, I
13 think, the water board. They're looking at funding
14 issues on a grant that -- and I haven't heard anything
15 new on that. Maybe Donna could address that.

16 MS. DONNA FATHKE: They've just
17 been awarded the first phase. There is actually two
18 grants that we've put in for them. And one was to do
19 the initial testing to see what work -- how extensive
20 they needed to work on the system. And the second was
21 for actual construction. They've been awarded the
22 first one, so we'll be starting on that very soon.
23 The second one we're still waiting to hear from them.

1 MAYOR KIMBROUGH: What about
2 utilities, transfer of the metering and all that?

3 MR. RON LEVY: Well, I can tell you
4 that on the utilities, the easements, which really
5 were easements, both Alabama Power easement is in
6 place and has been executed. The easement to
7 BellSouth is in place, and they've executed the
8 easement. The easement for Alabama Gas is going to be
9 executed, I think, tomorrow.

10 MR. POPE: 1 December, Ron,
11 Alagasco asked for additional time to make sure all
12 the plans were in place to be --

13 MR. RON LEVY: I stand corrected, 1
14 December. So, that's real close.

15 And the only other one was the
16 water and sewer, and that was what we were just
17 talking about, in terms of utilities.

18 Did I miss any of the utilities?
19 So, we've actually -- and if you come out to the Fort
20 and you take a look around, especially on the power,
21 you can see Alabama Power out there clearing around
22 the lines, which we have been negligent in doing over
23 the years. They're pulling -- you know, they're

1 cutting the trees back from the lines, which should
2 have been done a long time ago.

3 And BellSouth, you know, we in the
4 garrison are already under BellSouth's calling plan.
5 You know, we're paying for their services, as opposed
6 to what we had when we had our own switch. And
7 Alabama National Guard is working off of their own
8 switch, which is out of Montgomery, I believe. So,
9 that phone system has already been changed over.

10 What else can I tell you? Any
11 other comments about the FOSL? We understand it's
12 critical. We really do want to get this finalized so
13 that JPA can start bringing customers in. I know
14 Chris is taking it very seriously, so, we're doing
15 everything we can to make sure the property is
16 available for lease as soon as possible. And I hope
17 we can meet your dates.

18 MR. KEN WHITLEY: Right. I just
19 worry if it slips out, some of these fish I've got on
20 the hook will get off the hook, you know, and I don't
21 want to see that happen.

22 Under a lease, you know, they can't
23 do capital construction. They can do modifications

1 inside and that sort of stuff, so, we need to get on
2 to the FOST as soon as we can so someone can build
3 parking lots or things that they need to do for
4 businesses.

5 MR. RON LEVY: Right. And as I
6 understand, what you're intending to do immediately
7 after the master lease is in place is start to go
8 after the FOST, but you've got to work your business
9 plan on that.

10 MR. KEN WHITLEY: Yeah.

11 MR. RON LEVY: And that's the
12 difficult -- and the economic development conveyances,
13 which is the real difficult part. And that takes time
14 to put together.

15 MR. KEN WHITLEY: We have some huge
16 decisions to make in that time frame about exactly how
17 do we want to develop the housing, do we want to hand
18 it over to a single developer, multiple developers, do
19 we want to develop some of it ourselves, do we want to
20 tear some of it down because the land is more valuable
21 than the housing. There is a lot of that that's not
22 yet fully thought through. And that drives the
23 business plan.

1 MR. PETE CONROY: Anything else?

2 MR. RON LEVY: Any other questions?

3 I've got a whole host of experts over there from my
4 office that will just love to tell you what's going
5 on. I like putting Lisa on the spot.

6 MR. PETE CONROY: Why don't we talk
7 about our membership applications.

8 MR. RON LEVY: Yeah. And if I
9 could ask Joan to -- bring Joan in and let her talk
10 about that.

11 MS. JOAN McKINNEY: Thank you. Do
12 any of you have any -- we had passed some out last
13 week -- do any of you have any applications or do you
14 need any extras to nominate someone to fill this one
15 vacancy that we have? Because I have some extras
16 here.

