

RESTORATION ADVISORY BOARD

FORT McCLELLAN, ALABAMA

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Taken before SAMANTHA E. NOBLE, a Court
Reporter and Commissioner for Alabama at Large, at
Building 215, Fort McClellan, Alabama, on the 17th day
of April, 2000, commencing at approximately 6:30 p.m.

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1 MR. RON HOOD: I'll get started
2 with the roll. Craig Branchifield? Ike Brown?
3 MR. IKE BROWN: Here.
4 MR. RON HOOD: James Buford?
5 MR. JAMES BUFORD: Here.
6 MR. RON HOOD: Pete Conroy?
7 MR. PETE CONROY: Here.
8 MR. RONALD HOOD: Dr. Barry Cox?
9 DR. BARRY COX: Here.
10 MR. RON HOOD: Donald Cunningham?
11 MR. DON CUNNINGHAM: Here.
12 MR. RON HOOD: Jerome Elser?
13 MR. JERRY ELSER: Here.
14 MR. RON HOOD: Don Fathke?
15 MS. DONNA FATHKE: Here. And you
16 said it fine.
17 MR. RON HOOD: Oh, okay.
18 Dr. Mary Harrington? Mayor Kimbrough?
19 MAYOR KIMBROUGH: Here.
20 MR. RON HOOD: Margaret Longstreth?
21 James Miller? Fern Thomassy?
22 MR. FERN THOMASSY: Here.
23 MR. RON HOOD: Tom Turecek?

1 Charles Turner?

2 DR. BARRY COX: He just passed his
3 orals today, so he's probably going to take -- he's
4 celebrating.

5 MR. RON HOOD: Bobby Weston? Chris
6 Johnson? Bart Reedy? Phillip Stroud?

7 MR. PHILLIP STROUD: Here.

8 MR. RON HOOD: And we have enough
9 to go ahead with business tonight. We have quite a
10 membership.

11 MR. RON LEVY: Yeah, looking good.

12 MR. RON HOOD: Yeah. Has everyone
13 had a chance to look at the minutes that were mailed
14 to us? Any discussion on them?

15 MR. RON LEVY: If you haven't, just
16 take a couple of minutes and go through them real
17 quick and we'll take a vote.

18 MR. RON HOOD: Any comments on the
19 minutes? Do I hear a motion to accept the minutes
20 then?

21 MR. FERN THOMASSY: So moved.

22 MR. RON HOOD: Second?

23 MR. JERRY ELSER: Second.

1 MR. RON HOOD: All in favor? Any
2 opposed? All right, minutes passed.

3 MR. RON LEVY: Under the old
4 business, we had discussed moving the next RAB meeting
5 outside of the installation. I know Joan and
6 Ron Massey looked at going to the Golden Springs area,
7 and apparently they were booked up, Joan, for that --

8 MS. JOAN McKINNEY: Yes --

9 MR. RON LEVY: -- that time period.

10 MS. JOAN McKINNEY: Yes.

11 MR. RON LEVY: So, what we --

12 MS. JOAN McKINNEY: Oxford Civic
13 Center.

14 MR. RON LEVY: What we've decided
15 to do is, assuming everybody is okay with it, is go to
16 the Oxford Civic Center. And our may meeting date is
17 --

18 MS. JOAN McKINNEY: Is it the 15th
19 of May?

20 MR. RON LEVY: -- is 15 May. So,
21 that's what we're shooting for.

22 A couple other things that I might
23 mention. I did discuss the LUCAP during the last

1 meeting. The LUCAP, land use control action plan, is
2 still internally being reviewed by EPA, ADEM, the
3 Army, the JPA, so, it would be a little bit -- I think
4 we'd be ahead of ourselves if we tried to give it to
5 the RAB at this point. We would like the agencies to
6 finish going through their comment review. And at
7 some point thereafter, we will provide it to the RAB.
8 And, Bart, and, Chris, if you've got something you
9 want to add to that, please, do.

10 MR. BART REEDY: No. As we said, I
11 think that's a wise idea. We've put a great deal of
12 effort into it, and I think it's probably a go for
13 everyone concerned, but, you know, the higher-ups are
14 the higher-ups, and everybody wants to chew on it a
15 little bit, see what we're getting into and not
16 getting into. So, I think it's a good idea.

17 MR. RON LEVY: If you read your
18 minutes, essentially what we were talking about when
19 we talked about the land use control action plan was
20 the need for us to put certain restrictions -- that's
21 not a good word -- to put controls on property that we
22 don't take to a level that's unrestricted or fully
23 clean or would impact health and safety, health and

1 environment. And there will be parcels that we'll
2 find that we just can't get, they're either technology
3 or just the significance of trying to get through
4 that, that cleanup.

5 And some of it will be a long-term
6 effort. The remedy or what's necessary to clean it up
7 will be a long-term thing. At which point we'll have
8 to have controls over it so we can get to the final
9 cleanup. So, that was -- that's what the land use
10 control action plan is all about or assurance plan is
11 all about.

12 I want to see if there is anything
13 else in --

14 MR. BART REEDY: Ron, I think one
15 of the -- I think you were talking, Mayor, the last
16 meeting or two meetings ago that you remember, you
17 know, things coming on as a teacher, UXO, was showing
18 up now and then. And one of the things that we're all
19 interested in doing is ensuring that those kind of
20 situations don't happen.

21 In order to work toward that goal,
22 everybody has correctly, I believe, tried to institute
23 a layering of responsibilities after the Army leaves,

1 who is going to be responsible for making sure the
2 fence is up, who is going to make sure that the fire
3 department knows about this particular parcel of
4 property or whoever, or the JPA knows that this parcel
5 of property cannot be developed for this particular
6 thing, and make sure that we know -- everyone knows
7 who to call, who is responsible, and that kind of
8 thing.

9 MR. RON LEVY: Yeah. To move on,
10 what we wanted to do at this meeting was to focus on
11 what we put out in our action summary sheet. Barry
12 Cox had mentioned this was something that really was
13 going to clue the RAB members in prior to the meeting
14 as to what was going on. There is several things
15 listed in our action summary sheet. Did y'all bring a
16 copy of what was mailed out? It's a one page -- do
17 you need a copy of it?

18 MR. PETE CONROY: Yeah, if you have
19 one.

20 MR. RON LEVY: Can we make some
21 copies?

22 MR. BART REEDY: Yeah, we've got
23 some.

1 MR. RON LEVY: By the way --

2 MS. JOAN McKINNEY: Ron, I need a
3 couple down here.

4 MR. RON LEVY: -- Miki Schneider,
5 she would have been here and given us an update, but
6 she's not feeling well, so she took the day off.
7 Sorry. She expressed her --

8 MR. PAUL JAMES: The tree planting
9 was too much for her.

10 MR. RON LEVY: Yeah, she was really
11 having a hard time with her legs as I understand, so
12 --

13 MR. PETE CONROY: Thanks.

14 MR. FERN THOMASSY: Well, do you
15 know, Ron, have they had any further movements on
16 those developers they were talking about, one for the
17 Capehart housing, one for retirement?

18 MR. RON LEVY: I can't tell you,
19 Fern.

20 MR. FERN THOMASSY: Okay.

21 MR. RON LEVY: I really don't know
22 what the status is on that.

23 MR. PETE CONROY: There is a JPA

1 meeting tomorrow morning.

2 MR. RON LEVY: I have heard this,
3 unofficially -- and again, I am not -- and I repeat, I
4 am not the person who is involved in the reuse, but I
5 have heard this unofficially, that the state troopers
6 have been looking at -- the school that's down at
7 Selma, now, is looking at -- is it the 1600 block
8 building? Colonel Treuting put it out the other day
9 -- in the 1600 hundred area to actually bring the
10 school here. I know the governor, when he came
11 through, Pete, during his whistle stop tour -- or
12 whatever it was called -- actually went out and looked
13 at the building. So, I mean, if that were to happen,
14 that's good news. But again, I want to repeat, I am
15 not the person who's involved in the reuse, just the
16 guy that's here to clean it up.

17 MR. FERN THOMASSY: We need some
18 business in there. We need private, tax paying,
19 job-creating private business in. We're constantly
20 getting government institutions in there that don't
21 pay, and I just think it's disappointing.

22 MAYOR KIMBROUGH: Where is 1600?

23 MR. RON LEVY: They used to call

1 them starships. That's where the training brigade --

2 MAYOR KIMBROUGH: Oh, okay.

3 MR. RON LEVY: -- was at.

4 MR. FERN THOMASSY: Yeah. And
5 that's got a lot of potential. I hate to see that get
6 tied up --

7 MR. RON LEVY: But you look at
8 those buildings, are very difficult to convert those
9 buildings based on the way they were designed. It
10 would have been a very expensive proposition.

11 MR. FERN THOMASSY: Oh, yeah, it
12 would have been.

13 MR. RON LEVY: At one time they
14 were going to try to put the National Guard in there
15 and that kind of fell through. I mean, it really even
16 wasn't suited for them, and that's military. It's
17 more of a campus-type setup there than it is anything
18 else.

19 MR. FERN THOMASSY: Uh-huh.

20 MR. RON LEVY: Let me go back
21 through the action summary sheet. The first one on
22 the list was that we did sign a FOST on the waste
23 water treatment plant. In fact, the system, the

1 (inaudible) and the water distribution system, the
2 sanitary sewer system and all the lines and the plant
3 are now under control of the Anniston Water Sewer
4 Board. The permit's in place for the water board for
5 the plant, itself. And all of that's just working
6 wonderfully, as far as I know.

7 We are doing a few things here on
8 the post, though. We're still doing some backflushing
9 to keep our chlorine levels up, because we've got no
10 use of the water system. In order to keep the
11 chlorine residual up, you've really got to continue
12 the water flow. And the best way for us to do it is
13 to open a hydrant and flush it so that we can continue
14 to put chlorine into the water. So, if you ever see
15 that going on at Fort McClellan, you know, if you see
16 somebody opening a hydrant and flushing it, it's
17 because we're trying to keep the chlorine residual up.

18 We have a standard of point two
19 parts per million chlorine by law. And that's what
20 we're doing. And even though it's truly the water
21 board's permits, you know, we are concerned about the
22 people who are in fact occupying -- we've got about
23 seven people still in housing and a number of

1 facilities that have been occupied. You know, you've
2 got the department of Justice, you've got the National
3 Guard, and you've still got the PX and the commissary.
4 What else have we got out there?

5 MS. KAREN PINSON: The reserve.

6 MR. RON LEVY: You know, we've got
7 some reserve.

8 MS. KAREN PINSON: The JPA in
9 there.

10 MR. RON LEVY: And we've got the
11 JPA. So, keeping the chlorine residual up is
12 important. We certainly don't want anybody to go home
13 with -- sick.

