

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 28th day
of February, 2000, commencing at approximately 6:30
p.m.

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1 MR. RON HOOD: Pete Conroy? Ike
2 Brown?
3 MR. IKE BROWN: Here.
4 MR. RON HOOD: James Buford?
5 Barry Cox?
6 DR. BARRY COX: Here.
7 MR. RON HOOD: Donald Cunningham?
8 MR. DONALD CUNNINGHAM: Here.
9 MR. RON HOOD: Jerome Elser?
10 MR. JERRY ELSER: Here.
11 MR. RON HOOD: Dr. Mary Harrington?
12 Ron Hood? Mayor William Kimbrough?
13 MAYOR WILLIAM KIMBROUGH: Here.
14 MR. RON HOOD: Margarette
15 Longstreth? James Miller? Fern Thomassy?
16 MR. FERN THOMASSY: Here.
17 MR. RON HOOD: Tom Turecek?
18 Charles Turner? Bobby Weston? And, of course, we've
19 got Ron Levy. Chris Johnson?
20 MR. CHRIS JOHNSON: Here.
21 MR. RON HOOD: And I don't see
22 Bart Reedy.
23 MR. RON LEVY: No, he's not here.

1 MR. RON HOOD: If you'll take a
2 moment and take a look at the minutes. We don't have
3 a quorum, so we really can't vote on them, but,
4 please, let me know if you see any --

5 MR. FERN THOMASSY: I'm in there.

6 MR. RON LEVY: So, you were there.

7 MR. FERN THOMASSY: I'd say that
8 evens things up.

9 MR. RON HOOD: Speaking of the
10 postal problems, I did get my letter the next day.

11 MS. LISA KINGSBURY: Oh, did you?
12 (WHEREUPON, there was discussion off the record.)

13 MR. RON LEVY: We do apologize for
14 that, because that was our fault. Everybody get their
15 mailings on time this time?

16 Fern wasn't here at the last
17 meeting.

18 MR. FERN THOMASSY: I sure was.

19 MR. RON LEVY: I thought you said
20 you weren't. I don't remember.

21 MR. RON HOOD: You can argue with
22 my roll call here.

23 MR. FERN THOMASSY: You're talking

1 about the one where the guy briefed the UXO?

2 MR. RON LEVY: Yes, yes.

3 MR. FERN THOMASSY: And the one I
4 just gave you the thing I wasn't here on. He's trying
5 to cut me out.

6 MR. RON LEVY: That one I knew you
7 weren't.

8 MR. FERN THOMASSY: You knew I
9 wasn't?

10 MR. RON LEVY: You weren't.

11 MR. FERN THOMASSY: I was.

12 MR. RON HOOD: Anyone see any
13 problems with the minutes as written? We can't
14 approve them. We seem to keep having the same problem
15 over and over again, that there is not enough people
16 here for a quorum. We should have written the minutes
17 to say if we have two people here we can do it.

18 Let's see, and by the same token,
19 the members, new members we were trying to look at
20 last time, we still have that same problem, unless we
21 have some more people show up later. So, I guess I'm
22 going to hand it over to you for the JPA update that
23 you've got.

1 MR. RON LEVY: Well, let me
2 introduce Craig first. Craig Branchfield --

3 MR. CRAIG BRANCHFIELD: Right.

4 MR. RON LEVY: -- works for
5 Solutia, took over for Alan, is doing -- what is
6 exactly your title, remedial action --

7 MR. CRAIG BRANCHFIELD: Manager of
8 remedial project.

9 MR. RON LEVY: And although Craig
10 is not really officially part of the board, he's
11 looking to see whether or not he cannot slide into
12 Alan's old slot, based on some discussion he had with
13 Pete Conroy about it. So, it's a consideration for
14 the board. And we'll have a point in the meeting
15 where we talk about election of new RAB members to
16 discuss that, but I wanted to introduce him.

17 I don't know if you wanted to go
18 around the room. Who have we got here that's new?
19 Miki, you can slide up to the table here in Kenny's
20 spot. You're going to be --

21 MS. MIKI SCHNEIDER: I was enjoying
22 sitting next to Paul, but okay.

23 MR. RON LEVY: I would assume that

1 Miki is going to be probably the fixture from the JPA.

2 MS. MIKI SCHNEIDER: I'm the
3 fixture.

4 MR. RON LEVY: And Kenny probably
5 won't be attending the meeting.

6 MS. MIKI SCHNEIDER: No.

7 MR. RON LEVY: So, we'll change
8 that, as far as the ex officio member will be you.

9 MS. MIKI SCHNEIDER: It's -- we
10 swap. If you want one consistently, we can arrange
11 that, too.

12 MR. RON LEVY: And I guess we can
13 introduce who's here. Most folks you know out of my
14 office. But Gary, you might want to introduce
15 yourself.

16 MR. DON CUNNINGHAM: I have a guest
17 here.

18 MR. RON LEVY: Okay.

19 MR. DON CUNNINGHAM: Mr. Gary
20 Stratton, a retired chemical officer. And I think he
21 knows most everybody here. He worked with everybody
22 at one time or another.

23 MR. GARY STRATTON: Appreciate

1 being here. Here as a listener.

2 MR. PAUL JAMES: Paul James from
3 the environmental office.

4 MR. BOB DAFFRON: Bob Daffron
5 Alabama National Guard.

6 MS. KAREN PINSON: Karen Pinson,
7 environmental office.

8 MR. BILL SHANKS: Bill Shanks from
9 the environmental office.

10 MR. BILL GARLAND: Bill Garland,
11 U. S. Fish & Wildlife Service.

12 MR. RON LEVY: Okay, Miki.

13 MS. MIKI SCHNEIDER: Yes, sir.

14 MR. RON LEVY: You're on.

15 MS. MIKI SCHNEIDER: Thank you.

16 Ron asked that I come here tonight and brief you on
17 where we are. You all know that we've finished the
18 master lease area. I don't see a map in here, but the
19 master lease was approved January the 15th or 18th, I
20 think it was, and we are now on to looking at the Cat
21 7 property to determine which parcels we will need to
22 have available first, based on the interest that has
23 been shown to us on specific buildings. And this is a

1 list of the twenty-one building and sites that we have
2 on what we call -- Mr. Whitley calls his open-me-first
3 list, the buildings that we will want to see have a
4 FOST on as soon as possible.

5 I can just run down each one of
6 these, if you would like, with some brief
7 explanations. The first building is the vet clinic
8 and the dog run facility, which I think you have a map
9 of tonight in your packet. Right, Ron?

10 MR. RON LEVY: The -- which --

11 MS. MIKI SCHNEIDER: Yes, you do.

12 And this area will be transferred to Auburn and it
13 will be used as a life use for the dog training
14 facility.

15 The vehicle maintenance building,
16 which is building 350, which is the large industrial
17 building back on the -- over by the railroad tracks is
18 probably -- it is clearly the building we get the most
19 calls about and we find ourselves showing more than
20 any other property. And we have had -- I think we'll
21 probably be able to turn that building as soon as we
22 can get it in control.

23 The Berman Cottage, we have Berman

1 Cottage was finally signed off and cleared last week.
2 And we've had an interest by the -- I can't remember
3 -- it's one of the federal agencies that would like to
4 rent this facility for a six-month time period. And
5 we're trying to get that up and running so that we can
6 use that. The rest of the buildings are mostly large
7 buildings, all the way down to 143, where we have had
8 people who have called us. Like the cold storage
9 building, we've had a restaurant chain -- a restaurant
10 here in Anniston that wants to start wholesaling their
11 products, and they're interested in the cold storage
12 building for storage of food there.

13 We've had warehouse space.
14 Wal-Mart has called us and needs some warehouse space
15 for some of their busier times of years.

16 When you get to Buckner Circle,
17 those are buildings that we have had some offers to
18 purchase on those buildings, and so we're trying to
19 get those cleared as quickly as possible.

20 And then the three, 19, 20, and 21,
21 are basically undeveloped areas of land where we have
22 been able to sit down with Ron's people and put
23 together twenty acres, ten acres, a hundred and twenty

1 acres of clean -- of basically land that we could get
2 cleared fairly quickly that has good road access,
3 where we could bring in a small company to look at
4 doing the development. We're going to continue to

5 fine tune these -- the vacant -- trying to find more
6 areas of vacant land that we can put together a large
7 parcel as we -- in the next -- in the coming weeks.

8 And that's basically a rundown on
9 those buildings. If you have questions about
10 specifics, I will try and answer for you.

11 MAYOR WILLIAM KIMBROUGH: Buckner
12 Circle, are those residences or are those some --

13 MS. MIKI SCHNEIDER: No, sir, those
14 are the barracks buildings across from 161. And I
15 believe the only problem there, Lisa, is the lead in
16 the attic on those, Buckner Circle, the big barracks
17 buildings?