17 MR. PETE CONROY: The forms.

18 MR. CHARLES TURNER: Which vacancy
19 is this?

20 MR. RON LEVY: Jimmy's.

21 MS. JOAN McKINNEY: Jimmy Parks'.
22 And it looks like what we'll do is, you, last month,
23 went ahead and decided that you would just let us use

1 the existing applicants that we have. We have three
2 in the file. We have called them. We've left
3 messages. We have so far one yes and two others that
4 we'll get back to you. But we have --

5 MS. MICHELE MALONE: We have two
6 yeses.

7 MS. JOAN McKINNEY: We have two
8 yeses, now. Okay, great. So then with those, plus
9 some of the application nominations that you have
10 given me and others that may come in, then I recommend
11 that after the first of the year, at our next meeting,
12 we just lay these out and vote on them like we did the
13 last time. So again, we'll have them here at the
14 table when you go out, if you have a nominee you would
15 like to place before the committee. Thank you.

16 MR. RON LEVY: So, we'll put it on
17 the January RAB meeting for election of a member, and
18 we'll do that actual election.

19 If y'all remember, we don't have a
20 meeting in December because of the holidays and people
21 not being around. So, our next meeting won't be until
22 January 10th. In fact, Joan took the liberty -- and I
23 think this is good. Right in front of you is our

1 meeting dates for the upcoming meetings. She's also
2 rescheduled, based on third Mondays the month of
3 January and February being holidays, of putting down
4 dates. If anybody has got an objection to those
5 dates, let me know. I've given the time lines. We
6 thought we'd just put those dates out.

7 MR. PETE CONROY: And I guess it's
8 been noted, but there is no December meeting.

9 MR. RON LEVY: Correct, right.

10 MR. CHARLES TURNER: I'd move that
11 we approve this meeting calendar.

12 MR. PETE CONROY: Second anyone?

13 MR. IKE BROWN: Second.

14 MR. PETE CONROY: So moved.

15 MS. MICHELE MALONE: I did want to
16 say notice that February's meeting is on Valentine's
17 Day.

18 MS. JOAN MCKINNEY: You may all
19 want to reschedule that one.

20 MR. PETE CONROY: With one possible
21 exception. All in favor?

22 MR. CHARLES TURNER: We might need
23 to amend that motion. Valentine's Day is important.

1 MR. PETE CONROY: I said with that
2 one exception.

3 MR. CHARLES TURNER: Well, should
4 we then make it the 28th?

5 MR. PETE CONROY: Sure.

6 MR. RON LEVY: Could get you in
7 trouble with your sweetheart if you're not
8 celebrating.

9 MR. CHARLES TURNER: I would amend
10 my original motion to change that to February the
11 28th, 2000.

12 MR. RON LEVY: February the 28th is
13 the last Monday in the month.

14 MR. CHARLES TURNER: Yeah, since --
15 yeah.

16 MR. RON LEVY: The last day in the
17 month, the last day is Tuesday.

18 MR. CHARLES TURNER: Okay, I called
19 the question.

20 MR. PETE CONROY: Do you accept
21 that friendly amendment?

22 MR. IKE BROWN: I do.

23 MR. PETE CONROY: All in favor? So

1 moved.

2 MR. RON LEVY: Somebody help me out
3 here. When is our next quarterly? Will that be in
4 the month of March?

5 MS. JOAN MCKINNEY: It would be in
6 February.

7 MR. IKE BROWN: February.

8 MR. RON LEVY: So, even though
9 we're not having one in -- okay. So we're looking at
10 old holding that off Fort McClellan, as well. And I
11 guess we can get you out of some of the (inaudible)
12 sites, unless somebody just happens to have an idea as
13 to where we might want to go.

14 MR. CHARLES TURNER: Have we ever
15 met in West Anniston or Hobson City?

16 DR. MARY HARRINGTON: Met in West
17 Anniston at 17th Street.

18 MR. CHARLES TURNER: I'd say --

19 MR. CHRIS JOHNSON: How about
20 Golden Springs?

21 MR. CHARLES TURNER: I'm sorry,
22 what?

23 MR. CHRIS JOHNSON: How about

1 Golden Springs?

2 MR. CHARLES TURNER: Yeah.

3 MR. THOMASSY: Taking votes, how
4 about Las Vegas?

5 MR. RON LEVY: With the Army
6 funding it, right?

7 DR. BARRY COX: Volunteer the JSU
8 Library, if you want to come to Jacksonville.

9 MR. CHARLES TURNER: We met there
10 before.

11 MR. RON LEVY: Joan, if we were
12 rotating around like we've done, where would be the
13 next place that we would go?

14 MS. JOAN MCKINNEY: You know, I
15 think down in the Oxford, Golden Springs area might be
16 the next best place.

17 MR. CHARLES TURNER: Friendship
18 Community Center or Golden Springs Community Center.

19 MS. DONNA FATHKE: Or the Oxford
20 Civic Center.

21 MR. CHARLES TURNER: Haven't we met
22 there? We haven't gotten the residential folks out.

23 DR. MARY HARRINGTON: We went to

1 the Oxford Mall. Now, we haven't been to Hobson City.