14 I think I explained briefly what we
15 were doing. We were doing some lead based paint work
16 in housing. We've completed half of our housing units
17 to this point, where part of our requirement -- this
18 is really a HUD, DoD requirement, as opposed to an
19 ADEM or EPA requirement, is to do a risk assessment in
20 those housing units.

21 In the past we had done a lead
22 based paint survey in our housing. We're going back
23 to look at the condition of the paint, take some more

1 samples, because certainly we don't -- where we do
2 know we've got lead, we don't want to pass on housing
3 that may be an exposure hazard to kids or families.
4 So, we're going back to do a risk assessment.

5 We know that part of our housing is
6 going to be transferred come 1 July. The rest of it
7 some time between 1 July and the following year, July
8 1st of the following year. So, we've done part of it
9 and we'll do the next half, prior to that, to make
10 sure we capture it before transfer, and we can tell
11 the community what's necessary.

12 So, the lead base paint work is
13 partially completed and I guess about another six
14 months we'll start the other -- second half. And what
15 we're doing is actually not doing every unit, we're
16 taking like units and doing a percentage of those.

17 I can tell you, at this point, we
18 haven't seen anything that's significant in terms of
19 the damage to the paint. And I guess most of you
20 understand that when you leave a house or facility
21 empty for a period of time, it goes into decay and
22 that's what you're really worried about, when you
23 start to see peeling paint from, you know, lack of

1 use.

2 I mentioned to you about the LUCAP,
3 still in coordination. And we have found -- we have
4 found a suitable location. Previous RAB meeting we
5 talked about off-site drilling that we were going to
6 do. And we have found a site now. And I -- Lisa, can
7 you give us an update on exactly what --

8 MS. LISA KINGSBURY: Ellis?

9 MR. RON LEVY: Or, Ellis?

10 MR. ELLIS POPE: Yeah, it's -- the
11 lady's name is Ms. Nichols. It's a piece of property
12 that's for sale out there on the highway. Looks like
13 it used to be an old Tasty Freeze or --

14 MR. RON MASSEY: Wimpy's.

15 MR. ELLIS POPE: Okay, that's it.
16 Anyway, she gave us permission, so we'll be drilling
17 out there.

18 MR. RON LEVY: Does anybody have
19 any questions about that?

20 MR. ELLIS POPE: One comment, here,
21 Ron. It says in here that the boring is to determine
22 the migration of any contaminants. Really, we're just
23 trying to get an idea of the subsurface there. We're

1 going to drill down two hundred and fifty feet, and
2 we're just trying to get a better picture of the
3 Jacksonville fault. It's not really to determine the
4 migration of contaminants, at this point.

5 MR. RON LEVY: Change to your
6 summary sheet. I apologize.

7 And the last one, you have in front
8 of you a copy of the EE/CA for the M-2 parcel. We had
9 stated that we would provide copies to the RAB
10 members. You might want to take a little bit of time
11 and look through that. This again, is looking at the
12 piece of property that is in the -- let me see if I
13 can't point it out on the map to you here. It's in
14 the -- what would you call it -- the western part of
15 the -- it's right by Summerall Gate, just south of
16 Summerall Gate Road, which is the main road coming
17 into post on the west side of the installation. It's
18 a piece that I think, as Miki pointed out last time,
19 the community is very interested in, from a
20 redevelopment standpoint. And it's on a fast track
21 for redevelopment.

22 We are doing both an investigation
23 under the UXO program and an investigation under the

1 contaminates, HTRW, hazardous toxic, we're doing --
2 we're investigating all media here. And what you're
3 looking at is a draft EE/CA, engineering evaluation
4 cost analysis, for the UXO, which kind of lays out how
5 we're going about investigating the problem -- the
6 property from a UXO standpoint. Without going into
7 anything specific about it, I think we gave a briefing
8 on this during the last meeting. If there's any
9 questions since the last meeting that you have,
10 relating to this -- I'm glad to take them, now.

11 MR. FERN THOMASSY: Ron, is that
12 southern boundary of that parcel the northern boundary
13 of the Lagarde Park Museum?

14 MR. RON LEVY: Yes, sir, sure is.

15 MR. FERN THOMASSY: So, it's right
16 on there?

17 MR. RON LEVY: Yes. Its northern
18 boundary, though, doesn't come up against Summerall
19 Gate Road because it really follows the contour of the
20 eastern bypass.

21 MR. CHRIS JOHNSON: We've reviewed
22 that work plan. You're actually looking at a revision
23 to our comments. But all our comments on the original

1 draft are in the appendix. And we're in the process
2 of reviewing the Army's response to our comments, as
3 well as we're going to talk about this document and
4 the responses next week at our BCT meeting.

5 MR. RON LEVY: Right. And we had a
6 thirty day comment period that it's now out for

7 review. It's been out in the newspaper. Lisa, what
8 day did it go out on?

9 MS. LISA KINGSBURY: It started on
10 10 April for thirty days.

11 MR. RON LEVY: So, we're looking at
12 any public comments back in by the 10th of May. This
13 is a chance, too, for you to take it home and look
14 through it. Given that --

15 MS. JOAN McKINNEY: Ron, excuse me
16 for interrupting, but besides your own personal copy,
17 if you have anyone that wants to look at it, it's in
18 the libraries, it's at JSU and the Anniston Library.

19 MR. RON LEVY: Well, given that our
20 next meeting is May 15th, we're going to need to
21 receive comments prior to that. So, certainly we'll
22 take them any way you want to give them to us.

23 MR. BART REEDY: The thirty days

1 would end when?

2 MR. RON LEVY: 10 May.

3 MR. BART REEDY: No.

4 MS. LISA KINGSBURY: I'm thinking
5 it ends 9 May, but I would have to look at a calendar
6 to -- or do you want me to go check? I've got it
7 written down on my desk.

8 MR. BART REEDY: Could you --

9 MR. FERN THOMASSY: It would
10 include the 10th, if it's the 9th of May.

11 MS. LISA KINGSBURY: I think it's
12 the 9th of May.

13 MR. FERN THOMASSY: Yeah, if the
14 10th is one of the days.

15 MR. CHRIS JOHNSON: The meeting's
16 the 10th.

17 MR. RON LEVY: Yes, I assume it was
18 in the newspaper on the 10th, right, Lisa?

19 MS. LISA KINGSBURY: It was in the
20 newspaper on the 10th.

21 MR. RON LEVY: So, it would be 9
22 May.

23 MR. BART REEDY: So, if you guys

1 have comments, scribble them down and get them in,
2 please.

3 MR. RON LEVY: As Chris pointed out
4 -- and which may be very interesting to you, is if you
5 look in the back under appendix G, you'll find EPA and
6 ADEM's comments and our response to those comments.
7 So, if that tweaks your interest any, in terms of
8 where we're going -- there was some real good comments
9 on the part of both agencies, and we attempted to
10 answer them the best we can. But if this helps tweak
11 your interest in the document, certainly it might give
12 you a good understanding of some of the law
13 requirements.

14 MR. BART REEDY: The next time we
15 -- you know, this is kind of a rush, rush deal here on
16 this particular parcel. But the next time we have a
17 large parcel that may be of some interest or a small
18 parcel for that matter that may be of some interest
19 that goes out for public comment, we might want to try
20 and get this package out to everyone, you know, and
21 allow time for us to cycle through a RAB meeting, for,
22 you know, just as an idea.

23 MR. RON LEVY: Yeah.

1 MR. BART REEDY: It's one thing to
2 have a concern and a comment. It takes a great deal
3 more time and energy, however, to sit in front of a
4 computer and type the thing out. That's my issue.
5 And all these folks are volunteers.

6 MR. RON LEVY: If it's real
7 important, we certainly could try to schedule around
8 comment periods so that the RAB goes from one meeting
9 to the next and able to comment at the next meeting.
10 I certainly would be more than willing to do that.

11 MS. LISA KINGSBURY: If you don't
12 want to take the time to scribble it down, give me a
13 call, I'll take it verbally, also.

14 MR. BART REEDY: Okay, good.

15 MS. LISA KINGSBURY: If you've got
16 a concern or an issue, give me a call.

17 MR. BART REEDY: Excellent. Thank
18 you.

19 MR. RON LEVY: Let me tell you, I
20 know some of this stuff gets to be real technical and
21 can be overwhelming to you all, but if you've got any
22 comment, whatsoever -- I mean, even if you think that
23 you might -- we won't denigrate anybody for asking

1 what may be a simple question. But if you've got
2 comments, please, anything that you're interested in,
3 ask us, ask us.

4 MR. PETE CONROY: What are the
5 comments that are on the table right now, Bart, from
6 the EPA point of view?

7 MR. BART REEDY: What are the
8 comments?

9 MR. PETE CONROY: Yeah, what are
10 your concerns regarding -- and I haven't read this.

11 MR. RON LEVY: I would tell you,
12 they run the gamut.

13 MR. BART REEDY: They do run --

14 MR. PETE CONROY: I mean, I could
15 get the details by reading --

16 MR. BART REEDY: Sure.

17 MR. PETE CONROY: -- all of this,
18 but I just want to get a general impression.

19 DR. BARRY COX: What are the
20 serious concerns you have, other than just
21 procedurally?

22 MR. PETE CONROY: There you go.

23 MR. BART REEDY: Just want to

1 ensure that the process that the Army goes through is
2 to select a remedy and implement the remedy is -- does
3 in fact use a trackable logic and trackable logic -- a
4 trackable logic format. And that trackable logic that
5 we are accustomed and think is appropriate is the --
6 it really is the NCP. And we're not absolutely in
7 agreement with the Army here that the process that
8 we're going through right now is in agreement with the
9 National Contingency Plan.

10 Again, we are having -- as Chris
11 pointed out a few moments ago -- we're having a big
12 meeting, BCT meeting here, the closure team, and there
13 is going to be a great deal of discussion and
14 explanation of -- from the Army on just exactly what's
15 going on. And hopefully clarity will come from that,
16 and they can, you know, better -- I think we can
17 probably get a better idea of just exactly what is
18 going on after that meeting.

19 DR. BARRY COX: When is that
20 meeting again?

21 MR. CHRIS JOHNSON: Next week,
22 Tuesday and Wednesday next week.

23 MR. BART REEDY: Yeah, 25, 26.

1 Chris, did you have anything?

2 MR. CHRIS JOHNSON: Yeah, I mean,
3 I've got -- we've got a lot of issues and concerns
4 about how the Army -- how DoD is going to be doing
5 UXO, because there is not any, you know, laws or
6 regulations that really pertain to UXO cleanup. Yet,
7 that's why the range rule is being written right now.