18 MS. LISA KINGSBURY: Oh, I don't
19 know. I would have to go look up the parcel number.

20 MS. MIKI SCHNEIDER: Okay, I think
21 --

22 MR. CHRIS JOHNSON: No. You got
23 two issues, you got the indoor pistol ranges up in the

1 attics on them --

2 MS. MIKI SCHNEIDER: Right.

3 MR. CHRIS JOHNSON: -- but then
4 there is also -- I believe with 140 -- is it 143 where
5 we had a tank up in that area?

6 MS. LISA KINGSBURY: Let me go get
7 a table real quick.

8 MS. MIKI SCHNEIDER: Is there a UST
9 in --

10 MR. CHRIS JOHNSON: Yeah.

11 MR. PAUL JAMES: I think one was a
12 former printing plant.

13 MR. CHRIS JOHNSON: Right, there
14 was a printing plant in the basement.

15 MR. PAUL JAMES: There was a
16 printing plant in the basement of one of the
17 buildings.

18 MR. CHRIS JOHNSON: But as far as
19 the indoor -- the pistol ranges, we've already looked
20 at it and that's pretty much ready for the no-further
21 action. They've already completed the removal, so
22 that's -- that's not going to hold it up really, it's
23 just the SI data for the tank and the print plant

1 stuff.

2 MS. MIKI SCHNEIDER: Print plant.

3 MS. LISA KINGSBURY: Yeah, 171's a
4 print plant at building 144. What were the other
5 parcel numbers?

6 MS. MIKI SCHNEIDER: 143.

7 MR. CHRIS JOHNSON: 37 is the UST.

8 MS. LISA KINGSBURY: 143?

9 MR. PAUL JAMES: 138-7 and 37-7.

10 MS. LISA KINGSBURY: Parcel 143?

11 MR. PAUL JAMES: No 138-7 and 37-7.

12 MS. MIKI SCHNEIDER: Oh, you're
13 giving her parcel numbers. I was giving her building
14 numbers.

15 MR. RON LEVY: We're tracking by
16 parcel numbers.

17 MS. MIKI SCHNEIDER: Sorry.

18 MS. LISA KINGSBURY: Yeah, then you
19 got a (inaudible) in building 144, that's parcel 138.

20 MS. MIKI SCHNEIDER: Okay.

21 MS. LISA KINGSBURY: And then 37.

22 MS. MIKI SCHNEIDER: That's a UST.

23 MR. RON LEVY: I think both of

1 those are.

2 MS. MIKI SCHNEIDER: Yeah.

3 MS. LISA KINGSBURY: Yeah, parcel
4 37 is a UST. So, you got print plants and a UST.

5 MR. RON LEVY: I can tell you from
6 what we know of these pieces of property, at this
7 point -- and of course, everything needs to be --
8 everything needs to be finalized in terms of the SI,
9 but we don't know of anything coming out, out of these
10 sites that should result in additional work. Now, I
11 say that knowing that we have not completed the SIs.
12 But from the field data that we've got to this point,
13 we don't believe there should be any holdups, in terms
14 of finalizing the SIs and going to a no-further
15 action. Unless Chris knows something I don't or Lisa.

16 And that's the good news; so we
17 followed the process, we should be able to allow these
18 to drop out and make them available for the community.

19 One thing I do want to point out
20 are the dates you see there on the SI draft report,
21 the SI final report, since the time that this was done
22 has slipped a little. I don't know that the -- I
23 don't have new dates for you. But it's -- there has

1 been -- there is about two months difference from what
2 we originally started -- originally defined our SI
3 draft reports. So, this could push back another two
4 months. And I can't actually give you the dates, the
5 new dates, yet. We're developing them.

6 MS. MIKI SCHNEIDER: I would say
7 that just in general, we're working with about two
8 dozen people right now, actively at McClellan, and
9 have a lot of interest. The phone rings daily, people
10 tell us about what's going on. This week, two
11 engineering companies this week that are coming out to
12 look for clients, and we're in the process of putting
13 together a scope of work to do a transportation study
14 out here to do analysis on the roads and to give us a
15 good understanding of what it's going to take to bring
16 the roads up to county standards so that we can have
17 them accepted by the city.

18 MR. FERN THOMASSY: Ron, a
19 question. On that date for the final report, does
20 that mean when the Army gets a final report done, and
21 that's then the date you would submit it to the State
22 --.

23 MR. RON LEVY: Right.

1 MR. FERN THOMASSY: -- and EPA?

2 MR. RON LEVY: That's not a
3 complete document, that is a --

4 MS. LISA KINGSBURY: State and EPA
5 will get the draft report to review and comment on and
6 then we'll incorporate their comments and then issue
7 out the final.

8 MR. RON LEVY: Is that what --

9 MR. FERN THOMASSY: And then it
10 goes back for their final approval?

11 MR. CHRIS JOHNSON: Right.

12 MS. LISA KINGSBURY: Yeah, but that
13 doesn't take but a couple of days.

14 MR. FERN THOMASSY: What I'm
15 getting at is: When is that property then available?

16 MR. RON LEVY: We expect to issue
17 an NFA at the time of the final report. So, the date
18 that you see final report, we're expecting -- if it's
19 an NFA, we expect to issue an NFA at the same time and
20 hopefully get both the State and EPA to sign off on it
21 at that time, as well.

22 MR. FERN THOMASSY: Okay.

23 MR. DON CUNNINGHAM: Now, a

1 question relative to this. We had a high-level
2 meeting here last week. I was surprised we didn't get
3 a report on that. Does that apply to our work here?

4 MS. MIKI SCHNEIDER: It really
5 didn't specifically apply to your work here. It was a
6 meeting to bring all of the parties together from
7 ADEM, EPA, the JPA, the Army, the Army Corps of
8 Engineers, and our state legislators -- excuse me, our
9 Congressmen and Senators, to just bring them up to
10 speed to -- they asked us what do we need, how can we
11 help you, where are you going with certain issues.

12 We made it clear that UXO was a big
13 concern and that was something that we were going to
14 be looking very closely at. And they looked at the
15 master lease map and looked at the fact that the map
16 -- the area involved in the master lease is clean and
17 we can develop that now. The area outside the master
18 lease has -- is where we have to do the cleanup work.
19 And I think answered a lot of questions in people's
20 minds that had not been closely involved in the
21 process and weren't sure what was going on and why
22 things were not moving as quickly. And I think we --
23 it was a good meeting.

1 MR. DON CUNNINGHAM: Do you
2 anticipate a greater degree of a Congressional support
3 for businesses and industries at the national level?
4 In other words, in their position, they are in a
5 position to certainly push a lot of these things.

6 MS. MIKI SCHNEIDER: And they
7 offered their support to us at that meeting, very
8 loudly.

9 MR. DONALD CUNNINGHAM: Good.

10 DR. BARRY COX: I guess my question
11 being -- and I've already mentioned this to Ron -- is
12 that since there were a significant number of
13 environmental issues brought up at this meeting, there
14 was a question of why wasn't the RAB invited?

15 MS. MIKI SCHNEIDER: Mr. Clark,
16 Army -- what's his title, secretary --

17 MR. RON LEVY: Principal
18 Undersecretary Defense for Installation or Environment
19 was his title.

20 MS. MIKI SCHNEIDER: -- set the
21 agenda and invited the people that attended. It was
22 his meeting.

23 MR. RON LEVY: It was top driven

1 and it was -- really, the intent of the meeting was to
2 help the community, in this case, the JPA, find ways
3 to expedite the cleanup.

4 MS. MIKI SCHNEDIER: And help them
5 understand it.

6 MR. RON LEVY: And Barry Cox and I
7 did have a discussion on that. I, who represents the
8 installation and the Army here, did not have the
9 opportunity to invite anybody. It was not -- it was
10 not in my hands to do that. However, I did, after
11 talking with Barry, try to get a hold of Pete. And
12 Pete did show up, Pete did show up to the meeting --
13 it was towards the latter part of the meeting -- and
14 did participate. And I think Mr. Clark recognized him
15 as a RAB member --

16 MS. MIKI SCHNEIDER: He did.

17 MR. RON LEVY: -- as part of that.
18 So, there was some input, if you consider Pete
19 representing the RAB, there. However, I mean, that
20 was kind of as a hindsight.