2 MR. PETE CONROY: Didn't we one
3 time?

4 DR. MARY HARRINGTON: We haven't
5 been to Hobson City.

6 MR. PETE CONROY: Must have been
7 something else.

8 MR. RON LEVY: What about Piedmont?

9 DR. MARY HARRINGTON: Haven't we
10 been to Piedmont?

11 MR. RON LEVY: No, haven't been
12 there. I don't believe we have.

13 MR. PETE CONROY: We have not.

14 MR. CHARLES TURNER: I'd say
15 Friendship Community Center, if they'll let us in.

16 MR. PETE CONROY: That would be
17 great. Let's come to some sort of consensus here.

18 MR. CHARLES TURNER: Move that we
19 have -- Michele wants to make a point.

20 MS. MICHELE MALONE: Well, I kind
21 of recommend Golden Spring Community Center, not
22 because I live out there, but the eastern bypass is
23 going right in front of the community center and

1 that's one of the issues that we talk about sometimes.

2 So, you might draw a bit of a crowd.

3 MR. CHARLES TURNER: If you want to
4 really get in the frying pan, let's meet up at Donoho
5 Lower School where it's coming within a couple of
6 hundred feet.

7 MR. CHRIS JOHNSON: And let's
8 invite ADOT to the meeting.

9 MR. CHARLES TURNER: And all of the
10 residents up there at Lake Louise.

11 MR. PETE CONROY: We might have
12 some people show up.

13 MR. CHARLES TURNER: That's right.

14 MR. PETE CONROY: Anyone want to
15 make a motion to that effect?

16 MR. CHARLES TURNER: I would say
17 that we meet at either Golden Springs or Friendship
18 Community Center.

19 MR. PETE CONROY: Oh, come on,
20 narrow it down a little more, would you?

21 MR. CHARLES TURNER: Well, just
22 give Michele and Joan some latitude.

23 MR. PETE CONROY: Okay.

1 MR. CHARLES TURNER: If they have
2 problems with one --

3 MR. PETE CONROY: Teriffic.

4 MR. CHARLES TURNER: -- they can go
5 to the other.

6 MR. PETE CONROY: Second for that?

7 MS. JOAN McKINNEY: Thank you.

8 MR. IKE BROWN: Second.

9 MR. PETE CONROY: All in favor? So
10 moved. Thanks, Charles.

11 New business?

12 MR. RON LEVY: Should be in front
13 of you, a copy of the environmental assessment for
14 decommissioning the Fort McClellan, Pelham Range
15 burial mounds. Let me see if I can't synopsize what's
16 going on out there. Pelham Range, which is now under
17 license to the Alabama National Guard, has a history
18 of training done by the chemical school, radiation
19 training done by the chemical school. In this
20 particular case what they were trying to do at this
21 particular site was simulate a fallout field. They
22 used cobalt 60, it was a source. The sources were on
23 -- were out in this pattern in an area called Ride-Out

1 Field. And they raised and lowered these sources.
2 And if you had a radi-ac (phonetic) instrument you
3 could determine, you know, through surveys, you know,
4 that you had a fallout pattern.

5 All the source material was
6 removed. It was removed back in -- when they
7 originally left, back in the '50s -- '70s. Excuse me.
8 When they originally left. However, there was a site
9 out there, a burial mound, a site where they actually
10 did some of the disposal actions, and what they
11 actually went through and did a removal at the
12 disposal site. But they did it based on release
13 limits back in the '70s.

14 We went back and did another
15 survey. And guess what? Some of the source material
16 was above release limits because the law changed.

17 So, we have a burial mound out
18 there that has cobalt 60. It's also got cesium. But
19 we believe the cesium is associated with the fallout,
20 actual nuclear fallout. But they're going to go back
21 in and remove those. And it really means we're going
22 to go in and we're going to remove that whole mound
23 and cart it off to a licensed disposal facility.