8 Meanwhile, we've got a base to
9 clean up, so we're trying to, even states are trying
10 to, and EPA's trying to decide, you know, how do we
11 want to regulate this. Are we going to use our
12 existing laws? Are we going to wait on the range
13 rule? You know, what's the best approach here?

14 So, this is such a hard topic to
15 really handle. My biggest issues right now are
16 close-out criteria, you know, how clean is clean, how
17 much UXO characterization needs to be conducted before
18 the remedies implemented, how much UXO can remain on
19 the property, what level of land use controls is
20 appropriate?

21 You know, for example, M-2, if you
22 dig -- if you say you're going to dig everything, what
23 does that mean? Does that mean we're going to have

1 land use controls on the property in the future or
2 not? We're having some problems with what's going to
3 be some quality assurance, quality control. After you
4 go do a dig, how are you going to come back and show
5 us that that's been a successful dig?

6 MR. BART REEDY: By way -- keep
7 your thought. By way of example, if you kind of look
8 through the maps there, you get an idea of some of the
9 mag readings, magnetometer readings. And that's the
10 way you really find UXO. At some point you either dig
11 all of the -- you could -- and really, it's still just
12 exactly the way it was during World War II, you either
13 turn the gain up on the machine where you pick up
14 everything from the old pop tops on up, or you turn it
15 down and pick up larger objects.

16 Well, when you factor in depth of
17 picking that up, there is another issue then, as you
18 can well imagine. And we just want to know, you know,
19 how -- what is the plan for hitting and for cleaning
20 up the blips. Are we going to clean up all of the
21 blips, a part of the blips? And what's going on?

22 And we just need some really clear
23 answers so we can figure out exactly what the position

1 is that we're going to take on that. We are not,
2 however -- don't hear this as saying that we think the
3 Army is doing something wrong, bad, illegal or
4 criminal or anything like that, at all. We just have
5 questions that hopefully we can get answered here in
6 the next week.

7 MR. RON LEVY: I would tell you,
8 too, that a lot of what we're doing, that both EPA and
9 ADEM take exception to, is a national issue. I mean,
10 it's not just Fort McClellan. There is discussions
11 going on at EPA headquarters with DoD about range rule
12 and about cleanups. And there is definite gaps and
13 differences in opinion on how to do that.

14 MR. BART REEDY: Oh, absolutely.

15 MR. RON LEVY: So, yeah, you know,
16 ADEM and EPA have got some real concerns. And
17 hopefully at our level, the BCT level, I can provide
18 them enough information or enough assurances that what
19 we are trying to do, even though we're following along
20 with what DoD is telling us to do, we're going to meet
21 their criteria or the criteria they believe we should
22 be following. Some of it's going to have to be
23 established by the BCT since there isn't anything out

1 there.

2 MR. FERN THOMASSY: Yeah, but we're

3 --

4 MR. RON LEVY: There are very few
5 standards.

6 MR. FERN THOMASSY: -- saying there
7 is nothing out there, yet we have an agreement that
8 EPA and DoD came to that said -- they both said it
9 would be an interim set of principles and guidelines
10 to be used until the range rule was put together. And
11 that was just published last month. So, we do have
12 something solid that we can come to an agreement on
13 and work towards, even though it's not the ultimate
14 and doesn't go down to the detail, everybody would
15 ultimately like, we're a lot better off than we were
16 two months ago.

17 MR. RON LEVY: And I believe we're
18 following the Goodman (inaudible) --

19 MR. FERN THOMASSY: And I just
20 wanted to put that into perspective, because I don't
21 think we're that bad or does ADEM not accept that --

22 MR. CHRIS JOHNSON: I don't know.
23 I think that the guidance that was put out is a little

1 too general. I think really we're just going to have
2 to get in this and really see. You know, I think
3 right now we're going on good faith with the Army and
4 seeing how this is going to hash out. But I still
5 have concerns about, you know, like I said, the
6 close-out criteria, the cleanup levels.

7 And getting back to what I was
8 telling Dr. Cox is that you can go out and dig every
9 blip, all right, and then come back on top of that
10 with another geophysical survey and have a whole new
11 set of blips. I mean, we've got ranges out at Fort
12 Ord, California, where they said they're clean, they
13 go back again and resurvey it and they've got -- they
14 find more UXO. They've done it four times in a row on
15 some places.

16 So, the technology, the
17 shortcomings and the technology we've got and how
18 we're going to address those shortcomings is something
19 that we're all going to have to figure out as we go
20 here. And right now, it's part of the -- the EE/CA,
21 the way it was written, originally. I don't know how
22 it's written, based on the revision now, but there was
23 no mention of any kind of quality assurance, you know,

1 of the dig. You know, how do we know it's clean and
2 to what level is it clean, based on the shortcomings
3 of the technology? How do we know that? So, those
4 are the kind of things I think we're going to be
5 talking a lot about next week.

6 MR. BART REEDY: And then the
7 implications there are obviously then, if it's not
8 really, really clean -- whatever that may be -- then
9 what does that mean for everyone's reuse? And then,
10 of course, what happens at M-2, you know, has a direct
11 impact on what's going to happen --

12 MR. CHRIS JOHNSON: Everywhere
13 else.

14 MR. FERN THOMASSY: And you have a
15 land use --

16 MR. BART REEDY: At your refuse
17 (inaudible).

18 MR. PETE CONROY: Sure.

19 MR. FERN THOMASSY: -- control
20 assurance plan, which you can implement. And with
21 that process, restrict the deed enough in order to
22 allow some of the economic development to continue.

23 MR. CHRIS JOHNSON: Sure.

1 MR. FERN THOMASSY: And that's what
2 I'm objectively aiming at with all of this and hoping
3 that --

4 MR. BART REEDY: Absolutely.

5 MR. FERN THOMASSY: -- that all of
6 you can agree on. We don't have to have an ultimate
7 solution now, you just want some definition that's
8 going to tell you where you are at that point, and
9 then what you haven't defined can be put into these --

10 MR. BART REEDY: Absolutely --

11 MR. FERN THOMASSY: --
12 restrictions, concerns.

13 MR. BART REEDY: Yes, sir.

14 MR. CHRIS JOHNSON: See, another
15 thing that concerns us a little bit is that this M-2
16 parcel, based on the archive search report, was really
17 a clean area. I mean, this was not -- you know, we
18 would have excluded this area from just merely looking
19 at the archive search report, because it didn't fall
20 within the range.

21 The only reason really Huntsville
22 decided we needed to go back out here is because from
23 all the work they're doing on the eastern bypass,

1 stomping around in the woods a lot with that, kind of
2 said, well, you know, we're showing a lot of ordnance
3 and range activity over north and east of the M-2, so
4 we might have a problem in M-2, as well. But if you
5 strictly just went back to the archive search report,
6 it's a clean parcel.

7 MR. RON LEVY: It doesn't show any
8 range activities out there.

9 MR. CHRIS JOHNSON: So, that
10 obviously raises a red flag, okay, what about all the
11 other areas on post that are supposedly clean, like,
12 you know, on south of the mountains and, you know,
13 closer in the cantonment area? You know, are we
14 really getting all the ranges in the archive search
15 report? How good is the archive search report?

16 MR. BART REEDY: It brings into
17 focus the reality that all of us know and that is, a
18 long time ago records were -- nowhere, not just here,
19 but anywhere were not kept quite as -- with quite as
20 much intent and forethought as we do -- as the Army
21 does, now. And that's just a reality that all of us
22 know.

23 MR. RON LEVY: In fact, that's one

1 of the reasons why the range rule is coming into play
2 is because historically DoD did not document its
3 locations of its ranges. And it's going to be forced,
4 under the range rule, to do that, which I think is a
5 good thing. I mean, it's -- one of the components of
6 the range rule is to document ranges and impact areas
7 from historical standpoint.

8 You know, I think the BCT will get
9 through this. And, yeah, it is a piece of property
10 where we don't know of any information that says there
11 is anything there. However, we are investigating it
12 on the possibility something might be there. Just the
13 mere fact we've seen things in and around the property
14 and to be sure that when we transfer it that, you
15 know, we've fully investigated it. So, yes, I think
16 we are being more protective than we normally would be
17 with a piece of property and going out and
18 investigating it.

19 And what you're seeing within the
20 BCT is you're seeing a lot of discussions because this
21 is really going to be used for purposes of future
22 EE/CAs, too, and future work. So, a lot of the
23 discussion and the agreements that we come up with

1 over this document will help us as we start to go into
2 the bigger piece.

3 MR. CHRIS JOHNSON: Relatively
4 speaking to a lot of other areas in the main post,
5 this site is really not -- it's -- I hate to use the
6 word "clean," but I mean, relative to range 16 and
7 other areas, I mean, I'm -- I highly doubt we're going
8 to find too many pieces of ordnance that has not
9 already been rendered safe, especially after I've seen
10 some of the stuff that they've been pulling from the
11 eastern bypass. They're not really finding anything
12 significant. But it's still -- there is suspect there
13 and we have to treat it like, you know, it is a
14 problem.

15 MR. RON LEVY: And, you know, as
16 Bart and Chris have said, they're not really worried
17 that we're going to find something there, they want to
18 make sure procedurally as we move through the
19 investigation program we've got it right. And this
20 happens to be one of the first documents out the gate
21 on UXO. So, we have a lot of discussion to get
22 through and --

23 MR. DON CUNNINGHAM: I've got a

1 question. How does Fort Ord handle that when they are
2 encountering subsequent discoveries, on and on?

3 MR. CHRIS JOHNSON: I think they --
4 in talking to Jim Austreng, one of the project
5 managers out there for California, I think that's what
6 they're struggling with now is trying to set up some
7 good quality controls. You know, when we go out, and
8 let's just say we've got a gasoline plume out here in
9 the soil, you know, we take confirmation samples to
10 know that we've dug enough and we excavated the plume.

11 Well, the same principle holds
12 here. I mean, how do we go back and say that we --
13 our excavation for UXO was a success? And that's
14 something I think we're going to have to sit down --
15 and California is doing now, is trying to set up some
16 protocols for doing that, because, again, the
17 technology -- I mean, Phillip could go out there with
18 his EM today and have a thousand anomalies, and I
19 could go out there after the dig and maybe find, you
20 know, another two or three hundred. You just --
21 that's kind of where we are right now in some of the
22 technology.

23 So, what is good? How much is

1 enough? And I think we're going to hopefully answer a
2 lot of that next week.