21 DR. BARRY COX: And I guess the
22 question is: Since it came from the top of Army, does
23 that then indicate that they don't see the RAB as --

1 MR. RON LEVY: No, sir.

2 DR. BARRY COX: -- having a major
3 role in this then?

4 MS. MIKI SCHNEIDER: No, the RAB is
5 --

6 MR. RON LEVY: No, sir, not at all.
7 In fact, it was discussed -- the point was made
8 several times that the RAB's advice to the community
9 was key and critical. I mean, I heard that from
10 Mr. Clark, as well, that they were a player in
11 defining cleanup. So, no, the RAB was certainly not
12 overlooked, other than --

13 DR. BARRY COX: Not being invited.

14 MR. RON LEVY: -- not being
15 officially invited, as I know it.

16 MS. MIKI SCHNEIDER: To be honest,
17 I did not -- the JPA staff did not even know if we
18 were invited until like about three days before the
19 meeting, four days before the meeting. The list came
20 out and Mr. Hanner's name was on it, Mr. Whitley, but
21 the staff was not there. So, it was an unusual
22 meeting, from that standpoint.

23 MR. RON LEVY: I think there was a

1 lot of information provided to the JPA on things that
2 were done at other installations to speed up the
3 process. It was more of a meeting to speed up the
4 process instead of looking at things particular to
5 cleanup. They used examples from Fort Ord, they used
6 examples from other locations out in California --

7 MS. MIKI SCHNEIDER: Presidio.

8 MR. RON LEVY: -- Presidio. There
9 was some financing, remediation financing which was
10 talked about which is a privatization issue.

11 MR. CHRIS JOHNSON: I think
12 privatization was the theme of the meeting, Fort Ord
13 and Presidio, they had done a little privatization
14 work out there. And at least most of the
15 presentations were talking about privatization, where,
16 you know, let's -- for example, the JPA is willing to
17 take on the property and the cleanup and the
18 responsibility of the cleanup as a FOSET, dirty
19 transfer. And we -- the regulators actually deal with
20 him. The Army's off in the background just funding
21 the money.

22 And then after it's cleaned up,
23 then the Army comes back in with a 330 indemnification

1 under the covenants. But strictly as far as cleanup,
2 it's -- it's the JPA and they -- a lot of insurance
3 and things involved. But there is a lot of keys to
4 dirty transfer. You know, is it faster? It's meant
5 to get deeds in their hands and get cleanups done
6 quicker, but I'm not so sure that the UXO piece was
7 ever addressed in the meeting. We -- as far as
8 privatization and UXO-contaminated property.

9 But that's what I gathered from the
10 meeting. It was strictly a political meeting. Only
11 Jim Warr, our director, was really invited by a
12 letter, so was John Hankinson with EPA.

13 MR. RON LEVY: There was another
14 underlying current going on that was -- because the
15 heads of the regulatory agencies within Region 4, Jim
16 Warr, John Hankinson, it wasn't Sam -- it was a
17 gentleman from Fish & Wildlife.

18 MR. BILL GARLAND: Sam Hamilton?

19 MR. RON LEVY: Sam Hamilton wasn't
20 there, but it was --

21 MR. BILL GARLAND: Mitch King?

22 MR. RON LEVY: Mitch King who is
23 the deputy was there. So, I mean, you had some very

1 senior folks from within the regulatory community that
2 were there. And the intent of Mr. Clark was to say,
3 hey, the community has a -- need to get this property
4 back in their hands, we need your help in getting
5 through the reviews, getting through the cleanup as
6 fast as possible. So, that was another theme. And
7 everybody said, yes, we're doing our best to do that.

8 What else can I tell you about it?

9 MS. MIKI SCHNEIDER: It was an
10 indication meeting, I think, for the higher -- for
11 some of the people in Washington that are not tied as
12 tightly to the project, and they wanted to understand
13 exactly what we're doing and where we were. And I
14 think they got a good idea of that.

15 MR. CHRIS JOHNSON: Well, too, I
16 think the message is: If you feel that the money is
17 not coming to this project like you think it should or
18 something is getting held up, you need to contact
19 Riley or Sessions or --

20 MS. MIKE SCHNEIDER: Or Clark --

21 MR. CHRIS JOHNSON: -- or Clark for
22 them to make something happen. I think that was what
23 they wanted to do was be there, you know, from their

1 level any way they could.

2 MR. RON LEVY: Yeah, the fact that
3 Congressman Riley and Senator Sessions were there was
4 to show that they meant business and wanted to make
5 sure that this was moving forward, that there wasn't
6 any impediments to the progress.

7 MAYOR WILLIAM KIMBROUGH: Who
8 called the meeting?

9 MS. MIKI SCHNEIDER: Mr. Clark.

10 MR. RON LEVY: It was generated
11 from the top DoD level down. And it was -- it was one
12 of Mr. -- and most of you know who Mr. Clark is. He
13 actually had my job when he was here a long time ago.
14 And he's certainly -- he's a good-old-boy done well
15 for himself. But he was trying his best to do what he
16 could to help the community -- that's how I personally
17 perceived it -- and still, you know, meet those
18 requirements and was trying to bring in information
19 from other cleanups or from other areas that he
20 thought may have been helpful. And, yes,
21 privatization was one of those things, actually was
22 several of those things.

23 MAYOR WILLIAM KIMBROUGH: I just --

1 MR. RON LEVY: I don't know what
2 the JPA's take on all that was. You know, I know you
3 listened. I don't know whether any of that sunk in as
4 a means for you to go, but --

5 MS. MIKI SCHNEIDER: At this point,
6 I do not think our board is leaning toward
7 privatization of the cleanup. Now, they may at some
8 point decide that that's something they want to
9 consider, but I don't see it right now.

10 MAYOR WILLIAM KIMBROUGH: It would
11 be nice if you could keep some of the mayors, other
12 than Anniston's mayor, informed about what was going
13 on. Because one concern that I have, early on we were
14 told that there would be monies that would be coming
15 down the shoot to help communities overcome the
16 displacement of people and things like this. And at
17 this point, we have not heard of any monies. Now, I
18 heard recently that the monies were allocated, that
19 there were monies there, but there was some -- you
20 know, there were some things that I would have been
21 concerned and I could have -- if I had had the
22 opportunity, as a representative of my community, to
23 bring those concerns if you did discuss anything.

1 And there is a lack of
2 communication right now between other community
3 leaders. We don't know what's going on through the
4 JPA, basically. If we could get minutes or something
5 like that.

6 MS. MIKI SCHNEIDER: Well,
7 certainly, you are welcome any time to come to our
8 meetings and the -- as far as that particular meeting
9 went, the JPA did not do the inviting.

10 MAYOR WILLIAM KIMBROUGH: I
11 understand that.

12 MS. MIKI SCHNEIDER: So that was --
13 but we have no problem -- I can meet with you one on
14 one, if you want to come and let's sit down and bring
15 you up to where we are and review things with you,
16 especially, as it gets closer to your area. And I
17 don't mind doing that.

18 MAYOR WILLIAM KIMBROUGH: I used to
19 come to all the meetings until we were stonewalled and
20 I just --

21 MR. RON LEVY: You know, the funny
22 thing is I heard Gerald Powell express that same
23 concern at the meeting, from representing the business

1 side of it, that they wanted more input and more --

2 MAYOR WILLIAM KIMBROUGH: I would
3 just like to know what's going on, you know, that's my
4 concern in that. And, of course, you know, my concern
5 on the environmental issue, the reason I'm here, as I
6 looked over there awhile ago to see about the landfill
7 and how it was doing.

8 MR. RON LEVY: I think we all need
9 to go on record, and it is our forums for
10 participation from the community, the RAB is one of
11 them, the JPA has open meeting, and that's another --
12 and truly, that's the place for, you know, the
13 participation to happen. Because folks expressed a
14 concern about even cleanup, and this has always been
15 an open meeting and it's always been advertised in the
16 newspaper. And certainly, we take any and all
17 comments from the community, even though this board
18 represents the community. So, people need to
19 understand that. And I know it's difficult to get
20 that word out, but we're here, we're willing to
21 listen. Sir?

22 MR. FERN THOMASSY: As we're
23 looking at the possibility of dirty transfers,

1 privatization they talked about, we really need to
2 consider what the advantage is. And unless some
3 income producing, tax-paying industry is going to go
4 in there and utilize it quickly, I'm wondering what
5 the advantage of something like that is, because all
6 you're doing is just shifting who's in charge or
7 responsible for the use of that money and getting it
8 cleaned up. I'm trying to understand why a meeting
9 like this would spend so much time on it, because I
10 can't see in my first analysis of it the real utility
11 of it.

12 MR. CHRIS JOHNSON: Well, I think
13 we share that same ground. You know, I don't see --
14 you know, that was the first question that comes to
15 mind, how is it quicker, you know. I mean, it really
16 is just a shift in, you know, who is doing the
17 cleanup. And that's one of the -- you know, the
18 governor has, you know, the ability to stop it from
19 happening. They have to have the governor's approval
20 for a dirty transfer.