1 MR. CHARLES TURNER: So, how many
2 Hiroshimas is it equal to out there?

3 MR. RON LEVY: The risk is
4 extremely low. In fact, you would have to live on top
5 of it, grow crop, have the crop uptake, and then feed
6 off of the crop before you actually had a real health
7 risk. But because it's still above NRC release
8 limits, and NRC wants us to go back and do the
9 removal, we're going back in to do the removal. And
10 part of that removal process calls for us to do
11 National Environmental Policy Act, which is NEPA. In
12 this case it's an environmental assessment that we're
13 doing. And you've got a copy of that EA in front of
14 you.

15 What we're doing is telling the
16 public we're going out there to remove the source.
17 And if the public has got any comments to that effect,
18 we're taking comments. And it went out in the
19 newspaper the --

20 MS. LISA KINGSBURY: November 9th.

21 MR. RON LEVY: So, there is a
22 thirty day public comment period as it relates to the
23 EA and what we're doing out on Pelham Range. So,

1 we're taking comments associated with the removal
2 action that we're doing on Pelham for this source.
3 And because this is a public forum, we're addressing
4 it here also in the RAB as a cleanup issue. And any
5 comments that you've got concerning that -- and I've
6 got to tell you, there is a lot of money associated
7 with this cleanup for this source. Almost --

8 MR. CHARLES TURNER: And all you do
9 is you take the dirt and you put it in a special
10 container and then take it to an approved landfill?

11 MR. RON LEVY: It's not an approved
12 landfill. It an NRC -- help me out here, Lisa -- a
13 licensed site.

14 MS. LISA KINGSBURY: Licensed
15 facility.

16 MR. CHRIS JOHNSON: Licensed to
17 handle radioactive material.

18 MR. RON LEVY: Yeah, which is a
19 little different from what you would consider a
20 landfill. But, yeah, in a nutshell, Charles, that's
21 what we're doing.

22 MR. PETE CONROY: In your best
23 estimation, where is it going?

1 MR. FERN THOMASSY: Utah.

2 MR. JAMES MILLER: How will we get
3 it there?

4 MR. CHARLES TURNER: Any way we can
5 get it sent to Fort Leonard Wood?

6 MR. FERN THOMASSY: If it -- isn't
7 it all considered low level?

8 MR. RON LEVY: It is.

9 MR. FERN THOMASSY: Very low level?

10 MR. RON LEVY: It's very low level,
11 extremely low level. And what's driving us here,
12 folks, is not the risk, it is the NRC release limits
13 that we just need to get out from under. And we want
14 to have absolutely unrestricted use of the property.
15 So, in order to do that, we need to go in and complete
16 this removal action.

17 MR. CHARLES TURNER: How much dirt
18 are you having to take up?

19 MR. RON LEVY: It's a good
20 question. I can't tell you off the top of my head.

21 MR. CHARLES TURNER: A bunch.

22 MR. RON LEVY: Lisa, do you
23 remember how many cubic areas of soil that was?

1 MS. LISA KINGSBURY: Twenty-five
2 meters by fifteen meters. And it's, oh, I don't know
3 how many feet tall. And then they're going about
4 eight feet deep. So, it's a lot of dirt.

5 MR. RON LEVY: It would -- I think
6 it was mentioned --

7 MR. CHARLES TURNER: It's the mound
8 where they've piled off the contaminated dirt before?

9 MR. RON LEVY: It's a mound where
10 -- yes, it's the mound where the source -- sources
11 actually may have been in there. And what it did was
12 it gave off enough source material into the dirt --
13 they removed the source material, but now the dirt,
14 itself, has become contaminated. So, yes, that's what
15 we're talking about.

16 Some of you may have seen it. It
17 was in the Anniston Star on the front page of the
18 paper, there was an article. It was also in the
19 Birmingham News, because we did have a public release.
20 And they came out there and folks took pictures and
21 asked questions.

22 The U. S. Army Chemical School
23 still holds the license for this. They are now at

1 Fort Leonard Wood, but they're on the hook. And their
2 health physicist by the name of John May is the person
3 working this with my office to do the removal. And he
4 comes back.

5 There's a contract been let to ATG.
6 I can tell you that the contract is eight hundred
7 thousand, plus, in terms of the removal action out
8 there. So, it's an expensive removal. But as most of
9 you know, everything we do in the environmental arena
10 is expensive, just in terms of insuring that we're
11 getting it all.

12 But I can take any questions that
13 you've got. If you want to take it back home with
14 you, take a look at it, come back at the next meeting,
15 we can open this up also for some discussion.