3 MR. RON LEVY: You know, as we look
4 at this -- because we've got to go down the road of
5 what's the land use, what's the end use of that piece
6 of property. You know, we know what the national
7 wildlife refuge looks like at this point, because
8 there has been a lay down on that. And then the rest
9 of it, really what they're telling us is, you know, we
10 want unrestricted use. Well, and there are pieces out
11 there where I just -- I got to tell you, I'm real
12 concerned that we can get there. Range 16 is one. I
13 just -- I don't know that we can do enough to provide
14 one hundred percent assurance -- and I've always said
15 this -- that we got everything, you know, for
16 unrestricted use, for residential-type use.

17 So, it's going to be driven by
18 what's the land use. And then other things that are
19 going to come into play, well, if we can't get to a
20 residential use, what kind of controls are you going
21 to put in place? And when you look at what's out
22 there, unlike contaminates issues, you don't have the
23 same standards. There are some set standards under

1 RCRA for contaminates issues. And then on the CERCLA
2 side, you do it as a risk based. Well, that's out
3 there and you can get there, but it's tougher on the
4 UXO, because you don't really have a risk-based
5 approach. And we're trying to do that, but you don't
6 really have a true risk-based approach on this.

7 MR. BART REEDY: And that's what we
8 -- that's one of the goals that we want to get to next
9 week is to try and everybody understand exactly what
10 -- where the Army is going with -- like Chris said,
11 how clean are you going to be and what does that mean
12 and how do we know that you -- how do we know that
13 what you wrote down is how clean it is, that you
14 actually went back and verified that to yourselves and
15 to us? How do we -- how is that happening? How is
16 that going to happen?

17 MR. RON LEVY: The one thing that
18 you can take from this meeting is that Fort McClellan,

19 does the Army have issues with EPA and ADEM in terms
20 of this cleanup? Yes, we do. Are we going to work
21 through them? We believe we will. We will eventually
22 work through all the issues. But, yeah, there are
23 some big issues. And as you read through the

1 comments, you'll see them, you'll see them in there.

2 MR. BART REEDY: Uh-huh.

3 DR. BARRY COX: Bart, would you
4 consider possibly E-mailing us a brief summary after
5 the meeting on Wednesday?

6 MR. BART REEDY: Yes.

7 MAYOR KIMBROUGH: Is this an open
8 meeting?

9 MR. RON LEVY: No, the RAB -- the
10 BCT meetings are not considered open. There is sort
11 of a deliberative process between the agencies and --

12 MR. BART REEDY: But as we have
13 said in the past and as we will say right now, again,
14 if anybody wants, we will -- more than willing to hold
15 a briefing.

16 MR. RON LEVY: Separate meeting --

17 MR. BART REEDY: -- you know,
18 whatever it would take to get the information out to
19 you guys so that you guys understand it so you can
20 accurately portray what's going on, we'll schedule
21 something. Whatever you would like to happen, Mayor,
22 we will make that happen.

23 MR. RON LEVY: And, you know,

1 you've got the BCT right here. I mean, we're really
2 right here. So, if you've got questions, we're ready
3 to take them right now during the RAB meeting. This
4 is the forum for the community to ask those hard
5 questions of us. And I know there are some real hard
6 ones out there that I can't answer.

7 MR. BART REEDY: You want a meeting
8 summary?

9 DR. BARRY COX: Yes, I would,
10 personally.

11 MR. PETE CONROY: Yeah, I think we
12 all would, sure.

13 MR. CHRIS JOHNSON: We prepare that
14 after the meeting. In fact, y'all can see meeting
15 summary minutes for all our meetings. Those are in
16 the record.

17 MAYOR KIMBROUGH: Some of these
18 folks might know what the issues are, but I don't, you
19 know, and I would like to know. And that's why I
20 asked that question. And I think that would do it,
21 meeting summary, what's out there.

22 MR. BART REEDY: There is about
23 fifteen pages in the back end of that that will

1 probably --

2 MR. CHRIS JOHNSON: I tell you what
3 -- and this is really where we're at with UXO cleanup,
4 think of 1980 and Love Canal and CERCLA, CERCLA was
5 written in 1980, this is --

6 MR. PETE CONROY: That bad?

7 MR. CHRIS JOHNSON: Yeah, I mean
8 that's where we're at. I mean, we don't have a CERCLA
9 program for UXO, yet. States aren't sure how they
10 want to regulate UXO, neither is EPA. I mean, we're
11 literally in the infancy of UXO cleanup here. And a
12 lot of people don't realize that. But I mean, after
13 going to a meeting last week and sitting down and
14 thinking, okay, we're fixing to sit down with some
15 states that really have a handle on this UXO thing.
16 Huh-uh. In fact, Alabama, California, and Colorado
17 are probably the three leading states in UXO cleanup
18 right now, as far as working with the Army and the
19 military in moving through this. And that's scary,
20 but that's where we are. I mean, I'm just being
21 straight-up.

22 MR. BART REEDY: That's a true
23 story. You know, the converse is, DoD doesn't want

1 the State and EPA sticking their nose in. And we
2 understand that. By the same token, we don't want DoD
3 just to write off a piece of property and hand it over
4 like has happened, you know, historically that's
5 happened. Well, and we don't want that to happen.
6 So, there is a lot of wrangling back and forth over --
7 meanwhile, we've got to come up with some way to
8 document to you all what we did and get the maximum
9 amount of property turned over for the highest level
10 of reuse we can get. And the property that can't get
11 turned over, we're going to flag it to -- everybody
12 that we can possibly imagine would ever need a flag on
13 it will be notified of it.

14 MR. PETE CONROY: For the summary
15 of the BCT meeting that we were just talking about --

16 MR. BART REEDY: Yes, sir.

17 MR. PETE CONROY: -- I would like
18 to schedule that now, and probably in such a way that
19 JPA can take part in that. Now, they're not
20 participating in that meeting, either, but they would
21 certainly benefit from learning about the results.
22 And maybe not do it right now, since no one from the
23 JPA's here, but can we schedule that soon?

1 MR. CHRIS JOHNSON: It will be on
2 the next --

3 MS. LISA KINGSBURY: What do you
4 mean, Pete? Are you wanting a separate meeting?

5 MR. PETE CONROY: The next meeting
6 or do you want to do it before that?

7 MS. LISA KINGSBURY: That's what
8 I'm asking: Did you want a separate meeting?

9 MR. PETE CONROY: I was thinking a
10 separate meeting, just because by the time a whole
11 month rolls around --

12 MS. LISA KINGSBURY: The public
13 meeting for this document is scheduled for 10 May at
14 the Anniston Meeting Center.

15 DR. BARRY COX: That's after the
16 comment period is finished.

17 MS. LISA KINGSBURY: That's after
18 the thirty -- yeah, the thirty day comment period is
19 May 9th. On 10 May is the public meeting.

20 MR. BART REEDY: So then, Pete,
21 what I'm hearing is something ought to happen the week
22 of May 1?

23 MR. PETE CONROY: Uh-huh.

1 DR. BARRY COX: So, you're thinking
2 in terms of perhaps we would want to make comments
3 after we hear the EPA and State concerns?

4 MR. PETE CONROY: Sure.

5 MR. BART REEDY: Sir?

6 MR. RON LEVY: I don't know what
7 road we're going down here.

8 MR. BART REEDY: Well, Pete --

9 MR. RON LEVY: I'm just a little
10 concerned that you're --

11 MR. BART REEDY: Huh?

12 MR. RON LEVY: I'm concerned that
13 you're asking for the same thing that we're doing,
14 anyways. I mean --

15 MR. BART REEDY: I think -- no, I
16 think what I'm hearing Pete say -- maybe, but let me
17 make sure --

18 MR. PETE CONROY: Comments are due
19 on May the 9th.

20 MR. BART REEDY: What I'm hearing
21 you saying is you want to hear the outcome of this
22 before the comment period closes?

23 MR. PETE CONROY: Exactly. And if

1 the comments are due on May 9th, we'd have to do it,
2 like you said, the first week of May some time.

3 MR. RON LEVY: But if we provide
4 you -- if you take a look at the BCT minutes, you will
5 see those in there. Now, if you wanted to have a
6 separate meeting to discuss those, we certainly could
7 do it during our regularly scheduled RAB meeting.
8 We'll just put it in the RAB. I mean, we can bring it
9 forth the next RAB. You know, that's up to the RAB in
10 terms of what they want. If you just feel it's
11 absolutely necessary to have a separate meeting to do
12 that, then I'm --

13 MR. PETE CONROY: Absolutely
14 necessary might be a little strong, but it sure would
15 be useful.

16 MR. RON LEVY: Okay. Well --

17 MS. LISA KINGSBURY: That's what
18 the meeting on May 10th is scheduled for.

19 MR. PETE CONROY: Of course, the
20 comment period is --

21 MS. KAREN PINSON: Is over. See,
22 he wants something before the comment period is over.

23 MS. LISA KINGSBURY: Okay.

1 MS. KAREN PINSON: He wants to hear
2 what the BCT --

3 MR. PETE CONROY: Exactly.

4 MR. BART REEDY: Right.

5 MR. PETE CONROY: Doesn't that
6 make sense?

7 MAYOR KIMBROUGH: Yeah, sure does.

8 MS. KAREN PINSON: And be able to
9 make his comments by May the 9th.

10 MS. LISA KINGSBURY: Based on what

11 --

12 MR. RON LEVY: But still, the
13 public meeting will also wrap in anything that's of
14 significant value. I mean --

15 MR. PETE CONROY: That's too late,
16 from my point of view.

17 MR. RON LEVY: That's why the
18 public meeting is there. I mean, it's meant to pull
19 in any significant comments outside of the comment
20 period. Open to the public. If we got any comments
21 that weren't put in during the public comment, well
22 now we have an open meeting.

23 MR. PETE CONROY: Still requesting

1 a stand-alone meeting.

2 MR. RON LEVY: Okay. Well, I mean

3 --

4 MR. PETE CONROY: Even small. I

5 mean --

6 MR. RON LEVY: I'm still trying to

7 see the value of this meeting, though, Pete, and what

8 it actually does.

9 MR. PETE CONROY: I just want to be
10 able to focus on what happened at the BCT meeting.

11 MS. DONNA FATHKE: I think Pete's
12 point is that you can have a discussion that could
13 raise questions that you might need time to research
14 further. And if you do it at one final meeting, at
15 this public meeting, then some additional issues
16 arise, it's too late.

17 MS. LISA KINGSBURY: No, it's not
18 too late.

19 MS. DONNA FATHKE: What's the
20 process then?

21 MR. RON LEVY: We'll take --

22 MS. LISA KINGSBURY: If you have
23 comments during that meeting or concern, we will

1 certainly address them. We won't -- they won't go
2 unaddressed. That's exactly what that meeting's
3 about.