21 MR. FERN THOMASSY: Uh-huh.

22 MR. CHRIS JOHNSON: And in those
23 approvals, there is kind of a check list you go down.

1 And one of the criteria is certainly time savings. I
2 mean, that's what they're for in the first place. And
3 if you can't really demonstrate that you can, you
4 know, do it quicker than say the Army's doing it, then
5 I don't know if we would recommend to the governor
6 that, you know, it's a good thing, because we
7 certainly are for timely cleanups, as well.

8 MAYOR WILLIAM KIMBROUGH: Would it
9 change the liability? Who would be liable?

10 MR. CHRIS JOHNSON: Well, it does
11 as far as when the cleanup's going on and so forth.
12 Now, the Army, it's my understanding, after the
13 cleanup is done, they still have to come back with
14 what they call that 330 indemnification. In other
15 words, if you find anything else out here, you know,
16 call the Army and they've got to come take care of it.
17 But as far as, you know, dealing with us and doing a
18 cleanup, that liability shifts to, you know, a new
19 owner/operator, if you would.

20 MR. RON LEVY: There was two
21 different things that were going on there. There was
22 a privatization from the standpoint that the local
23 reuse authority did the cleanup and they contracted

1 it. And then there was another privatization which
2 said, somebody came in and said, based on the
3 marketability of the property, you know, if it was
4 marketable, we'll come in. And depending upon what's
5 there, we'll clean it up and sell it ourselves and
6 gain whatever profit is off of there. But the
7 property has to be marketable. There's got to be a
8 worth to that property, you know, because if they're
9 going to sink a hundred million dollars into, you
10 know, ten acres of property, then they're obviously
11 going to want to make a hundred and fifty or whatever,
12 million dollars, or whatever it is that they get back.
13 And that was a key concern, whether or not
14 Fort McClellan's property was truly marketable, you
15 know, to bring in an industry and still offset the
16 cleanup costs.

17 Part of what the LRA was also
18 looking at is that there would be liability insurance
19 coverage associated with it, where Army or the DoD
20 would also provide them dollars to pay for liability
21 insurance. So, in fact if the cleanup wasn't done
22 correctly or didn't meet all the requirements, that
23 the insurance would be in place to do that.

1 Ultimately --

2 MAYOR WILLIAM KIMBROUGH: Do I
3 understand it correctly then that they would come in
4 and they would bear the cost of the cleanup and
5 recover that through the --

6 MR. RON LEVY: Yeah, there was a
7 company called remediation financing, and that was a
8 company that was -- had spoken at this meeting. And
9 that's kind of how they proposed it. They had to look
10 at the value of the property first. And one of the
11 things that we couldn't tell them right up front on a
12 lot of the property was what the true
13 characterization, because we're still going through
14 it. So, they needed to know what they were trying to
15 clean up. And that was still an issue.

16 MS. MIKI SCHNEIDER: But they had
17 not done UXO.

18 MR. CHRIS JOHNSON: No.

19 MR. RON LEVY: And that's another
20 one.

21 MS. MIKI SCHNEIDER: And that's the
22 other -- the reason that that's not realistic to
23 expect to happen here, is this particular company has

1 not dealt with UXO, they've dealt with strictly CERCLA
2 issues. And I don't think that --

3 MR. RON LEVY: At first blush,
4 privatization by any means is not just simply
5 providing the property to somebody else and letting
6 them do the cleanup. There is a lot of things that go
7 into that.

8 MAYOR WILLIAM KIMBROUGH: Seems to
9 me like you would take some chances if you did that.

10 MR. RON LEVY: Well, and the Army's
11 got to be concerned about its liability by
12 transferring property.

13 MAYOR WILLIAM KIMBROUGH: And the
14 company no longer exists, then who does the liability
15 fall back on, if something else does, you know, come
16 up?

17 MR. RON LEVY: But there are
18 companies out there that have had experience with this
19 -- and I'm not selling anything to anybody -- who say
20 they can do it cheaper, quicker, faster type thing and
21 still deal with the regulatory agencies.

22 MAYOR WILLIAM KIMBROUGH: But that
23 would remove responsibility from the federal

1 government to fund for the thing, and that they would
2 absorb the cost, depending if they felt like -- well,
3 they going to do that, say a hundred thousand, they
4 sell it for a hundred and fifty thousand, so, they're
5 going to look at it and see if they think they can
6 recover that cost for cleanup. Now, that removes your
7 responsibility?

8 MR. RON LEVY: Not ultimately.

9 MAYOR WILLIAM KIMBROUGH: For
10 funding is what I'm saying?

11 MR. RON LEVY: Basically, yeah.
12 But, you know, the example they gave at the Presidio
13 was a fourteen hundred acre piece of property and
14 there was -- you know, there was several different --
15 you know, there was landfills and there was a spill
16 area, there was only about fourteen hundred acres, and
17 they had negotiated with DoD for about a hundred
18 million dollars in cleanup. We're talking about
19 almost twenty thousand acres at Fort McClellan here.
20 So, the cost in terms of cleanup is going to be
21 considerably different. And I got to tell you, the
22 Army is going to look hard at cost there, too. So
23 privatization, although it's nice, it's very

1 expensive.

2 MR. DONALD CUNNINGHAM: What is the
3 status of this proposal then? I'm kind of lost in
4 this --

5 MR. RON LEVY: It's up to the JPA
6 in terms of which way they go, obviously. But as Miki
7 was telling you, that --

8 MR. CHRIS JOHNSON: They would have
9 to initiate the request.

10 MS. MIKI SCHNEIDER: There is no
11 request by the JPA board right now to consider
12 privatization of cleanup. My board has not even had a
13 discussion in our board meetings about it. This was
14 just presented at the meeting last Friday, and if the
15 board chooses to bring it up and discuss it, I guess
16 they'll do it. But right now it's not even something
17 the staff is looking into. We have enough on our
18 plates trying to get --

19 MR. RON LEVY: The clean property.

20 MS. MIKI SCHNEIDER: -- yeah, the
21 clean property developed and dealing with the offers
22 that are coming in the door and the people that knock
23 on the door every day. We have not gone down this

1 path right now.

2 MR. FERN THOMASSY: Well, is this
3 something then that is only applicable to the whole
4 installation?

5 MS. MIKI SCHNEIDER: No, sir.

6 MR. FERN THOMASSY: Or can it be
7 done in smaller pieces?

8 MS. MIKI SCHNEIDER: It could be
9 done in a smaller piece, yes.

10 MR. FERN THOMASSY: Okay, because I
11 had heard him mention twenty or twenty-two thousand
12 acres. It certainly could be done in areas where
13 there was no UXO but still a need to clean up a range
14 or landfills and things like that.

15 MS. MIKI SCHNEIDER: Wasn't her --
16 the piece -- one of the pieces Milo (phonetic) was
17 talking about was twenty-five hundred acres?

18 MR. RON LEVY: Yeah.

19 MS. MIKI SCHNEIDER: She had done
20 something that large and also, you know, a smaller
21 area. So, you know, you could do thirty acres if you
22 wanted.

23 MR. RON LEVY: But as far as we,

1 the Army, you know, we're not moving in any particular
2 direction. I haven't seen anybody say, yeah, start
3 looking at privatization.

4 MS. MIKI SCHNEIDER: No, no. We
5 want to get some property leased and some jobs back
6 here and people out here, and that's where our focus
7 is right now.

8 MR. RON LEVY: Any other questions?

9 MR. RON HOOD: After looking at our
10 constitution and seeing the way it's set up right now,
11 it says that we have seventeen members -- actually
12 only have fifteen currently, and a quorum is stated as
13 just a majority of the members, and with eight of
14 fifteen, we have a majority, we have enough to do
15 business. What I would like to do is go ahead and get
16 an approval of our minutes to get that out of the way
17 and work from there. I think everybody has read it.
18 Do we have a motion to --

19 MR. FERN THOMASSY: So moved.

20 MR. RON LEVY: Do you want to
21 recognize James as being here for the record?

22 MR. RON HOOD: Yes, I've already
23 put Mr. James Buford, when he showed up he made us

1 eight, and enough to have a quorum. So, thank you.

2 But we could have a motion for acceptance of the --

3 MR. FERN THOMASSY: So moved.

4 MR. RON HOOD: Hear a second?

5 MR. JAMES BUFORD: Second.

6 MR. RON HOOD: All those in favor?

7 Any opposed? Minutes are accepted.

8 And I'm going to jump a little bit
9 out of order here on your agenda. While we have
10 enough people here, we need to take a quick look at
11 getting two new members. And I hope everybody has the
12 same ones in front of them that I do in front of me.
13 I've got --

14 MS. LISA KINGSBURY: Mayor
15 Kimbrough brought in another application I need to
16 hand out to you all.

17 MR. RON HOOD: I've got seven in
18 front of me. I guess that will be a total of eight.

19 And what I would like to do is have all of you look at
20 them as quickly as you could and see if we can't come
21 up with at least four nominees to vote on.

