

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 19th day
of November, 2001, commencing at approximately 6:30
p.m.

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

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1 MR. CRAIG BRANCHFIELD: We'll begin
2 by calling the roll. Mr. Beckett?
3 MR. SCOTT BECKETT: Here.
4 MR. CRAIG BRANCHFIELD: Mr. Buford?
5 MR. JAMES BUFORD: Here.
6 MR. CRAIG BRANCHFIELD: Mr.
7 Clendenin.
8 MR. MONTY CLENDENIN: Here.
9 MR. CRAIG BRANCHFIELD: Mr. Conroy
10 will not be here. Dr. Cox?
11 DR. BARRY COX: Here.
12 MR. CRAIG BRANCHFIELD: Mr.
13 Cunningham?
14 MR. DONALD CUNNINGHAM: Here.
15 MR. CRAIG BRANCHFIELD: Mr. Elser?
16 Ms. Fathke?
17 MS. DONNA FATHKE: Here.
18 MR. CRAIG BRANCHFIELD: Mr.
19 Franklin? Mr. Freeman?
20 MR. FREEMAN: Here
21 MR. CRAIG BRANCHFIELD: Dr.
22 Harrington?
23 DR. MARY HARRINGTON: I'm here.

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1 MR. CRAIG BRANCHFIELD: Mr. Hood?
2 Mr. Hopper?
3 MR. JERRY HOPPER: Here.
4 MR. CRAIG BRANCHFIELD:
5 Mayor Kimbrough?
6 MAYOR WILLIAM KIMBROUGH: Here.
7 MR. CRAIG BRANCHFIELD: Mr.
8 Stratton? Mr. Thomassy?
9 MR. FERN THOMASSY: Here.
10 MR. CRAIG BRANCHFIELD: Mr.-- I'm
11 going say this wrong -- Turecek?
12 MS. DIANE WILKERSON: He's not here
13 anymore.
14 MR. CRAIG BRANCHFIELD: He's not
15 here, okay. I apologize. Let's see, we got Mr. Levy
16 is here. And we're missing the EPA. And we've got
17 Mr. Stroud here.
18 If we could real quickly just start
19 over here and ask everybody to kind of go around the
20 room and introduce yourselves and your affiliation,
21 please. I know that guy.
22 FATHER BOB SULLIVAN: I'm Father Bob
23 Sullivan. I'm the pastor of Sacred Heart of Jesus

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1 Catholic Church and School.

2 MR. BILL GARLAND: Bill Garland with
3 the U. S. Fish and Wildlife Service.

4 MR. LEE JAYE: Lee Jaye,
5 Fort McClellan Environmental.

6 MR. ART HOLCOMB: Art Holcomb,
7 Foster Wheeler.

8 MR. JOE DOYLE: Joe Doyle, Legal
9 Office Transition Force.

10 MR. JIM GRASSIANO: Jim Grassiano,
11 Alabama Department of Environmental Management.

12 MS. JOAN MCKINNEY: I'm Joan
13 McKinney with the RAB.

14 MR. ALAN FREED: Alan Freed, Army
15 Environmental Center.

16 MR. BOB DAFFRON: Bob Daffron
17 National Guard Training Center.

18 MS. JEANNIE YACOUB: I'm Jeannie
19 Yacoub with IT Group.

20 MS. SUZANNE MURDOCK:
21 Suzanne Murdock with the Corps of Engineers in
22 Huntsville.

23 MR. DAN COPELAND: Dan Copeland,

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1 Corps of Engineers Huntsville.

2 MR. PAUL JAMES: Paul James with
3 the Environmental Office here at the Transition Force.

4 MS. LISA KINGSBURY: Lisa
5 Kingsbury, Environmental Office.

6 MR. DAN WILKERSON: Dan Wilkerson,
7 concerned citizen.

8 MR. DAVE MOCCIA: Dave Moccia,
9 Foster Wheeler Environmental.

10 MS. DIANE WILKERSON: Diane
11 Wilkerson with the RAB:

12 MR. CRAIG BRANCHFIELD: Okay, good.
13 Thank you. We're going down the agenda here.

14 Everybody had an opportunity to
15 review the minutes from the last meeting? Anyone who
16 has not had an opportunity that would like to review
17 them before we consider them for entry into the
18 record? Do I hear a motion to approve the minutes
19 from the October RAB meeting?