16 MR. CHARLES TURNER: Is that what
17 -- give us a hint about what the issues would be. I
18 mean, is it related to the disposal method or --

19 MR. RON LEVY: No. Actually, we're
20 following the process. We're doing what NEPA requires
21 us to do. In terms of the issues, we're going to do a
22 complete removal out there, get below (inaudible)
23 limits. So, I don't know that there is an issue,

1 myself, personally. We are going to do the complete
2 removal.

3 MR. CHARLES TURNER: I mean, there
4 aren't any local issues, as far as there is a safer
5 way of doing it or there is a risk of a spill on a
6 local highway that -- I mean, none of that, right?

7 MR. FERN THOMASSY: Not yet.

8 MR. RON LEVY: I can't imagine --

9 MR. CHARLES TURNER: I mean, but
10 even if you spill the dirt on the highway, all you
11 would have to do is clean it up, right?

12 MR. RON LEVY: It is a very low
13 level. And again we're talking about meeting this NRC
14 issues instead of risk to the public health.

15 MR. JOE DOYLE: Ron, if I might
16 correct you, the comment period is going to be long
17 gone by the time of the next RAB meeting. So,
18 everybody that's got comments needs to follow the
19 (inaudible) in terms of making comments back to your
20 office with regard to that.

21 MR. RON LEVY: Yeah, the thirty day
22 comment period will end since we are --

23 MR. PETE CONROY: Good point.

1 MR. RON LEVY: Yeah, will end
2 before we get back together since January we're not
3 getting back.

4 If you do have comments, you can
5 send it to my office -- you can call me up, everybody
6 has got my phone number -- and let us know.

7 MR. FERN THOMASSY: Charles, I
8 think probably the significant part of this on the
9 back page where it says the Army has already made it a
10 finding that they believe it's a FOST -- I mean,
11 finding of no significant impact.

12 MR. CHARLES TURNER: Yeah, it
13 sounds the same to me.

14 MR. FERN THOMASSY: Right. It's
15 simple as can be from their standpoint.

16 MS. JOAN MCKINNEY: Ron, could I
17 just add one thing? And you did briefly mention there
18 was a very extensive media tour where all the
19 television folks and all the journalists were there.
20 They were free to ask any questions, you know, the
21 full disclosure policy, along with we reminded them
22 that the documentation is on file at the repositories,
23 both at JSU and at Anniston, and you can go look at

1 those documents, also.

2 MR. RON LEVY: There is always a
3 possibility that somebody is smarter than us or knows
4 something that went on out there that we're not aware
5 of. That's what we're looking at, full disclosure,
6 wanting the community to understand what we're doing.
7 And if you know something that we're not aware of that
8 you can tell us up front, we want to hear about it.
9 We can always change what it is we're doing to address
10 maybe even additional cleanup, if necessary. And
11 we've seen that happen. We've had folks, as we went
12 through the EBS process, tell us about areas that we
13 were able to capture later on that we weren't aware
14 of.

15 MR. CHARLES TURNER: But with this,
16 I mean, it's just a matter of putting a Geiger counter
17 to the ground, and if it clicks you know that it's --

18 MR. RON LEVY: Has a certain
19 reading, yes. We see it that way, too. But again,
20 you know, we want to make sure the public understands
21 what we're doing and doesn't have any questions
22 outside of what our knowledge is in that area.

23 DR. BARRY COX: Ron, just as

1 procedural question, since we're supposed to be
2 disseminating information to the public, you know, if
3 at all possible, I would like for us to find out in
4 the RAB meetings as opposed to reading it in the
5 newspaper. Is there any way we could have this
6 brought to the RAB before it goes public?

7 MR. RON LEVY: Yes, there is.

8 MR. CHARLES TURNER: Or before or
9 within the comment period?

10 MR. RON LEVY: Well, there is a bit
11 of timing, because we're trying -- like on FOSLs and
12 whatnot -- or FOSTs, we do publish those as well as
13 the requirement. Now, if we're trying to meet time
14 lines that are set up, getting them into the newspaper
15 - now, we may be able to include it in mailings
16 earlier, as opposed to actually sending them to you --
17 sitting it down at a meeting. That I can do to you,
18 but I can't promise that I can always get you the
19 information, you know, at that meeting, if we're
20 running into a time line issue. So, it's somewhere
21 between -- I will do my best to get the information
22 out to you by mail, if we know that there is something
23 coming up and the meeting is not going to -- the

1 meeting is not going to coincide with that.