22 MR. RON LEVY: Can we ask the
23 question about Craig who wants to fill in for Alan

1 that's not here?

2 MR. RON HOOD: He's also one of
3 these that's on the --

4 MR. RON LEVY: Is he there?

5 MR. RON HOOD: Yes, his application
6 is in here, too. So, I'm looking at how to handle
7 that to have us voting on you as a member or not and
8 nominations with you here.

9 MR. CRAIG BRANCHFIELD: I could
10 step out if it would be more appropriate.

11 MR. RON HOOD: Well, we didn't have
12 anybody present that we were voting on as a new
13 member. This is the first time we've had that
14 situation.

15 MR. CRAIG BRANCHFIELD: I can step
16 out of the room if it would be more appropriate.

17 MR. RON HOOD: When we get ready to
18 accept nominations, we will. But right now everybody
19 is just sort of looking at the ones that are
20 available. And I apologize for doing this, but when
21 we have a quorum and are able to conduct business, we
22 need to seize the opportunity.

23 MR. CRAIG BRANCHFIELD: Understood.

1 MR. RON LEVY: What I would like to
2 recommend before we take a vote is that you open it up
3 for some discussion. And I certainly would like to
4 have my two cents, even though I'm a non-voting
5 member.

6 MR. RON HOOD: Since I only see
7 about three of you left looking at the applications,
8 I'm going to ask Craig here to step out so that we
9 could proceed with this and try to keep the meeting
10 down to some reasonable length of time and also
11 accomplish a couple of things, too.

12 First off, I would like to open up
13 for discussion of any of the nominees or any of the
14 people that have put their names forward, total of
15 eight.

16 MR. RON LEVY: I want to point out
17 Donna Fathke. She's been at the meeting before and
18 she's also a member of the East Alabama Regional
19 Planning Authority, which has a direct interest in the
20 proper development of the property out here and has
21 insight as to what's going on regionally, as well.
22 And she's been at a lot of our meetings and has a real
23 interest in doing what's right.

1 And the other person is, of course,
2 Craig, who holds the same job that Alan did for
3 Solutia. His background, his technical knowledge, in
4 terms of reviewing documents, to me, would be really
5 helpful to the RAB, because he does know about
6 cleanup, understands cleanup. That's just Ron Levy's
7 considered opinion.

8 MS. MIKI SCHNEIDER: I would just
9 add for the JPA if it's appropriate that East Alabama
10 is extremely helpful to us. They are helping write
11 our grants for transportation study and her knowledge
12 of what -- it makes a nice blend for us. Would be
13 good for her to be here.

14 MR. RON HOOD: I have to agree, I
15 think she will be a very, very good asset to this
16 board.

17 MR. DONALD CUNNINGHAM: I think in
18 our deliberations we need to attempt to get members
19 who are as compatible with the group as a whole as we
20 can possibly select those people. In some of our
21 meetings we have experienced a disruptive factor, not
22 necessarily a disruptive factor, but one that
23 dominated proceedings of our meeting to the expense of

1 everything else on occasion, and those folks who are
2 familiar with the previous, past know what I'm talking
3 about. But it is a group that we need to try to
4 retain as much interpersonal relations within the
5 group and compatibility within the group, and I think
6 that's very important.

7 MR. RON HOOD: It's awfully quiet.
8 Anymore?

9 MAYOR WILLIAM KIMBROUGH: Well, in
10 looking through these, I see three people that -- I
11 noticed one, Henry, is it Polek --

12 MR. FERN THOMASSY: Polek.

13 MAYOR WILLIAM KIMBROUGH: That he
14 had some responsibility for environmental cleanup.
15 Does anybody know anything about him?

16 MR. RON HOOD: Other than what he's
17 got down here?

18 MR. RON LEVY: No, I don't know
19 him.

20 MAYOR WILLIAM KIMBROUGH: And then,
21 of course, Mr. Branchfield has a background in there.
22 And then the one I brought in, Mr. Franklin, is an
23 engineer that's had responsibilities with several

1 different companies as far as the environmental, so
2 that was three that has some environmental --

3 MR. RON LEVY: Let me do this: For
4 the purpose of the record, the names that are being
5 considered by the board are Emory S. Polek, P-O-L-E-K;
6 Curtis F. Franklin; Henry Gilliland,
7 G-I-L-L-I--L-A-N-D; Donna Fathke, F-A-T-H-K-E; Orval
8 Q. Matteson, M-A-T-T-E-S-O-N; Monty C. Clendenin,
9 C-L-E-N-D-E-N-I-N; and William D. Thrash, T-H-R-A-S-H;
10 and the last one is Craig Branchfield,
11 B-R-A-N-C-H-F-I-E-L-D, just for the record.

12 MR. DONALD CUNNINGHAM:
13 Branchfield, did you mention him?

14 MR. RON LEVY: Yeah, that was the
15 last person.

16 MR. RON HOOD: And since everybody
17 has got these, I've sort of picked -- I've eliminated
18 four and kept four of the pile that are sort of my
19 choices to start with, which way I would go. Of
20 course, it would have to weed out two more of these.
21 I don't know if anybody else has sort of done the same
22 thing or not.

23 MS. MIKI SCHNEIDER: I was going to

1 say, do you just want to write names down and go out
2 and count?

3 MR. RON HOOD: We can. It's been
4 awhile since we've done it, so I don't --

5 MR. RON LEVY: I think the last
6 time we put it on a slip of paper, you chose the two
7 individuals -- in this case, we're choosing two
8 individuals -- put it on a slip of paper, passed it
9 around --

10 MR. RON HOOD: We can do it that
11 way.

12 MR. RON LEVY: So nobody knows who
13 you're voting for. And in that case it was Pete who
14 took it out and did the counting, so I guess it would
15 be the co-chair doing the same this time, as well,
16 unless you feel --

17 MS. LISA KINGSBURY: I think that
18 was for the co-chair things. There is nothing to --

19 MR. RON HOOD: Seems to me we
20 nominated openly and talked about it.

21 MS. LISA KINGSBURY: Yes, I think
22 last time you did.

23 MR. RON LEVY: Okay, that's right.

1 MR. RON HOOD: You're talking about
2 election of officers.

3 MR. RON LEVY: That's right. I'm
4 wrong.

5 MR. RON HOOD: Anymore discussion
6 on any of these, honestly? I would like to move it
7 along so we don't run too late. Would anyone like to
8 nominate some people?

9 MR. DONALD CUNNINGHAM: I nominate
10 Mr. Branchfield.

11 MR. RON HOOD: Mr. Branchfield. I
12 think we're all going along the same lines here. Any
13 other nominations?

14 DR. BARRY COX: Ms. Fathke.

15 MAYOR WILLIAM KIMBROUGH: Since I
16 brought it in, I'll nominate Mr. Franklin.

17 MR. FERN THOMASSY: And I would
18 nominate Mr. Polek.

19 MR. RON HOOD: Any other
20 nominations? Do I hear a motion to have them closed?

21 MR. FERN THOMASSY: So moved.

22 MR. DON CUNNINGHAM: Second.

23 MR. RON HOOD: All in favor? Any

1 opposed? We've got four nominees. And again, that's
2 Polek, I guess -- I hope I don't murder these names --
3 Franklin, Fathke, and Branchfield. And probably what
4 we need to do is just get a piece of paper or
5 something --

6 MS. LISA KINGSBURY: I'll count if
7 you want. If you want to do the first person and --

8 MR. RON HOOD: Okay, we'll do that.
9 Okay. And I just got them here in order in my hands.
10 All that would like to see Henry -- is that an S or a
11 J or what?

12 MR. RON LEVY: I said S.

13 MR. RON HOOD: Polek. I think it's
14 F. We'll just go with Henry Polek. All those in
15 favor of having Henry Polek as a member of the board,
16 please, raise their hands.

17 MS. LISA KINGSBURY: Who nominated
18 him?

19 MS. MIKI SCHNEIDER: Well, they
20 don't have to --

21 MS. LISA KINGSBURY: Yes, you don't
22 have to vote --

23 MR. RON HOOD: All of those that

1 would like to see Curtis Franklin as a member of the
2 board, please, raise their hands. And I see two.

3 All those who would like to see
4 Donna Fathke. I see six.

5 And those who would like to see
6 Craig Branchfield? I got five on that.

7 Okay, making it quickly, we've got
8 two people here unless we have any objections. I'm
9 not sure I'm running this correctly or not.

10 MR. FERN THOMASSY: Right on line.
11 Keep going.

12 MR. RON HOOD: Keep going. We're
13 making time.

14 By those votes, we had nominees of
15 four. We had vote. By that vote we have Donna Fathke
16 and Craig Branchfield as our new members.