20 MR. DONALD CUNNINGHAM: So moved.

21 MR. CRAIG BRANCHFIELD: Second.

22 MR. JAMES BUFORD: Second.

23 MR. CRAIG BRANCHFIELD: All those

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1 in favor? Opposed? Okay, good.

2 Old business. I have no old
3 business. Ron, anything?

4 MR. RON LEVY: No, there isn't any
5 old business that we're aware of.

6 MR. CRAIG BRANCHFIELD: Okay. With
7 that, let's move right on into the program. We'll
8 begin -- I guess I'll turn it over to you, Ron. You
9 have somebody you want to give us a presentation.

10 MR. RON LEVY: Yeah, let me
11 introduce Alan Freed from Army Environmental Center.
12 Alan is our point of contact at the Army Environmental
13 Center that handles the BRAC actions.

14 Army Environmental Center is an Army
15 organization that does a number of things. One of
16 them, they deal with the funding for the BRAC actions,
17 plus technical issues. In this case, he's down here
18 to talk to us about Restoration Advisory Board; what a
19 Restoration Advisory Board is, what's its function,
20 what the roles are, and also about TAPP.

21 Both those subjects have been, in
22 the past, requested from RAB members concerned about
23 funding issues. So, we asked Alan to come down and

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1 do an overview of both those subjects. Alan.

2 MR. ALAN FREED: Okay. Let's get
3 started. Like Ron said, I'm at the Army Environmental
4 Center. We're actually a field operating agency at
5 the Department of Army. We work for the Assistant
6 Chief of Staff for Installation Management.

7 A lot of these slides -- I borrowed
8 these slides from someone else. I mean, these
9 presentations have been given over and over and over
10 again by different people. Some of these bullets are
11 pretty basic. We'll go through them. I'm not going
12 to spend a lot of detail on some of these, but I do
13 have some examples of some other RABs and -- or I can
14 put those examples in. I'll add that.

15 The guidance -- in the end, there is
16 a web site, which I'll show you how to get in and
17 find the guidance and some other information on RABs
18 and TAPP.

19 What is a RAB? Representatives of
20 the community, installation, and regulatory agencies.
21 You have a RAB already established here, so, I won't
22 get into how to form a RAB and all of that, which is

23 in the guidance.

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1 But just remember that individuals
2 provide individual advice. You don't give advice to
3 the Army as a group, because it conflicts with the
4 FACA (phonetic) guidelines.

5 It's not a decision-making body.
6 You're really here to provide advice to the Army.
7 Now, that advice can result in the Army making changes
8 to their program and it can have a pretty beneficial
9 effect. And I'll give a few examples of that. And
10 it's jointly chaired by the installation and the
11 community.

12 Purpose of a RAB. I think we all
13 know that it's an opportunity for the community to
14 participate in providing ongoing input. RABs are
15 responsible for keeping the community informed. I
16 mean, that's one of the jobs that -- not everyone can
17 attend this meeting, but if there is some important
18 things that come out of a RAB meeting, it's really the
19 responsibility of the RAB to make sure that the
20 general community is informed of that.

21 It's the forum for discussion with
22 the local community, like we said. It could

23 complement other community relations activities. And

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1 it benefits both the Army and the community.

2 One example of that was at the Naval
3 Ordnance Station in Louisville. The RAB there was
4 very informed of the clean-up process.

5 There had been some -- there was a
6 small amount of contamination at some of the baseball
7 fields, but it wasn't enough that it was a human
8 health risk. And because the RAB was well informed,
9 they knew that, and they knew that it really wasn't a
10 problem.