2 MAYOR KIMBROUGH: How long has this
3 been going on, as far as knowing about this?

4 MR. RON LEVY: It's been -- we've
5 known about it for a long time. And I think if you
6 read it, it's identified in the environmental baseline
7 survey, too, so it's been -- it was addressed in
8 there, I mean, as a site.

9 MR. FERN THOMASSY: I think that
10 article in the paper said that this mound was created
11 in 1973, after the chemical school left here and they
12 cleaned that area out.

13 MR. RON LEVY: Yeah, the training
14 had been going on way before that. But when we left
15 -- when the chem school left to go to Aberdeen, that's
16 when they closed the site out and didn't --

17 MR. FERN THOMASSY: Right.

18 MR. RON LEVY: -- get all the
19 removals. And at that time, I can tell you that they
20 actually got a release from NRC for the site out
21 there. But again, as we went back through and we
22 started doing this additional investigations out on
23 Pelham Range and main post, we did another survey, and

1 sure enough, the levels out there exceeded NRC. And
2 we notified NRC of that. So, we went back into
3 another phase of cleanup. They reinstated the
4 license. And we're back up under a license until we
5 meet the cleanup goals.

6 And this is not something we're
7 doing strictly with NRC. Both ADEM and the state
8 health folks are involved, plus, EPA is involved, as
9 well.

10 MR. PETE CONROY: Chris, you have
11 -- ADEM or EPA, to the best of your knowledge, have
12 any issues regarding this that haven't been addressed?

13 MR. CHRIS JOHNSON: Really for RAD
14 stuff, ADEM relies on Department of Public Health
15 radiation control. And Rick Butley (phonetic) with
16 EPA works with Bart on it. So, it's really -- you
17 know, ADEM is in the loop just to make sure we
18 understand that the RAD stuff is cleaned up before we
19 sign off on a FOST or FOSL or that. But really,
20 they're the technical review experts on RAD.

21 I would like to say that the -- I
22 don't know if Ron was stating that it wasn't a health
23 concern. I don't know if that's a fair statement.

1 The levels of cleanup are health and risk-based
2 cleanup standards. And there is, you know, there is
3 -- even EPA, to my understanding, even has a little
4 bit more stringent standard than NRC does. But they
5 certainly are health based and risk-based levels that
6 have to be met. And the license is only a mechanism
7 that the NRC uses to insure those cleanup levels are
8 met before the Army can, you know, terminate the
9 license.

10 MR. PETE CONROY: Well, without a
11 doubt, it's important that this is handled correctly
12 and as easily as it should be. From, I know your
13 point of view in particular, this is something that
14 probably could find its way in other newspapers of --

15 MR. RON LEVY: And this particular
16 piece of property is staying in Army hands. And from
17 the Guard's standpoint, they want unrestricted use,
18 since it's been licensed to them. So, they, as a
19 concerned entity, want to see it cleaned up, as well.

20 MR. PETE CONROY: Perceptions can
21 get out of hand so easy.

22 MAYOR KIMBROUGH: I guess, getting
23 back to what Barry said is some of the folks on my

1 council know that I'm on this committee and they asked
2 me questions about it after they saw it in the
3 newspaper, which I couldn't answer because I didn't
4 know -- I didn't know that this was coming about or
5 anything. And if you could communicate this to us
6 where we would be prepared to know this -- and I think
7 that's --

8 DR. COX: Yes, that's what --

9 MAYOR KIMBROUGH: -- what Barry was
10 saying. Because it -- you know, they ask me, say,
11 aren't you on the cleanup committee and what is this
12 going on? And I say, I don't know. I saw it in the
13 paper just like you did.

14 MR. RON LEVY: Yeah, I absolutely
15 agree with you. And I think from our standpoint I did
16 not look out to see whether or not -- because I do
17 understand the RAB gets questions from the community,
18 and I did not look out and see that this was something
19 that, you know, -- something like you might get
20 questions about, because we could have presented this
21 information to you earlier. But honestly, that was an
22 oversight as opposed to, you know, purposely doing
23 that. And I think in the future, we need to be

1 cognizant of it and try to get the information to you
2 earlier so that you can answer questions that people
3 are going to ask you about it.