17 Now, I'm going to ask one more
18 time: Are there any objections to that? They're our
19 new members. Bring him back in and we'll congratulate
20 him.

21 And I apologize for trying to push
22 a little faster than what we normally would.

23 MR. CHRIS JOHNSON: It's already

1 7:30.

2 MR. RON HOOD: Congratulations.

3 MR. CRAIG BRANCHFIELD: Thank you
4 very much. I'm looking forward to participating.
5 (WHEREUPON, there was discussion off the record.)

6 MR. RON HOOD: Now, we can turn it
7 back to you for awhile with what time we have left.

8 MR. RON LEVY: Yeah, let me point
9 out, old business was the ASR Plate 10, which is the
10 one thing that -- it was Pete who had asked for it.

11 MS. LISA KINGSBURY: Pete asked for
12 it.

13 MR. RON LEVY: In front of you.
14 What you have in front of you is what came out of the
15 archive search report, if y'all remember was one of
16 our documents that was leading to defining what from
17 standpoints of ordnance and CWM, in this case it
18 includes chemical warfare material, could be out
19 there. And again, this was historical research.
20 Wasn't any sampling associated to this. This was just
21 a records research. And Pete had asked to look at
22 what it is we were talking about, I guess, because
23 some of the previous discussion it was unclear as to

1 the areas being defined from an ordnance standpoint.

2 What we did is we provided you a
3 copy of the map. And then attached to that is kind of
4 a short description of what each one of those OAs or
5 QAs or -- excuse me, not QAs, but they're all OAs.

6 MR. CHRIS JOHNSON: Or an OAC.

7 MR. RON LEVY: Yeah, or AOCs are.
8 If you want to take that with you and look, if you got
9 -- or if we want to open this up for questions.

10 That area that you see directly in
11 the middle there where it says possible artillery
12 impact, as I stated before, because we don't have
13 actual lay-downs, known locations for where they might
14 have shot the artillery, that was what the Corps
15 defined as potential impact area, or possible impact
16 area, based upon the information we do have. We do
17 have some pictures showing guns pointing towards the
18 mountains and we were able to determine direction on
19 those. But that was the crux hatched area was given
20 the best guess at where it could have shot into. That
21 will be covered in the phase two and phase three of
22 our EECAs for ordnance.

23 The specific question that Pete

1 had, did he -- he's not here --

2 MS. LISA KINGSBURY: Pete just
3 wanted a copy of the map. Hank had shown it during
4 the last RAB meeting.

5 MR. RON LEVY: Is there any
6 specific questions to this that anybody wants to ask?
7 If you don't ask them now, I'll certainly bring it up
8 at the next RAB meeting after you've had a chance to
9 look at it. If anything strikes your interest, we've
10 certainly got the rest of the backup information on
11 this and we're glad to provide it to you.

12 MR. FERN THOMASSY: What was it
13 again that identified the areas that you have in this
14 matrix and didn't include others? Because when I
15 scanned the recommendation, there was no
16 recommendation for possible chemical warfare agent
17 contamination investigation. And so that tells me
18 that these areas with the remedial -- I mean, with the
19 record search that you did, just don't hold the
20 potential for chemical warfare material contamination.

21 MR. RON LEVY: I'm trying to
22 understand your question. I'm not sure --

23 MR. CHRIS JOHNSON: I think I can

1 answer your question.

2 MR. FERN THOMASSY: Okay.

3 MR. CHRIS JOHNSON: There are
4 certain areas -- and you've got to be careful about
5 how St. Louis District classifies things as far as
6 chem warfare agent. So, for example, there was an
7 area that T-4, which really isn't a good example --
8 but T-4 where they used biological simulate only --

9 MR. FERN THOMASSY: It's in here.

10 MR. CHRIS JOHNSON: And in there
11 they probably recommending, you know, really no more
12 sampling it's probably clear. But, you know, at a
13 closer look, we're actually going back and looking at
14 that site, because we think there may be a potential
15 for a burial there.

16 MR. RON LEVY: It was a mustard
17 issue, as far as a --

18 MR. CHRIS JOHNSON: So, there are
19 sites in there probably where you're going to see, you
20 know, their recommendation. But, you know, there is
21 also -- it's only sometimes their recommendation and
22 not necessarily the BRAC cleanup team's
23 recommendation. So, I don't -- I don't know -- some

1 of those areas that we probably are going to do
2 limited, if any, sampling, but -- and I think the CWM
3 EECA would speak more to answering, I think, your
4 question, which sites that come out of here are truly
5 the ones we're going to attack and how are we going to
6 attack them. And if you look at that CWM EECA, that
7 does a better job of explaining that.

8 MR. FERN THOMASSY: Okay.

9 MR. RON LEVY: If there was --
10 there are a number of sites in there that we have
11 previous data on, I mean actual sampling data on, and
12 that was looked at. You know, where we did have that
13 data, that was looked at in relation to the ASR. So,
14 recommendations in the ASR also did go by what
15 historical information from previous sampling that we
16 had --

17 MR. FERN THOMASSY: Well, the --
18 excuse me, go ahead.

19 MR. RON LEVY: And then as we moved
20 into the EECA, those sites where we thought there
21 wasn't any -- there was a site that we know of where
22 it was a training site. And there wasn't any history
23 of any agent use, but it was defined in historical

1 records as a training site. It could have been
2 anything from, you know, putting on overgarments, you
3 know, and testing your mask, which is not an
4 agent-used site, but was defined in records as a
5 chemical training site, so it was included in the ASR,
6 just because we needed to capture all the information
7 and potential sites. And then as we started to get
8 further into it, like the CWM EECA, that will prove
9 out whether or not the site has a problem or -- as we
10 go forward.

11 MR. FERN THOMASSY: Getting to the
12 broader question that a lot of people in the community
13 at least want to know the status on this situation up
14 to this point, a lot of association because it was a
15 chemical school and a chemical corps training site for
16 so many decades, that there is certainly
17 chemically-contaminated areas. And right now, all the
18 evidence that we have up to this point, hasn't found
19 much, if any, chemical warfare contamination. There
20 is still a lot more work to be done to prove that, at
21 least to the extent that the Army and the regulators
22 want us to prove that, that will go on --

23 MR. CHRIS JOHNSON: We haven't

1 found --

2 MR. FERN THOMASSY: We haven't
3 found anything.

4 MR. CHRIS JOHNSON: Yeah. So that
5 -- and really -- and this is, you know, really
6 speaking prematurely to it, but I don't see -- if we
7 find something, it's not going to be from where a
8 soldier went out and poured agent on a Jeep and they
9 de-conned it. You know, we're going to find the
10 de-con agents. And we've already found it like at
11 T-24A and T-38.

12 MR. FERN THOMASSY: Yeah.

13 MR. CHRIS JOHNSON: But to me, if
14 we find agent here, I think it's going to be like in a
15 case kit or something like that where, you know, they
16 just dug a hole and buried the kits, because they
17 needed to get rid of them and didn't want to take them
18 back and surplus them, because --

19 MR. FERN THOMASSY: That or
20 somebody had a glass (inaudible) bottle and buried it.

21 MR. CHRIS JOHNSON: Right. And
22 they are finding these kits at other bases. So,
23 that's really kind of what we're going on, as far as,

1 you know, if we do find agent.

2 MR. RON LEVY: I would add to that,
3 because we're getting ready to get the fieldwork on
4 the chemical warfare EECA, engineering evaluation cost
5 analysis, and we're planning, because we have safety
6 and health requirements for worst case, that we were
7 to say dig up a round, we're planning for worst case.

8 However, based on the knowledge we
9 have of past -- of past sites from what we've done, I
10 don't know that we'll find anything more than we've
11 already found out there. And that's really
12 contaminants associated with the de-conning
13 operations. But we can't say for certain, so as we go
14 into the investigation, it will be based upon the
15 possibility that we could find a fifty-five gallon
16 drum of mustard or something along that line, just
17 from a planning standpoint.

18 As you look at our health and
19 safety piece to our EECA, it includes an interim
20 holding facility, it includes what we would do in
21 terms of if we did find agent and how we would handle
22 it. And for the most part, it would have to stay on
23 site. At which point we'd talk to the State and to

1 the non-stockpile folks out at Edgewood for
2 disposition, because it's a CERCLA waste and because
3 there is other law requirements that would prohibit us
4 from sending it to Anniston, at this point, it's going
5 to have to be -- there is something -- there is going
6 to be decisions made probably on site about what to do
7 with it, as opposed to trying to get it to the Depot.
8 Those are all things that we're planning for. Now,
9 whether any of that will actually have to be enacted,
10 don't believe so, but it remains to be seen.