11 When the media got a hold of that,
12 they made a big story about how the baseball fields
13 were contaminated and it was going to harm the
14 children and all of that. As it turned out, it was
15 false information and the RAB had already been
16 informed of that.

17 And at the next RAB meeting, they
18 came in force and they made sure that they set the
19 record straight. And after that, there really wasn't
20 a problem and they didn't have to close the baseball
21 fields. So, that's a case where having a RAB that

22 was well informed was very beneficial for the Army.

23 Responsibilities of the RAB. Of

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1 course, it's to provide advice to the installation and
2 the federal and state regulatory agencies. Now, the
3 RAB has -- now, you can agree or disagree with the
4 remedial options or whatever takes place here on the
5 installation, as far as their environmental cleanup
6 work. If you're not satisfied with what information
7 that the installation is giving you, you can always go
8 to the regulators for help.

9 Let's see, I have another example
10 here. As far as providing advice, there is a pretty
11 good RAB at Fort Bliss in Texas, which is right on the
12 Mexican border. And there is a huge range there
13 called Castner (phonetic) Range.

14 And some of the RAB members were
15 concerned about the fact that it was easy access to
16 get on that range. And they made some recommendations
17 to the Army to make -- as far as making unauthorized
18 access -- let's see, what were they trying to do
19 there? They wanted to restrict the access to the
20 range.

21 They recommended posting warning

22 signs in both English and Spanish, blocking motor
23 vehicle access points, and erecting fences to prevent

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1 livestock access. And the Army, you know, listened
2 to what they were saying and said, hey, we can do
3 that. And that was another case where the RAB
4 members provided some pretty good advice to the Army
5 and it worked out pretty well.

6 Address important issues related to
7 cleanup, such as scope of studies, cleanup levels,
8 waste management, and remedial action alternatives.

9 An example I can use here is, I work
10 at Aberdeen Proving Ground and they're on -- they have
11 a pretty active RAB there. And awhile back, Aberdeen
12 Proving Ground was going to build an incinerator to
13 burn this waste, mustard gas, that they had left over
14 from World War I and World War II.

15 Well, needless to say, there is a
16 large population just outside the installation
17 boundaries, and the public was very adamant that they
18 did not want an incinerator built next to their
19 community. And so they -- you know, they were very
20 vocal at these RAB meetings.

21 cleaned up, even though they were low sites to medium
22 sites, and so they had to change their priorities
23 around a little bit to accommodate some of the wishes

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1 of the RAB members. And because it was a low dollar
2 figure, the Army was able to do that.

3 And, of course, we conduct regular
4 meetings open to the public at convenient times and
5 locations. We're already doing that here.

6 RAB responsibilities to the public,
7 of course, the attendance, advise and comment on
8 cleanup issues to government decision makers, and
9 review and comment on documents, report back to
10 representative community, act as a conduit flow.

11 Here again, if there's something the community needs
12 to know about, it's really the responsibility of the
13 RAB members to get that information to the community.
14 And you're all here under a voluntary capacity.

15 What are the responsibilities of The
16 Environmental Protection Agency or the state
17 regulators? Obviously, they should attend these
18 meetings.

19 Information, referral, and resource

20 bank. You really use EPA and the State for
21 information purposes. Sometimes, you know, they have
22 a lot of good information that they can provide at
23 these meetings to kind of help you out a little bit,

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1 especially on the technical side.

2 There again, review and provide
3 document comments. Ensure that state and federal
4 standards and issues are identified. You know, if
5 the Army, for some reason, is not identifying the
6 proper cleanup standards, that's up to the regulators
7 to make sure they are doing that.

8 Facilitate resolution of issues and
9 concerns. Sometimes EPA or the State can act as
10 facilitators between RAB members and the Army if there
11 is some sort of a conflict there.

12 And assist in education and training
13 of the RAB. Now, EPA can, in some cases, provide
14 training to the RAB. And that's one area that I'll
15 talk about a little bit later when I talk about TAPP.