4 DR. BARRY COX: My guess is -- what
5 I think Pete was saying was that we hear -- we listen
6 to what Bart and Chris have to say, and then we go
7 back and think this over and then we would be in a
8 position to decide if we have some comments. Is that
9 --

10 MR. PETE CONROY: Yeah, appreciate
11 all the help here in what I was trying to say, but,
12 yeah --

13 DR. BARRY COX: Isn't that it? In
14 other words, it's not that you listen to them and
15 said, okay, here is my comment. I mean, sometimes you
16 have to think about something for awhile before you --
17 and maybe look up a couple of issues.

18 MR. CHRIS JOHNSON: Well, would you
19 like to review the meeting minutes and then decide
20 first? Do you want to do that?

21 MR. PETE CONROY: Okay, when would
22 they be available?

23 MR. ELLIS POPE: Usually, two weeks

1 after the meeting.

2 MR. CHRIS JOHNSON: Well, they
3 could -- IT could speed that up. We could have --

4 MS. LISA KINGSBURY: Or you and
5 Bart can write a summary of say -- I would say that 90
6 percent of your comments and concerns have been
7 addressed. However, if you feel you have unresolved
8 issues, write a summary paper, send it out to the RAB,
9 and let them stew on that for a little while, and pick
10 up the phone and call them.

11 MR. CHRIS JOHNSON: We could do
12 that.

13 MR. RON LEVY: That sounds more --
14 to me that sounds --

15 MR. PETE CONROY: And your thought
16 was to distribute the materials?

17 MS. LISA KINGSBURY: If Bart and
18 Chris have unresolved issues during that meeting, then
19 they can write up a little summary, stating what those
20 unresolved issues are, and we can get it to you.

21 MR. CHRIS JOHNSON: Well, the
22 unresolved issues --

23 MS. LISA KINGSBURY: -- right after

1 the --

2 MR. CHRIS JOHNSON: -- will be
3 submitted to the Army and you can BCC them. How about
4 that?

5 MS. LISA KINGSBURY: Well, no.

6 DR. BARRY COX: I guess one option
7 would just be a meeting with Bart and Chris then.

8 MR. CHRIS JOHNSON: Sure.

9 DR. BARRY COX: On unresolved
10 issues.

11 MR. CHRIS JOHNSON: Can it be in
12 Montgomery?

13 DR. BARRY COX: My travel budget
14 will work on that. I don't know about them.

15 MR. RON LEVY: Well, that would be
16 a little unfair to us. I mean, if you're going to
17 have a meeting with the regulators without us having a
18 chance to tell you our side of the story at the same
19 time.

20 DR. BARRY COX: Sure.

21 MR. PETE CONROY: Well, we would
22 like for you to be there.

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

1 just thought you were reluctant to be there. That's
2 what I was --

3 MR. RON LEVY: No, I just couldn't
4 -- I was trying to understand the necessity for an
5 additional meeting, that's all.

6 MR. BART REEDY: What I have heard
7 them -- what I have heard Pete ask is that, he's going
8 to want to take the issues that are raised back here,
9 read the document real quick, try and figure out what
10 the heck it is we're talking about, then get a debrief
11 on what the resolution of any of the issues, what that
12 resolution was, and if Pete or Fern or Barry or you
13 are happy with the resolution.

14 MAYOR KIMBROUGH: Even me.

15 MR. BART REEDY: Even you,
16 absolutely, man. Maybe, you know -- and if they are
17 or are not happy with the resolution. Maybe -- and
18 then they can take the resolution or the
19 non-resolution and better formulate exactly what it is
20 that you would like to see happen or not happen. You
21 may be in complete disagreement with everything we've
22 got or complete agreement with it, but have enough --
23 you know, have a couple of days, anyway to chew on it.

1 That way at the public meeting --

2 MR. PETE CONROY: We've got
3 heads-up --

4 MR. BART REEDY: -- heads-up and a
5 night's sleep on it to better speak the issue, if
6 there is one. And this is all assuming that there are
7 going to be issues, of course.

8 MR. CHRIS JOHNSON: Well, I
9 certainly want the RAB and the entire community to
10 know the differences of opinion or issues that all
11 agencies have here.

12 MR. RON LEVY: But I mean, we're
13 not keeping anything --

14 MR. CHRIS JOHNSON: No, I know
15 you're not.

16 MR. BART REEDY: We're not playing
17 hide the ball here, the Army is not.

18 MR. CHRIS JOHNSON: No. And if
19 Pete --

20 MR. PETE CONROY: Part of what I'm
21 asking here is, I think what some of us are doing is
22 offering our time to focus on this issue. And I
23 haven't been able to do that, and I think a lot of us

1 in the room haven't had the opportunity to read all of
2 this material. But if we were to set aside a couple
3 of hours during that first week of May, before the
4 public meeting, we would like the benefit of the BCT
5 to educate us as to what's happening.

6 MR. RON LEVY: One of the things
7 we've talked about -- and I'm starting to understand a
8 little bit better -- we talked about having a
9 technical review committee or separate committee to
10 the RAB that spent some time looking through the
11 document and then came back and addressed questions.
12 And I'm more than willing to do that. I mean, it's
13 another RAB meeting with select members that you feel
14 -- that the RAB feels are -- and let's do it in that
15 form. We'll have another RAB meeting, a separate RAB
16 meeting or that the RAB feels wants with -- you know,
17 with the Army. And if Bart and Chris are interested
18 in that, do it that way. I mean, but -- I mean, we've
19 already got a public meeting held, so I'm not sure
20 what kind of meeting we're talking about here, because
21 we are the RAB. I mean, are we talking about
22 something different? I just -- --

23 MR. PETE CONROY: I guess maybe I

1 was confused a little bit also by -- I heard someone
2 say the comments are due on the 9th.

3 MR. CHRIS JOHNSON: They have to
4 take comments on the meeting date, too. They have to
5 receive -- the meeting date is kind of the final day
6 --

7 MS. LISA KINGSBURY: The big finale
8 --

9 MR. CHRIS JOHNSON: -- but they
10 also -- I don't know -- you can sit down and write a
11 comment at that meeting and hand it to the Army and
12 they have to respond to it.

13 MR. PETE CONROY: Right.

14 MR. RON LEVY: You remember what we
15 went through --

16 MR. PETE CONROY: And I don't think
17 I'm that smart, and that's why I would like to do it
18 --

19 MAYOR KIMBROUGH: Well, that's
20 exactly -- you know, lots of these folks have been
21 military and all like this and they understand some of
22 the terms and some of the -- I don't. I don't want to
23 come in there on the 10th and be presented with this

1 and put me in a spot -- I would like to be in a
2 meeting where I can ask questions and I can be clear
3 on what's taking place. We're on an advisory
4 committee, and I would like to serve as that purpose.
5 And I don't feel like that I can go in on one meeting
6 and do that. And, you know, I think as a RAB, this is
7 our responsibility. And if we request this, then I
8 don't see what the -- you know, it might be a
9 duplication, but --

10 MR. RON LEVY: You all are taking
11 this wrong. I'm not saying, no, let's not meet. What
12 I'm saying is that we ought to be doing what we did
13 before. I mean, if we need a separate RAB meeting to
14 discuss these -- because you're talking about RAB
15 members -- then let's do that. And the information is
16 in here, so it's not like you're showing up the 10th
17 of May without any information about it. It's in
18 there.

19 Now, if you want a separate RAB
20 meeting, obviously, that's your prerogative and we'll
21 do that. I'm not saying, no, I'm just trying to
22 understand what it is we're talking about here,
23 because we talked about a separate meeting and I'm not

1 sure what a separate meeting is. Are we talking about
2 review meeting, a technical review meeting from select
3 RAB members? I mean, what is it we're talking about
4 here?

5 MR. PETE CONROY: Any meeting would
6 be the full RAB and no select members that I'm aware
7 of. And would be a twofold thing. One is -- one part
8 would be to review any of the issues that came up at
9 the BCT meeting, in lieu of our not being able to
10 participate. And secondly, would be an opportunity to
11 focus at a greater level as to what this process and
12 this document has to offer.

13 MR. RON LEVY: Okay. Well then,
14 let's -- I mean, it's your meeting. This is your RAB
15 meeting. If that's what you want, go right ahead and
16 do that, and I'll be there to answer those questions.

17 MR. PETE CONROY: Sure, if I need
18 to make a motion, I'll do that.

19 MR. RON HOOD: Let me see if I've
20 got you straight. You still want them to E-mail us
21 the summary on the BCT?

22 MR. PETE CONROY: Uh-huh.

23 MR. RON HOOD: As quickly as they

1 can get it to us?

2 MR. PETE CONROY: Uh-huh.

3 MR. RON HOOD: I don't know how
4 long that's going to take you.

5 MR. PETE CONROY: If it's two
6 weeks, it's actually after the comment period.

7 MR. RON HOOD: Yeah, two weeks
8 would be -- I mean, would we get that in time to have
9 any use from it?

10 MR. CHRIS JOHNSON: We can get that
11 to you much sooner than that.

12 MR. RON LEVY: Chris, before you
13 volunteer "we", let's make sure that, you know, if our
14 contractor is going to do it or we're going to do it
15 or you're going to do it. If you're volunteering to
16 do it, yourself, then you've got to make sure that
17 that's not just your words, it's the Army and --

18 MR. CHRIS JOHNSON: Well, it
19 depends on what they're wanting, Ron. There is three
20 things on the table here. If you just want ADEM's
21 opinion on the meeting, then I can do that pronto. If
22 you're wanting some consensus minutes of what took
23 place, official for the administrative record, now,

1 that may take some time because the contractor
2 prepares those, just like we would prepare for
3 tonight. So, that really depends on --

4 MR. PETE CONROY: To me, that would
5 be unrealistic. What we want are the general, most
6 important issues by all three of the agencies.

7 DR. BARRY COX: Right. And it can
8 be three. I mean, that would make sense to me. There
9 is ADEM's comments, there is EPA's comments, and there
10 is the Army's comments.

11 MS. LISA KINGSBURY: I guess what I
12 don't understand is: That's what you've got in
13 appendix G, you've got ADEM's comments, you've got
14 EPA's comments, and you've got the Army's response to
15 those comments. And then once you read through those,
16 then you will have a very good understanding of what
17 the issues are and then you might have additional
18 questions that we could hold another meeting for to
19 answer for you.

20 DR. BARRY COX: But that is
21 supposed to change as of Wednesday, correct? There is
22 supposed to be some resolution to those issues?