11 MR. CHRIS JOHNSON: But if you
12 don't have the plan, you can't do the sampling, so
13 it's, you know --

14 MR. FERN THOMASSY: Yeah.
15 Contingencies are a big part of this and always will
16 be.

17 MR. CHRIS JOHNSON: Right.

18 MR. FERN THOMASSY: Sure.

19 MAYOR WILLIAM KIMBROUGH: Ron,
20 define for me -- excuse me, I know I'm supposed to
21 know this -- PB concentration and statistical sweep.

22 MR. RON LEVY: PB is lead, and that
23 has to do with -- what they're looking at there is the

1 assumption that that was small arms firing range and
2 that lead going down range actually impacted in the
3 soil. So, we're going to look for lead and we're
4 going to statistically look for it. And then if we
5 see high concentrations, then we're going to have to
6 go in and do a removal action.

7 MAYOR WILLIAM KIMBROUGH: Thank
8 you.

9 MR. RON LEVY: Any other questions
10 about this?

11 To move into the new business.

12 MR. RON HOOD: Go ahead.

13 MR. RON LEVY: This is just an
14 update. There has been a FOST issued for the credit
15 union. There's a map -- you have a map in front of
16 you somewhere. It's a Category 1 site. The notice
17 went out in the newspaper for this public review. And
18 we'll take comments up until tomorrow on this. So, if
19 you have any comments about it, please, let us know.
20 But again, this was a Category 1 site. Both EPA and
21 the State understood that. And pretty much we're
22 going to sign off on the FOST.

23 MR. FERN THOMASSY: Anybody check

1 for buried money?

2 MR. RON HOOD: How much you going
3 to charge them for the place?

4 MR. RON LEVY: Craig, for your
5 information, I mean there is -- because this is all
6 new to you, there is -- The Department of Defense has
7 specific guidelines that we follow in terms of
8 transferring property. And there are -- you would not
9 believe the federal regulations in transferring
10 federal property outside of federal control. It
11 amounts to a long, long effort at a very, very costly
12 --

13 MR. CRAIG BRANCHFIELD: Yeah, I can
14 imagine.

15 MR. RON LEVY: So, even property
16 that's clean, it goes through tremendous scrutiny.

17 MR. BOB DAFFRON: Ron, is this the
18 credit union, is this the building that we're in now?

19 MR. RON HOOD: Yes.

20 MR. BOB DAFFRON: The big building
21 or is it the ATM building?

22 MR. RON LEVY: It's both.

23 MR. BOB DAFFRON: Both.

1 MR. RON LEVY: It includes the ATM
2 and includes the big building. You can see the ATM
3 listed on the map. Bob, do you have a copy of the
4 map?

5 MR. BOB DAFFRON: Yeah.

6 MR. RON LEVY: Do you have any
7 questions on that? A point again that I want to make
8 is that this is a category one piece of property. And
9 that's why it's being so easy for us to transfer it.
10 The Fort McClellan Credit Union is just ecstatic about
11 getting their own piece here.

12 Let me move on to the FOSL for the
13 veterinarian facility. When you look at our CERFA
14 report for -- which identifies the various categories
15 that we've explained to you all of contamination,
16 Category 7 being unevaluated, two of the buildings,
17 which are the veterinarian facility, 250 and 254, were
18 defined in an area that was known as Category 7. It
19 really was -- it butted up against the warehouse
20 district. And the reason that we, the BCT, defined it
21 as Category 7 is potential for lead and other
22 contaminants in the soils associated with those
23 structures. We just weren't sure, because -- and

1 there were other storage issues that may have resulted
2 in a release.

3 These two buildings are fairly new.
4 In fact, as we understood in the history of this site,
5 it's -- it's in an area that's always been used for
6 the veterinarian services.

7 In our discussions with Chris and
8 Bart, we thought that they really ought to be pulled
9 out. The JPA has Auburn on line. It was part of a
10 bigger area that was already in the master lease and
11 was neglected or there was an oversight in terms of
12 getting these out. We weren't able actually to put
13 them in the master lease, because at the time we
14 considered them unevaluated. What we've done is we
15 have created a finding of suitability to lease for
16 these facilities and it's on Bart and Chris' desks
17 now. And we're hoping that based upon the findings in
18 here -- because really, it was grouped in an area that
19 we feel it shouldn't have been grouped in, it should
20 have been really sectioned out, and that in fact they
21 should be suitable for lease. And I can't talk
22 anymore to what Bart and Chris are going to be doing,
23 but there isn't any documentation of storage or

1 release in this particular site. As I mentioned to
2 you, these have always been veterinarian facilities.
3 The facility, itself, is in an up gradient location
4 from the other area that we have defined as
5 potentially -- potentially contaminated or
6 unevaluated. So, we're asking EPA and the State to
7 sign a finding of suitability to lease so that we can
8 get the property into the JPA's hands for use with
9 Auburn and the dog training school, right, Miki?

10 MS. MIKI SCHNEIDER: Correct, it
11 was. And this -- these two buildings were also
12 originally a part of Auburn's PBC.

13 MR. RON LEVY: Public benefit
14 conveyances.

15 MR. FERN THOMASSY: In short, it
16 sounds like you're asking a change from Category 7 to
17 Category 1 for that property.

18 MR. RON LEVY: Yes, in short.
19 Chris, you got any comments on that?

20 MR. CHRIS JOHNSON: No, because I
21 really -- I hadn't looked at the FOSL. I just got it,
22 so I really can't speak to it. And I don't -- I don't
23 know what our take's going to be on it, at this point.

1 So --

2 MR. RON LEVY: If anybody's
3 interested in seeing a copy of the FOSL, we have
4 copies available, certainly to -- also, there will be
5 a notice in the newspaper about it, so --

6 MS. LISA KINGSBURY: Just give me a
7 call if you need a copy of it, if you're interested.

8 MR. RON LEVY: Miki's on line, she
9 wants a copy.

10 Moving on to the next issue,
11 borings at landfill three, if you'll look to my front,
12 we've got two maps, actually the same map. The one
13 that's on the screen is the same one that's over to
14 the right. Let me get my information on this and I
15 can speak to you.

16 As most of you know that we're
17 doing an EECA for our landfills. There is a total of
18 twelve fill areas. Four of them are known sanitary
19 landfills. Other fill areas that were identified in
20 the EBS, in our investigations, with unknown content,
21 what we want to focus on to you here is landfill
22 number three. Landfill three was used from 1946 to
23 1967. If you'll look, it's that -- it's labeled --

1 that's landfill three right there on the map to your
2 right. There is a total of nineteen monitoring wells
3 at that site. We originally started looking at that
4 site back in 1986. It was closed again in '67, but
5 we've -- as an active installation, we had the
6 environmental hygiene agency, which is now CHPPM, look
7 at it. Our contractor, SAIC has looked at it. They
8 looked at it between '92 and '95. And now, as part of
9 this EECA we're looking at it again. We have --
10 particularly at that site we know that we have various
11 levels of VOCs, volatile organic compounds and
12 semi-volatile organic compounds. We know that there
13 is pesticides and explosive metals associated with
14 that landfill. Two wells, we have two wells that are
15 located immediate off the landfill. And they're
16 outside of the installation. There is one right
17 there. And I can't really see from back here. But
18 there is another one further south in the median of
19 Highway 21. And we know that they have levels of
20 chlorinated compounds in those. I think it was TCE
21 they were looking at. That's immediately off the side
22 of the landfill.

23 Now, what we want to do is to

1 perform some structural geological investigations. In
2 order to do that, we need to do -- to come off the
3 installation. And this boring -- you see where I'm
4 pointing to -- is a defined location where we want to
5 sink three, two hundred and fifty foot deep soil
6 bedrock borings, drill them there. We're going to
7 have to coordinate with the land owner there for that
8 purpose. I thought Mayor Kimbrough might be
9 interested in that. I'm not sure that's part of the
10 city limits. I guess that's actually Anniston, isn't
11 it?

12 MAYOR WILLIAM KIMBROUGH: Well, I
13 can't tell by that. We border, we come together right
14 there across from -- in my day it was the old
15 drive-in, that's what I remember.

16 MR. CHRIS JOHNSON: That's probably
17 in Weaver City limits.

18 MS. LISA KINGSBURY: That's not an
19 exact location. The Mobile real estate office,
20 they're working with the property owners along the
21 side of Highway 21. I don't know if you remember,
22 Mr. Medders' (phonetic) well that we tested awhile
23 back. He wouldn't give us permission to do a boring

1 on his property, so they're working with another
2 private landowner. And if that falls through, what
3 they're going to do is work with the Alabama
4 Department of Transportation and try to get something
5 on the easement of 21.