4 DR. COX: Let me propose something
5 that may help in that regard. What about at each RAB
6 meeting, maybe no more than one page, but just
7 something that says, here is what went on last month,
8 boom, boom, boom, and here is what's coming up in the
9 future? It doesn't have to go into great detail. It
10 just simply -- and maybe that will jog your mind a
11 little bit, we need to be reminded --

12 MR. CHARLES TURNER: It will also
13 make Pete (inaudible) easier.

14 MR. PETE CONROY: Action summary.

15 DR. BARRY COX: Just an action
16 summary at each RAB meeting, here is an action summary
17 of what went on the last month, here's our success
18 stories, here is what we accomplished, here is things
19 that we're working on that's coming up in the future.
20 And it would help us out a lot, I'm sure, fairly
21 brief, fairly concise.

22 MR. RON LEVY: Yeah, I don't see
23 why we couldn't do that. In fact we may be able to

1 get it out in the mailing part to the RAB meetings.

2 DR. BARRY COX: Great.

3 MR. RON LEVY: We kind of do
4 something like that internal --

5 DR. COX: Okay.

6 MR. RON LEVY: But, yeah, let me
7 think about this and see how we can format it so that
8 it's easily understandable by the RAB members.

9 DR. BARRY COX: Okay.

10 MR. PETE CONROY: Any other
11 thoughts?

12 MR. FERN THOMASSY: Just a piece of
13 curiosity information is why I'm going to ask this
14 question. You mentioned the cesium 137 being a
15 contaminant from actual fallout. Can you elaborate on
16 that? That --

17 MR. RON LEVY: Well, we never used
18 it out there, so -- and we did -- and we did in fact
19 discover it, but -- and this was talking from the
20 health physicist, because as he understands this -- I
21 mean, this is actually not atypical when you go out
22 and look at a site you'll see cesium just because
23 historically cesium -- I mean, it's still falling out

1 from the nuclear tests that occurred in the past. In
2 fact, you see it in milk, cows' milk and uptake from
3 cows eating off of the land. So, it's actually
4 naturally -- I won't say naturally out there. It's
5 out there and it's occurred -- and this is the
6 explanation I get from where the cesium most likely
7 came from, because we never used it.

8 MR. FERN THOMASSY: So, it's
9 accumulated above the NRC minimum level just through
10 routine fallout?

11 MR. RON LEVY: Well, I think -- and
12 I think NRC understands that.

13 MR. FERN THOMASSY: That's what
14 they think?

15 MR. RON LEVY: In fact, I don't
16 know that they ever raised a question about the
17 cesium. I can get you a better explanation.

18 MR. FERN THOMASSY: It just happens
19 to be in that spot, but it's all over the rest of
20 Pelham Range, as well, if that's the case, that's what
21 --

22 MR. RON LEVY: I think I'm the
23 wrong person to be asking this question, because I

1 can't tell you. But honestly, this is the explanation
2 I've been given: There is fallout material out there
3 that's associated with past practices of our
4 government and other governments that are associated
5 with nuclear tests. It's very low level. And I can't
6 tell you -- and apparently the risks are -- the risks
7 are really not there. But it's out there.

8 MR. FERN THOMASSY: But it appears
9 to be logic would say that any other piece of soil we
10 take here, on Pelham Range, in my backyard, should
11 have the same level of cesium contamination unless we
12 concentrated something here in some other unnatural
13 fashion.

14 MR. RON LEVY: I would agree with
15 you. And I --

16 MR. FERN THOMASSY: I wonder why
17 cesium then is even an issue.

18 MR. RON LEVY: Because it was
19 discovered there.

20 MR. FERN THOMASSY: Probably
21 because it was discovered. And if we took the sample
22 -- did anybody take a sample somewhere else away from
23 this to determine the background level that was

1 natural because of an unnatural act?

2 MR. RON LEVY: Well, I know that
3 there are background levels for cesium that they've
4 already done across the country. So, it's listed in
5 there because it came out in the sampling.

6 MR. PETE CONROY: Another question?

7 MR. FERN THOMASSY: He's throwing
8 anthropogenic at me and it hurt.

9 MR. CHRIS JOHNSON: We did this --
10 it's the same principle for metals. See, we did
11 background studies for metals at Fort McClellan
12 because metals naturally occurring, either manmade
13 anthropogenic, which means manmade, but it's naturally
14 occurring, or it's truly naturally occurring as it
15 would reside in soils and rocks from God. But
16 nonetheless, you do not, you know, typically clean up
17 anything that's more stringent than a background level
18 or you would be cleaning up the county.