23 MS. LISA KINGSBURY: Hopefully,

1 there will be resolution --

2 MR. RON LEVY: Yeah.

3 MS. LISA KINGSBURY: --to most of
4 those.

5 DR. BARRY COX: Right. And that's
6 what we're looking at, what is unresolved after
7 Wednesday.

8 MR. RON LEVY: Certainly, what we
9 could do is tell you which of those --

10 MR. PETE CONROY: Exactly. Which
11 makes this --

12 MR. RON LEVY: -- which of those
13 comments that are in there are unresolved. And that
14 would probably be a better way to go about it. And
15 then we can sit down with you all and kind of have a
16 discussion about why those are unresolved, if that's
17 what you're looking for.

18 DR. BARRY COX: Sure.

19 MR. RON LEVY: Let's do that that
20 way, instead of trying to -- you know, you've got the
21 comments in there. We'll come back, you know, and
22 say, okay, we still have unresolved comments and these
23 are the ones that were unresolved and we're open -- we

1 would love to have an open discussion about those
2 unresolved comments amongst the agencies and RAB
3 members that want to participate in that. I see that
4 as a great thing.

5 DR. BARRY COX: Sure. And if we
6 could have those before we come to that meeting, if we
7 could have those to read ahead of time.

8 MR. RON LEVY: Sure.

9 DR. BARRY COX: See, that's the
10 whole point, is have time to review this.

11 MR. PETE CONROY: It's all about
12 having time to do it.

13 DR. BARRY COX: Time, time. So, if
14 we get ADEM'S comments, EPA's comments, and your
15 comments prior to the meeting we're going to schedule,
16 we've had time to review those, we sit down with the
17 three of you --

18 MR. RON LEVY: Barry, again, what
19 I'm proposing is a little different than what you just
20 said. EPA's and ADEM's comments are in here. Our
21 response to comments are part of this package. What I
22 would come back and tell you, comment number five of
23 ADEM's comments is still unresolved, comment number

1 six of EPA's comments is still unresolved. And we'll
2 be glad to sit down and discuss those with you, as
3 opposed to something different. I mean, truly, you're
4 not going to get much more out of the meeting minutes
5 from the BCT other than these were unresolved
6 comments, because you've got those right here in front
7 of you.

8 MR. PETE CONROY: One of the
9 assumptions is that we all have time to read all of
10 this. And I'll be honest, that's a real serious
11 issue. I really don't. And that's why I would like
12 to have these generalized, summarized from y'all.

13 MR. BART REEDY: I think the point
14 that you're bringing up and we're struggling around
15 right now is a reality that I don't believe the
16 applicable laws take into account, and that is the
17 fact that you all are volunteering your time.

18 MR. PETE CONROY: And we're just
19 asking for a little extra help.

20 MR. BART REEDY: And the cycle that
21 you happen to hit here on public comment really does
22 not even afford you time to get spun up on what the
23 heck we're talking about.

1 MR. PETE CONROY: And this happens
2 all the time in the regulatory world, you know.

3 MR. BART REEDY: Absolutely.

4 MR. PETE CONROY: All the time.

5 MR. BART REEDY: And,
6 unfortunately, Pete, there is not a lot that can be
7 done about that, other than the kinds of things that
8 you're talking about right now.

9 MR. PETE CONROY: Yeah.

10 MR. BART REEDY: But again,
11 whatever you guys want to do, we will -- you know, I
12 can speak for EPA, whatever you guys want to do -- by
13 guys, I don't mean just males, by the way, now.
14 Whatever you all want to do, we will -- EPA will do
15 its dead level best to make that happen.

16 MR. CHRIS JOHNSON: Because that's
17 what's critical, too. One thing that on this -- when
18 we talk about the criteria, one of the key things that
19 we have to know as regulators is community acceptance,
20 you know. And it's hard to get that. It's hard to
21 truly know, what does the community want here. And
22 that is a big role that you guys will play here. And
23 I -- that's where I would like to get more feedback

1 from the community, especially from this RAB is that,
2 okay, here is what the Army's proposing. How do you
3 feel about that? And if it takes dialogue back and
4 forth between the regulators and the Army to be able
5 to form your opinion, then we've got to do that or
6 we're not doing our job. But that's certainly part of
7 the remedy selection process is that, is community
8 acceptance. And if we feel that the Army or nobody
9 else has that community acceptance, either one, we've
10 got to go back to the drawing table or, two, try to,
11 you know, resolve your concerns. So, please, just --
12 and look at the comments, please, call me or Bart, and
13 meanwhile we'll get this meeting scheduled.

14 DR. BARRY COX: So, do you see a
15 format for the meeting is we would start off and go
16 comment by comment and then discuss each one of the
17 unresolved comments? Is that --

18 MS. LISA KINGSBURY: I think that's
19 the only way you would understand the issues is going
20 comment by comment.

21 DR. BARRY COX: Exactly. That's
22 what I mean, we'll just take each one of the
23 unresolved issues and go through them one by one.

1 That would be the format for the meeting.

2 MR. RON LEVY: And that's what I
3 was proposing.

4 MS. LISA KINGSBURY: Or even the
5 resolved issues.

6 DR. BARRY COX: If we don't agree
7 with what they have to say.

8 MR. CHRIS JOHNSON: Right. I mean,
9 you might not agree with what we've even agreed on.

10 MR. BART REEDY: And I would hope
11 that there would be some dissension out there, oh, no,
12 EPA, ADEM, you guys are going too far here, you're way
13 off the beam. No, Army, you're wrong. That's what
14 makes the government work.

15 MR. RON LEVY: And that's good
16 input, that really is.

17 DR. BARRY COX: And the point you
18 made, that this is going to be a precedent-setting
19 thing, so this is the reason it should deserve a
20 certain amount of our attention.

21 MR. BART REEDY: Absolutely.

22 MR. RON LEVY: And I'm glad to see
23 that that -- I want to make sure we know what we're

1 talking about here. I was a little concerned that we
2 were talking about more meetings or separate meetings,
3 short of what the RAB -- because that's what the RAB's
4 function is, anyways, to bring these things up.

5 MR. PETE CONROY: This is within
6 the parameters of the RAB.

7 MR. RON LEVY: Well, that's not
8 what I heard the first time. I mean, I heard another
9 public meeting that was outside of the RAB.

10 MR. BART REEDY: No, no, no, I
11 don't believe so. Then, would you use -- would you
12 take a moment and make sure that everyone is
13 understanding what's going to happen and when that's
14 going to happen and to whom it's going to happen?

15 MR. RON LEVY: Are you talking to
16 me?

17 MR. BART REEDY: Yes, sir, yeah. I
18 want to make sure that I'm --

19 MR. RON LEVY: Okay, this was as I
20 understand -- this is what I understand what we're
21 going to do. The BCT is going to meet next week to go
22 through the comments to the M-2 parcel EE/CA. From
23 that meeting, there will be -- there should be-- those

1 unresolved comments from that meeting will become a
2 pint of discussion for a separate meeting prior to the
3 open public meeting on the 10th of May with the RAB,
4 whichever RAB members are interested in participating
5 in that.

6 We will set up a separate meeting
7 for that. We will provide, prior to that meeting,
8 those unresolved comments and any discussion that goes
9 along with that. And then as we get back together
10 again, both EPA and ADEM and the Army will be there to
11 discuss with the RAB members those unresolved
12 comments. And we can look at a meeting date short of
13 -- short of the 10 May date.

14 MR. PETE CONROY: What about the
15 4th of May? That's a Thursday. And I would like -- I
16 would like to consider during the day, as opposed to
17 evening. That may be off --

18 MR. PAUL JAMES: Ron has got
19 training 4th and 5th of May.

20 MR. BART REEDY: Sir?

21 MR. PAUL JAMES: The environmental
22 office has got --

23 MR. BART REEDY: IRP?

1 MR. PAUL JAMES: -- special
2 training set up for the 4th and the 5th.

3 MR. PETE CONROY: My only other day
4 would be the 1st.

5 DR. BARRY COX: The 1st we're going
6 to have the ANAD RAB, so we don't make it the 1st.

7 MR. PETE CONROY: That in the
8 evening, though, right?

9 DR. BARRY COX: Right.

10 MR. PETE CONROY: We could do it
11 during the day of the 1st, that would work.

12 MR. RON LEVY: I won't be here.
13 I'll be gone the 1st and the 2nd.

14 MR. RON HOOD: Day meetings are
15 going to be out for most people.

16 MR. PETE CONROY: Well, it's all
17 moot, because I think they were the only two days I
18 had, so --

19 MAYOR KIMBROUGH: When is -- the
20 public meeting is the 10th? Yeah, on Wednesday the
21 10th.

22 MR. RON LEVY: Yes. The 10th of
23 May, which is Wednesday. Pete, what were your dates

1 that you had again?

2 MR. PETE CONROY: The 1st and the
3 4th.

4 MR. RON LEVY: And I won't be here
5 on the 1st.

6 MR. PETE CONROY: I apologize for
7 not having more days.

8 MR. RON LEVY: You know, if
9 necessary, I guess I could pull myself out of the
10 training, if the 4th is the best date that you've got,
11 but people -- Barry, was that a bad day for you, too?

12 DR. BARRY COX: The 4th is --

13 MR. RON LEVY: If we could do it in
14 the afternoon, certainly the evening, then I'll
15 definitely be available, as opposed to doing it during
16 the day. Does that seem like a good day for you,
17 Bart, Chris?

18 MR. BART REEDY: Yes.

19 MR. CHRIS JOHNSON: Yeah, Phillip
20 won't be able to be there. He's going to be in
21 California at the UXO seminars.

22 MR. BART REEDY: Are you going to
23 be gone all week?

1 MR. PHILLIP STROUD: The whole
2 week, yeah, I'll be gone, Monday through Friday.

3 MR. RON LEVY: But you will, right?

4 MR. CHRIS JOHNSON: Yeah, I'll be
5 in all that week.

6 MR. RON LEVY: Is that okay that he
7 represents y'all?

8 MR. PHILLIP STROUD: Oh, yes,
9 absolutely.

10 MR. CHRIS JOHNSON: Thank you. My
11 last day's the 5th, so --

12 MS. LISA KINGSBURY: It works out
13 perfect.

14 MR. RON LEVY: So, do we have a
15 time that we want to shoot for?

16 MS. DONNA FATHKE: How about 5:30?

17 MR. BART REEDY: What time?

18 MR. RON HOOD: What day of the week
19 is this?

20 MR. RON LEVY: The 4th is a
21 Thursday.

22 MR. CHRIS JOHNSON: Or we can do a
23 lunchtime, if everybody's -- I can be there any time

1 of the day, so I don't care.

2 MR. RON LEVY: I think the
3 discussion might get a little bit longer than a
4 lunchtime.

5 DR. BARRY COX: May get
6 indigestion, too, I guess.

7 MR. CHRIS JOHNSON: Not if y'all do
8 everything we want you to, it should roll on pretty
9 smooth.

10 MR. RON LEVY: Of course, you could
11 find out that we resolved all the comments and there
12 is nothing, we're moving forward.