6 MAYOR WILLIAM KIMBROUGH: Do you
7 know who they're working with?

8 MS. LISA KINGSBURY: Huh?

9 MAYOR WILLIAM KIMBROUGH: Do you
10 know who the other one is or can you say?

11 MS. LISA KINGSBURY: I don't
12 remember his name.

13 MR. RON LEVY: What we're trying to
14 do here is determine the geological structure
15 sub-surfacely (phonetic) so that we can look at the
16 influences on the direction of ground water. These
17 are just borings, essentially. This will help us
18 determine the site of additional ground water wells.

19 Now, you all know that we have
20 tested and the Weaver wells have been tested and they
21 continue to be tested, and we haven't seen any
22 concentrations of any VOCs or SVOCs out there.

23 What we hope is to really be able

1 to characterize this off-site migration and see
2 whether it's migrating any further. And the intent of
3 this meeting here is to tell you what we were doing
4 and so that it doesn't come as a surprise to you when
5 you hear things that are going on off-site McClellan
6 from an investigation standpoint. And we will share
7 that information with you once we complete it. I
8 really can't tell you anymore, because we don't know
9 anything other than the fact that this is what we're
10 proposing to do and that we're actually moving.

11 We did receive approval to do the
12 borings, because we had a requirement to do it
13 internally within the Army. And so we're moving in
14 that direction.

15 The issue now is to what private
16 landowner out there will allow us to go in and do the
17 borings. And then future wells that will go in will
18 also have to be coordinated. So, our expectation is
19 there will be off-site wells out there.

20 Does anybody have any questions
21 about this?

22 DR. BARRY COX: What levels have
23 you found?

1 MR. RON LEVY: Can't remember off
2 the top of my head. I have to go pull the report

3 MR. CHRIS JOHNSON: Most of them
4 are low. They're low. I wouldn't consider any of it
5 gross contamination. It's low levels.

6 DR. BARRY COX: Part per billion,
7 part per million?

8 MR. CHRIS JOHNSON: To be honest
9 with you, Barry, it's been so long since I looked at
10 that data. But I remember we had some elevated metals
11 and parts per --

12 MR. RON LEVY: Directly under
13 (inaudible) they were --

14 MR. CHRIS JOHNSON: -- billion --

15 MR. RON LEVY: -- CLs (phonetic).

16 MR. CHRIS JOHNSON: Yeah.

17 MR. RON LEVY: The pesticides were
18 real low. They weren't significant. Explosives were
19 real low. They really weren't significant.

20 MR. CHRIS JOHNSON: A few solvents.

21 MR. RON LEVY: Yeah.

22 MR. CHRIS JOHNSON: But there were
23 -- again, they weren't significant. I mean, they just

1 wouldn't just, you know, jump out at you. So, it's
2 nothing like what we got at T-38.

3 But I think one good thing about
4 the EECA that we're doing, we're really trying to
5 capture all the field areas in the EECA and do it as
6 one and then try to come up with the remedy for all
7 twelve sites with hopefully -- you know, I think I've
8 kind of been pushing this EECA anyway with Ron that,
9 you know, the goal is to hopefully free up a lot of
10 the acreage that these potential fill areas occupy.
11 And landfill consolidation is certainly going to be an
12 alternative that's looked at in that EECA. And
13 landfill three is in that report. And that work is
14 being done, now. They're going out and doing
15 trenching and boring. And I don't know if you've
16 talked about that with them, but -- IT is in the field
17 right now, aren't they, Lisa?

18 MS. LISA KINGSBURY: Uh-huh.

19 MR. CHRIS JOHNSON: Characterizing
20 all twelve.

21 MR. RON LEVY: We provided you a
22 fact sheet on this. And really what the fact sheet
23 tells you is we're looking for a strategy in how to

1 address all these fill areas. And there will be a
2 number of things to consider. And certainly we want
3 to share that with the RAB. That will be something
4 good for the RAB to take a look at and provide us
5 their input on which way we should be going. So, once
6 that comes out, that's a document I really believe the

7 RAB can have some significant say, in terms of what
8 you think -- which direction you think we should be
9 going in.

10 MAYOR WILLIAM KIMBROUGH: My
11 understanding, the geological work that's been done,
12 there are no aquifers that go toward our well, as far
13 as we know, our wells?

14 MR. RON LEVY: We don't -- based on
15 -- based on what we know geologically, we don't
16 believe there is any -- we don't believe there is a
17 pathway right now, but there could be.

18 MR. CHRIS JOHNSON: It gets kind of
19 complex.

20 MR. RON LEVY: And the other thing
21 was, this is fairly -- your wells are very deep wells,
22 so, it could conceivably end up over there. But given
23 the geology, it's -- from what we've been told, it's

1 --

2 MS. LISA KINGSBURY: We don't know,
3 yet.

4 MAYOR WILLIAM KIMBROUGH: What
5 about, y'all discovered a landfill behind Reilly Lake.
6 Have you ever -- have you done anything on that?

7 MR. RON LEVY: Well, we're looking
8 at those. And it's on this map over here, it's --
9 there is a fill area right here. See this gray area
10 right here and this gray area right here.

11 MAYOR WILLIAM KIMBROUGH: And that
12 was the one you didn't know was there, originally?

13 MR. RON LEVY: Yeah, we --

14 MR. CHRIS JOHNSON: We picked up
15 those off of aerial photos. And geophysical surveys
16 have been done on all those areas and borings. And
17 now we're going back and doing the trenching and more
18 borings to get more of a volume estimates, so you can
19 start crunching numbers on -- for example, if we look
20 at landfill consolidation, you can't -- you don't know
21 cost until you know volume. So, that was the main
22 thing for the trenching, determine your horizontal,
23 and with your borings more your vertical extent. And

1 that way, when we go through the remedy selection
2 process, we can tag some price to each remedy and use
3 that to also gauge our selection. And that's what IT
4 is wrapping up right now, is getting that, volume
5 estimates and, you know, to prepare those
6 alternatives.

7 MR. RON LEVY: I'm really looking
8 forward to seeing what comes out of the EECA for this.
9 There is going to be a lot of interesting discussion
10 about how we should -- how we should move on these
11 fill areas. Something I think the RAB will find
12 interesting, as well, because we've got quite a bit of
13 them out there. And they are impacting reuse. Right

14 now, the Reilly Lake area has not been part of the
15 lease to The City of Anniston because of that.

16 Any other questions?

17 MR. RON HOOD: Well, we've already
18 completed our community relations business as it was
19 stated, you know, we have new members.

20 MR. RON LEVY: Yeah, just want to
21 point out two things. In front of you you have an
22 article from the Jacksonville News on the repositories
23 out there. Interesting, in terms of what we're doing

1 with the -- with the information that's coming out of
2 the cleanup that's available to the public and it's
3 out there for the people to see.

4 And then I think Joan had mentioned
5 in the past that the Stars & Stripes had printed an
6 article about the murals that are associated with
7 building 61 in what used to be known as the old
8 officers club. Take your time, get a chance to read
9 this.

10 For those of you who weren't here
11 in the past, we provided you with copies of -- not
12 copies, but these (inaudible) to keep your stuff in.
13 And we're hoping that you'll bring them every RAB
14 meeting so that you can keep up with what's going on.
15 I think eventually you'll have to clean them out with
16 the amount of paper that we give you.

17 MR. RON HOOD: Will you provide
18 them for the two new members?

19 MR. RON LEVY: Yes, we definitely
20 will. Craig, we'll get you one and put the right
21 information in it.

22 MR. RON HOOD: Do you have anything
23 else? If there is nothing else, do we have a motion

1 to adjourn, quickly?

2 MR. FERN THOMASSY: Adjourn.

3 MR. RON HOOD: Okay, let's adjourn.

4 MR. FERN THOMASSY: Second, third,
5 fourth, and fifth, the end.

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1 (WHEREUPON, the meeting was concluded.)

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3 C E R T I F I C A T E

4 STATE OF ALABAMA)

5 CALHOUN COUNTY)

6

7 I, SAMANTHA E. NOBLE, a Court

8 Reporter and Notary Public in and for The State of

9 Alabama at Large, duly commissioned and qualified,

10 HEREBY CERTIFY that this proceeding was taken before

11 me, then was by me reduced to shorthand, afterwards

12 transcribed upon a computer, and that the foregoing is

13 a true and correct transcript of the proceeding to the

14 best of my ability.

15 I FURTHER CERTIFY this proceeding

16 was taken at the time and place and was concluded

17 without adjournment.

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IN WITNESS WHEREOF, I have hereunto
set my hand and affixed my seal at Anniston, Alabama,
on this the 4th of March, 2000.

SAMANTHA E. NOBLE
Notary Public in and for
Alabama at Large

MY COMMISSION EXPIRES: 11-14-2001.