19 So, that's a good question. I'm
20 kind of curious, too, as to the cesium and where are
21 they even going to know when to draw a quick
22 (inaudible). You know what I mean? I mean, if that
23 truly is background, it's going to be hard to know

1 where to draw your line when you're out there with
2 your shovel.

3 MR. JAMES MILLER: A cesium cloud
4 that flew over the area and rained down in that one
5 particular spot?

6 MR. PETE CONROY: Sounds like an X
7 file.

8 MR. CHRIS JOHNSON: Again,
9 radiation control is reviewing this. Maybe Lisa could
10 follow that up.

11 MR. PETE CONROY: Anything else on
12 that?

13 MS. LISA KINGSBURY: Cesium?

14 MR. RON LEVY: I need to back up
15 here for just a second, because it wasn't cesium I'm
16 thinking about, it was another --

17 MS. LISA KINGSBURY: It's cobalt
18 and cesium.

19 MR. RON LEVY: No, but it wasn't
20 cesium that I was thinking about here.

21 MS. LISA KINGSBURY: I think you're
22 thinking about thorium.

23 MR. RON LEVY: Yeah, that's what it

1 is. I stand corrected. It's thorium. Cesium was one
2 of the items used out there.

3 MR. CHRIS JOHNSON: Okay.

4 MR. RON LEVY: That was another
5 thing we discovered out there. We went through a
6 whole rendition for nothing. I'm sorry.
7 (WHEREUPON, there was discussion off the record.)

8 MR. PETE CONROY: Let's get on to
9 the wholesome part of this meeting.

10 The election of a new cochair.

11 MR. RON LEVY: It's the vice-chair
12 I think is what we're calling it in accordance with
13 the bylaws.

14 MR. CHARLES TURNER: Ron becomes
15 the chair, the community co-chair.

16 MR. RON LEVY: Right. And then
17 I'll read to you what the bylaw says. The vice-chair
18 of the RAB shall be elected in accordance with the
19 terms hereof. The vice-chairperson shall further have
20 each and every other duty identified by the bylaws.
21 The vice-chair shall preside at meetings in which he
22 or she is in attendance, and the community chairperson
23 is not, or at the designation of the chairperson.

1 The term or the vice-chair is to
2 serve one year. And essentially, he has an ascension
3 to the cochair at the end of the one year time period.
4 So, what happens here is that Pete steps down. Ron
5 Hood, who was voted the vice-chair, ascends to the
6 co-chair position. And we vote on another vice-chair.
7 So, that's where you're at.

8 MR. PETE CONROY: Nominations?

9 MR. CHARLES TURNER: So, for
10 vice-chair?

11 MR. PETE CONROY: Right.

12 MR. CHARLES TURNER: I nominate
13 Don Cunningham.

14 MR. PETE CONROY: You accept the
15 nomination?

16 MR. DON CUNNINGHAM: I am not sure
17 that I can. My situation doesn't really allow me to
18 do that. I would like to, but I would like to

19 respectfully decline. But I would like to make a
20 nomination. I would like to nominate Dr. Barry Cox.

21 MR. JERRY ELSE: I'll second.

22 MR. CHARLES TURNER: Move the
23 nominations be closed.

1 MR. PETE CONROY: Can you accept
2 the nomination?

3 DR. BARRY COX: (Nods head.)

4 MR. PETE CONROY: Second for
5 closure?

6 MAYOR KIMBROUGH: Second.

7 MR. PETE CONROY: All in favor of
8 electing Dr. Barry Cox as the vice-chair indicate by a
9 sign of I. Unanimous.

10 Well, as I close out my term --

11 MR. CHARLES TURNER: Your
12 administration --

13 MR. PETE CONROY: -- in my efforts
14 to keep these meetings to one hour, any comments from
15 the audience? Thank you. I'm kidding.

16 MR. CHARLES TURNER: Move that we
17 adjourn.

18 MR. PETE CONROY: So moved. We're
19 out of here.

20 (WHEREUPON, the meeting 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.

1 IN WITNESS WHEREOF, I have hereunto

2 set my hand and affixed my seal at Anniston, Alabama,
3 on this the 22nd day of November, 1999.

4

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SAMANTHA E. NOBLE

10

Notary Public in and for

11

Alabama at Large

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14 MY COMMISSION EXPIRES: 11-14-2001.

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