13 DR. BARRY COX: That's right. In
14 that case, we'll just cancel it.

15 MR. RON LEVY: That would be great.
16 5:30, Donna proposed 5:30. Does anybody have a
17 counterproposal? We're still discussing this. Can I
18 get a show of hands of how many folks think they could
19 attend at 5:30 on --

20 MS. JOAN McKINNEY: Okay with Sam?

21 COURT REPORTER: Yes, May 4th,
22 Thursday, 5:30.

23 MR. PETE CONROY: It's appropriate

1 that's it's also the National Day of Prayer.

2 MR. BART REEDY: Is it really?

3 MS. DONNA FATHKE: Ron, would that
4 be here in this room?

5 MR. RON LEVY: That's what I would
6 propose, unless somebody has got a different -- 5:30,
7 Fort McClellan, on the 4th of May.

8 MR. RON HOOD: It sounds like we've
9 already taken a vote on it, but is there anyone
10 opposed to our meeting on May the 4th, Thursday at
11 5:30? I've already seen a show of hands of who could
12 make it, so I'm going to take that for -- or would you
13 like to make a proposal and do it, formally?

14 MR. PETE CONROY: One thought is
15 that like Mary Harrington and Craig and so and so,
16 they don't know anything about this.

17 MR. RON HOOD: They don't know
18 anything. We need to let them know.

19 MR. RON LEVY: I propose this, I
20 propose that my office, and through Joan, would put
21 this information together that we're talking about,
22 gather it from the BCT, and send it out on a mailing
23 prior to that. That should give us enough time. We

1 should have enough time to get it to you, given that
2 the BCT meeting is next week, and should be more than
3 enough time to get it out to you. So, we will put it
4 -- just like we do on a normal mailing, that
5 information, so that when you show up, you'll have it
6 in hand. Is everybody in agreement with that?

7 MR. CHRIS JOHNSON: Whoever wants
8 it.

9 MR. RON HOOD: So, this is going to
10 be sort of summary of your BCT that we're going to
11 get?

12 MR. RON LEVY: Well, a summary of
13 the unresolved -- we're going to focus on the
14 unresolved comments here. Okay?

15 MR. RON HOOD: Okay.

16 MR. RON LEVY: Unless there is some
17 reason y'all want to go down the road of the resolved
18 ones.

19 MR. RON HOOD: Anymore comments on
20 this particular issue?

21 MR. BART REEDY: I would really
22 like to thank you all for the interest that you've
23 shown in this. And I'm sure the Army is likewise

1 grateful.

2 MR. RON LEVY: Yeah, please, nobody
3 taken aback by my concern about this. In fact, this
4 is good, because I like to see the RAB, you know, get
5 fired up about issues. I mean, it's obvious that
6 we've not been as emotional as some of the RABs I've
7 heard about over some issues, so it's good that you
8 want to jump in, honestly, I do like that, and
9 participate. So, don't take me wrong. I just want to
10 make sure we understand what we're talking about and
11 that we're not just talking about a separate meeting.
12 And I got all that. I'm with you.

13 MR. CHRIS JOHNSON: Ron, I've got
14 one question on your status update, just to clarify,
15 because there is a lot of other stuff that's happened,
16 and I'm not sure what was wanting to be reported, but
17 I wrote down --

18 MR. RON LEVY: We just tried to
19 capture the big issues.

20 MR. CHRIS JOHNSON: Because we
21 don't have any of our no further actions on there or,
22 you know, stuff on SI reports or --

23 MR. RON LEVY: Yeah, some of that's

1 --

2 MS. LISA KINGSBURY: A lot of that
3 we've got comments from you, but we don't have
4 comments from Bart, so it's not really a no further
5 action until we've got concurrence from both of you.

6 MR. BART REEDY: You've got the
7 pistol ranges.

8 MS. LISA KINGSBURY: Yeah, we did
9 get that.

10 MR. BART REEDY: Which ones are
11 still out there?

12 MS. LISA KINGSBURY: All of them.
13 I've got comments from you on some and comments from
14 Chris on others, but there's only like one or two that
15 I have both of them.

16 MR. CHRIS JOHNSON: So, anyway,
17 y'all are planning on putting that on there?

18 MR. RON LEVY: Truly, some of that
19 stuff didn't come out during this mailing, because the
20 mailings go out way before --

21 MR. CHRIS JOHNSON: Okay, that's
22 all I wanted to know.

23 MR. RON LEVY: So, eventually,

1 we'll pick some of that up.

2 MR. BART REEDY: And some way or
3 another the folks that aren't here today are going to
4 be apprised of the issues at hand and the timeliness
5 of their involvement?

6 MR. RON LEVY: Yeah. We will send
7 the mailings out to everybody. We'll try to block it
8 out in a separate note that says, yes, we're doing
9 something different here to discuss -- discuss this.

10 MS. LISA KINGSBURY: We'll do a
11 special meeting.

12 MR. RON LEVY: We'll do a special
13 meeting memo, yeah.

14 MR. RON HOOD: So, you're going to
15 take care of notifying --

16 MR. RON LEVY: Yes.

17 MR. RON HOOD: How about these
18 things, to let them know that they're available to
19 pick up how?

20 MR. RON LEVY: In fact, we can mail
21 them to the missing members, can we not?

22 MS. JOAN McKINNEY: Just so the RAB
23 knows, members that are not here always get it mailed

1 to them within the next day or so after the meeting.

2 So, we always do a mail-out for items.

3 MR. RON HOOD: I didn't know.

4 MS. JOAN McKINNEY: So, yeah,
5 they're going to get them.

6 MR. BART REEDY: You might put a
7 flag on these things to, you know, perk their little
8 ears up.

9 MR. RON LEVY: And a lot of you've
10 been getting notified unofficially for these meetings
11 or actually just as a reminder through E-mail. If you
12 like that, we can do things like that, too.

13 MR. RON HOOD: Yeah, that's
14 appreciated.

15 MAYOR KIMBROUGH: I've got a new
16 E-mail. I need to give it to you.

17 MR. RON LEVY: Okay.

18 MAYOR KIMBROUGH: May I ask a
19 question?

20 MR. RON LEVY: Yes, sir.

21 MAYOR KIMBROUGH: On these maps,
22 target pick, is that just where they have tested?
23 Have they tested them or --

1 MR. RON LEVY: I'm sorry, which map
2 are you looking at?

3 MAYOR KIMBROUGH: On this green --

4 MR. CHRIS JOHNSON: No, what that
5 is is where they did the geophysical survey and that's
6 where they would -- they're putting target pick is
7 where they think is maybe likely UXO.

8 MAYOR KIMBROUGH: Oh, okay.

9 MR. CHRIS JOHNSON: There has been
10 no digs there.

11 MS. LISA KINGSBURY: That's on the
12 bypass, though, isn't it?

13 MR. CHRIS JOHNSON: Yeah, that's
14 where all the prove-out stuff went on, up around the
15 Summerall Gate. But most of those you're looking at,
16 especially in that grid, part of that grid is sitting
17 in the M-2 and they never -- they only geophysical'ed
18 it. They never did any intrusive sampling.

19 MR. RON HOOD: Isn't this more just
20 like there is metal there of some sort --

21 MR. CHRIS JOHNSON: Right.

22 MR. RON HOOD: -- we don't know
23 what it is?

1 MR. BART REEDY: Exactly.

2 MR. PETE CONROY: How much do you
3 think could be naturally occurring?

4 MR. BART REEDY: A good percentage
5 of it could. How much could be an old trash heap from
6 way back yonder where.

7 MR. PHILLIP STROUD: I want to
8 share a real-life experience with this. It may bring
9 to light exactly what Chris and Bart have brought up
10 in their concerns. Previous employment, I was a
11 consultant, and I had worked up at the Redstone
12 Arsenal. We were in the area that this was done. And
13 I'm a hydrogeologist, I'm very familiar with this, and
14 I've used these instruments before, and I've used
15 other types of equipment, down-hole geophysics, and
16 geophysical surveys. We get maps like this. And we
17 went back out, after we've had some kind of 95 percent
18 confidence that we felt that the area was clean. And
19 then we went out as a -- we brought our drilling crew
20 out, the first thing, the first hole we popped down,
21 we pull up a mustard bomb. So, there it is on the
22 ground. So, we found a whole new area that created a
23 new problem. You just never know. It scared us to

1 death. And this happened again.

2 So, Redstone Arsenal is a classic
3 example. And I see these things here. And we were in
4 areas where we did not see an anomaly. And then we
5 came out with another geophysics and then all of a
6 sudden we saw new anomalies.

7 It depends on how you tweak it up,
8 like he was explaining. Which brings up those issues,
9 how clean is clean? You know if they go out and tell
10 you, there is a hundred bombs hidden under this table,
11 we're 95 percent confident we've gotten, you know, but
12 we left five of them, would you still walk across it
13 or dig a trench across it?

14 Those are the things I think about. And
15 when you come up to real-life situation like I did,
16 you know, you rethink these issues and then you go
17 back to what they're saying and then you go back and
18 look at the new anomalies, again, it's an experience.

19 MR. RON LEVY: That's why it takes
20 us -- it's just a long period of time to go through
21 these investigations. You know, the need to get land
22 back in the community's hands is obviously important,
23 but you know, we really don't want to make a mistake

1 in the process of --

2 MR. BART REEDY: Absolutely.

3 MR. RON LEVY: -- investigating.

4 And the push to get land in the hands is not
5 necessarily of benefit to the community. Sometimes we
6 end up transferring property that --

7 MR. FERN THOMASSY: Yeah, you don't
8 want to do that, but we're back to what we were
9 talking about a year ago. And I repeat, there is no
10 technology out there is going to solve this problem.

11 MR. PHILLIP STROUD: I haven't seen
12 any, yet.

13 MR. FERN THOMASSY: It will help
14 you go through and sift the dirt, but the only way to
15 get a 100 percent assurance to some depth is to
16 physically sift all the dirt down to that level.

17 MR. RON LEVY: Absolutely.

18 MR. BART REEDY: And then --

19 MR. FERN THOMASSY: And then check
20 it and then say, okay, down to four feet, over this
21 acreage, yeah, it's clear.

22 MR. PHILLIP STROUD: I have tried
23 to pincushion an area, an acre, we pincushioned it, we

1 could never get to twelve feet below ground surface.
2 We were always called off to try another depth. And
3 it's mind boggling.

4 MR. BART REEDY: But the point is
5 that at some point, as you've said, that the
6 technology's just not there. Well, one of the things
7 that -- yeah, Chris, who, one of the things that Phil
8 and I want to know is try some -- as Chris said, get
9 some feedback from you guys. What do you want to see
10 happen here?

11 MR. CHRIS JOHNSON: Knowing the
12 constraints.

13 MR. BART REEDY: That's right. So,
14 I am really pleased that you guys are as interested as
15 you are.

16 MAYOR KIMBROUGH: Knowing the
17 danger factor, also.

18 MR. FERN THOMASSY: You brought it
19 home, because we can talk about 95 percent and 98
20 percent confidence, but if there is two bombs
21 somewhere under this table, you find out how many
22 people would want to walk across it. Might have some
23 idiots that would go ahead and try it, but how many

1 people really sanely should and should we expect
2 property to be turned over to under those conditions
3 to --

4 MR. PHILLIP STROUD: Exactly.

5 MR. FERN THOMASSY: -- to people
6 that are going to develop it and be there for decades
7 to come.

8 MR. RON LEVY: And we will tell the
9 community as we go through this, are you willing to
10 accept the 2 percent? You know, if we get through
11 with a 98 percent confidence level, are you willing to
12 accept the 2 percent? Is the Army willing to transfer
13 it in that state, as well, because it's not just a
14 community issue, it's a liability issue on the Army,
15 too. And part of the means that we go down to ensure
16 that we are protected is through these controls that
17 we've been working out.

18 MR. BART REEDY: Absolutely.

19 MR. CHRIS JOHNSON: That's why land
20 use control is so important.

21 MR. RON LEVY: That's actually an
22 out to -- a means to get to the end, putting the
23 controls in place so you can get reuse on the

1 property, yet still be protective of the community so
2 that they don't do something stupid, because what is
3 it that the boss (phonetic) says, the guy had a sense
4 of humor, there is that dufus factor, somebody will do
5 something stupid.

6 MR. FERN THOMASSY: Oh, Murphy was
7 an optimist.

8 MR. RON HOOD: I keep looking at
9 the clock and seeing we're about an hour and a half
10 into our meeting now and we have a special meeting to
11 discuss this in depth, so, do we have anymore comments
12 to close it or anything from the audience?

13 MR. FERN THOMASSY: Good
14 discussion.

15 MAYOR KIMBROUGH: On that issue?

16 MR. RON HOOD: On this M-2 issue
17 and the UXO is primarily, I know that's what we're
18 going to discuss with this special meeting, too.

19 MR. FERN THOMASSY: Or is it OEs?

20 MR. RON HOOD: I'm sorry?

21 MR. FERN THOMASSY: I didn't have
22 to bring that up, too, did I?

23 MS. LISA KINGSBURY: It's going to

1 be brought up during the next meeting. You've already
2 been reading, I can tell.

3 MR. RON HOOD: I've already asked
4 one time for audience comments.

5 MR. RON LEVY: Okay.

6 MR. RON HOOD: Anything else? I'm
7 ready to go, guys, are you?

8 MAYOR KIMBROUGH: I know y'all are,
9 but can I ask --

10 MR. RON HOOD: Okay, go ahead.

11 MAYOR KIMBROUGH: And this doesn't
12 have anything to do with us in a way, but I have
13 gotten some communications from retired military on
14 the cemetery. Can you tell me with the Corps of
15 Engineers and the transfer of the cemeteries exactly
16 --

17 MR. RON HOOD: Which cemetery?

18 MAYOR KIMBROUGH: Military, post
19 cemetery.

20 MR. RON LEVY: Let me make one
21 thing perfectly clear about the cemetery. We are not
22 transferring the cemetery. We're not transferring --
23 it's going to stay federal property. What we are

1 going to do is work out a means for a new -- for a
2 proprietor to come in and operate that cemetery, still
3 insuring that the military piece gets done in the way
4 -- gets done in the manner that it's supposed to, you
5 know, because right now all we're putting in, I think,
6 is the spouses in that cemetery. But they're not
7 going to actually transfer the property.

8 Part of that deal will allow twelve
9 acres in and around that cemetery to be given as part
10 of, you know, okay, will you operate the cemetery if
11 we give you twelve acres around -- I'm trying to
12 simplify this -- in and around the cemetery, and then
13 continue to operate it. And you will be required to
14 operate it in accordance with the Army's standards for
15 operating a military cemetery.

16 So, that's still going to be there.
17 We're not giving away that cemetery to anybody. What
18 we're going to do is we're going to retain it, but
19 there will be another proprietor who will be
20 responsible for operating it for the Army, because the
21 Army won't be here. And part of the deal is, we'll
22 give you twelve acres over and above that to operate
23 the cemetery for us. You know, Paul, did I answer --

1 capture that right? Would you --

2 MS. KAREN PINSON: That additional
3 twelve acres would be for normal civilian (inaudible)
4 --

5 MR. RON LEVY: They would get that.
6 That part would be transferred to them.

7 MAYOR KIMBROUGH: Civilian?

8 MS. KAREN PINSON: -- private,
9 private, non-military.

10 MAYOR KIMBROUGH: And are you going
11 to charge the military for maintenance and all that
12 kind of stuff?

13 MR. RON LEVY: No, no. Those
14 requirements. But you got to also understand that
15 that military cemetery right now, in terms of any more
16 interments, unless you're a spouse being buried with
17 your husband, there really isn't anymore room in
18 there. So, they will have to operate and maintain
19 that cemetery. And if there is a spouse who qualifies
20 or somebody who qualified to go in that cemetery, then
21 they will get the same requirements or same honors and
22 the same pay or same things that will be done as we
23 normally do for interments. So, it's not going to be

1 charged back to the public. Anything outside of that
2 would be different, but there won't be any new
3 interments, as I understand it.

4 MAYOR KIMBROUGH: Thank you.

5 MR. RON LEVY: Oh, and part of
6 that, what they're trying to do -- and again we're
7 still going out -- is part of that is, we give you the
8 twelve acres, we also want you to maintain the POW
9 cemetery, as well, and keep it up to standards.

10 MR. RON HOOD: And that will remain
11 federal, also?

12 MR. RON LEVY: That will remain --
13 both of those pieces of property will remain federal,
14 but the twelve acres in and around that cemetery,
15 which they can use to do other interments outside the
16 military, will be part of that deal. And I hope I
17 made that clear to you. But I tell you what I could
18 do is I could send you some information on it, because
19 I do have some information and I could send it to you
20 by E-mail.

21 MAYOR KIMBROUGH: Like I say, there
22 was a letter that came and there was some concern, you
23 know, and you've explained some of it and some of it

1 you haven't.

2 MR. RON LEVY: Let me send you the
3 information I've got on it, and I'll send it to you by
4 E-mail.

5 MS. LISA KINGSBURY: Can you fax us
6 your letter?

7 MAYOR KIMBROUGH: Ma'am?

8 MS. LISA KINGSBURY: Can you fax us
9 your letter and maybe we can help you out?

10 MAYOR KIMBROUGH: If I've still got
11 it. If I can uncover it on my desk.

12 MR. RON LEVY: I've got some very
13 specific information in terms of what it is they're
14 going to do, so let me send that to you. If you get
15 any questions, you can answer them. But the bottom
16 line is, that property is not being given away. It
17 will be retained --

18 MAYOR WILLIAM KIMBROUGH: It wasn't
19 the given away. The aspect of concern was that was
20 the military still going to uphold their commitment
21 that they had given to these retirees. And, you know,
22 this has been an issue in lots of other areas, also.
23 And I have some concern, you know, if that obligation,

1 you know, was not going to be upheld that was given to
2 these folks, because they've been reneged on on
3 several other areas, you know --

4 MR. RON LEVY: And the answer I'm
5 giving you is, yes, we intend to do that, that very
6 thing, maintain the cemeteries and as well as anymore
7 interments will be paid for and taken care of by the
8 military.

9 MAYOR KIMBROUGH: Okay.

10 DR. BARRY COX: One other quick
11 one, just a question. Maybe Joan could answer this.
12 Are there people that we should review whether or not
13 they're attending enough meetings to remain on the
14 RAB? We could look at that next time.

15 MS. JOAN MCKINNEY: We can look at
16 that next time, yeah. I was looking at that myself,
17 because I have the roster here. And we'll pull out
18 the bylaws, because you all had some discussion with
19 that the last time and you have a prerogative to raise
20 it and determine, you know -- we have two folks that
21 haven't been here in four months and we haven't heard
22 from them one way or the other during that period of
23 time.

1 MR. RON LEVY: If it would help,
2 Barry, I would be glad to send a letter out saying,
3 you know, your attendance has been missed and --

4 DR. BARRY COX: I think that would
5 be good.

6 MR. RON LEVY: -- and we would like
7 to see you start attending, see if that makes any
8 difference.

9 DR. BARRY COX: Absolutely.

10 MR. PETE CONROY: Does that come
11 from you or Ron?

12 MR. RON LEVY: Either or, Ron or
13 myself could sign it.

14 DR. BARRY COX: Either way, Ron
15 will sign it, right?

16 MR. RON HOOD: Yeah.

17 MR. PETE CONROY: Ron and Ron. I
18 have a request. I would like to have a complete set
19 of duds, because some day we will have an exhibit and
20 we're going to have to teach the public about
21 unexploded ordnance.

22 MR. BART REEDY: Good idea.

23 MR. PETE CONROY: And at this

1 stage, not five years from now, it's going to be hard
2 to have the duds that were actually dug up from this
3 piece of property. And so I would like to kind of put
4 in a -- plus, Barry could use them in his class work
5 and I can use them in my educational work. But I
6 would like to, at this stage, request a complete set
7 of duds.

8 MR. RON HOOD: And say, basically,
9 if you see anything like this, don't touch it.

10 MR. RON LEVY: Without committing
11 to that, can I just tell you, I'll get back with you
12 on that and see what I can do and what I can't?

13 MR. BART REEDY: Excellent idea.

14 MR. PETE CONROY: Certainly, we can
15 arrange for this somehow.

16 MR. RON LEVY: Let me look into it.
17 There may be some safety issues because --

18 MR. PETE CONROY: Well, you
19 wouldn't have brought them to our last meeting, you
20 know, if there was a lot of safety issues, you know.

21 MR. RON LEVY: I know, but they
22 were handled by a UXO person who knew what they were.
23 If I can get them released, certainly, I'll do that.

1 MR. RON HOOD: I'm sure he wants
2 inert ones.

3 MAYOR KIMBROUGH: We could probably
4 scan around the community and fine some. As a matter
5 of fact, I might still have one or two.
6 (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 25th of April, 2000.

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SAMANTHA E. NOBLE

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Notary Public in and for

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Alabama at Large

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14 MY COMMISSION EXPIRES: 11-14-2001.

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