16 Okay, the co-chairs. Co-chairs
17 coordinate with the community co-chair, provide --
18 installation co-chair provides admin support, make
19 sure they have open, constructive participation,

20 ensure the RAB has the opportunity for input, and
21 address the community concerns, provide documents to
22 the RAB in a timely manner, refer non-cleanup issues
23 appropriately. And that's basically, we're here for

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1 the cleanup, restoration cleanup issues for
2 Fort McClellan.

3 I know that there is another
4 installation in Anniston that has its own issues, but
5 they're not really to be addressed, you know, at this
6 particular RAB. And then once again, report back to
7 the community or the installation.

8 Okay. At the Army Environmental
9 Center, we can provide some assistance. That's why
10 Ron has me here tonight.

11 Budgetary assistance, I'll get into
12 the TAPP program.

13 Technical assistance, the Center for
14 Health Promotion and Preventive Medicine, CHPPM --
15 now, it's formally known as the Army Environmental
16 Hygiene Agency, you may have known it as that -- they
17 do a lot of risk assessment work. And there are some
18 people available at CHPPM that could potentially come

19 down here and give a briefing on risk assessments if
20 that was necessary.

21 There's a RAB directory and resource
22 book. And TAPP assistance I'll get into in just a
23 minute here.

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1 Any questions on RABs? I mean, I
2 went through that pretty fast, but this RAB's already
3 been established for awhile; I don't see a need to
4 really get into too many details on a RAB. I think
5 it's the TAPP assistance is what we're really
6 interested in here.

7 TAPP, what is it? TAPP is a program
8 to provide RABs assistance in interpreting scientific
9 and engineering issues with regard to restoration
10 activities at an installation. It's pretty basic.
11 If you're having problems interpreting some of the
12 detailed documents that the installation is providing
13 you, that's really one of the main reasons why we
14 would want to use the TAPP program.

15 The goal of the TAPP is to enhance
16 the RAB's ability to participate in the
17 decision-making process by improving the understanding

18 of overall restoration cleanup conditions and
19 activities.

20 Who is it for? Obviously, for
21 community members of RABs and technical review
22 committees. And really, the Army started out with
23 technical review committees awhile back, but then they

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1 converted most of those over to RABs. So, we don't
2 have a whole lot of those left.

3 MR. RON LEVY: Just want to mention
4 that what we had decided here with this RAB was that
5 there would be a subset of the RAB called the
6 technical review committee.

7 MR. ALAN FREED: Right. But before
8 they had RABs, installations only had the technical
9 reviews. The problem with that, usually they were
10 held during the day, during working hours, and a lot
11 of people couldn't attend. And that's why they came
12 up with the RAB.

13 I think you meet that here, a RAB or
14 TRC has to have at least three community members, a
15 demonstrated need for technical assistance, and the
16 majority of the community members have to agree to
17 apply for TAPP. And that's a simple majority of the

18 RAB members.

19 DR. BARRY COX: What is the burden
20 to demonstrate a specific need?

21 MR. ALAN FREED: I'll get into that.
22 I have an actual TAPP application form that was filled
23 out by Twin Cities, Twin Cities Army Ammunition Plant.

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1 And I'll hand that out, because that's a good example
2 to look at.

3 It's not for individual citizens or
4 special interest groups or local reuse authorities.

5 Criteria for obtaining TAPP. A RAB
6 must demonstrate a need for specific technical
7 assistance by identifying a project that will enhance
8 its understanding of scientific and engineering issues
9 associated with restoration activities. Now, a lot
10 of people will say, well, hey, we can get technical
11 information from the installation, which they do give
12 briefings at these RAB meetings, but some of the RABs
13 have felt that even though the installations are
14 giving these briefings, they're -- I don't know, they
15 feel uneasy that they really don't understand the
16 process, they really want an unbiased person, someone

17 outside of the Army arena briefing them. And they
18 just feel more comfortable that way. And that's
19 fine, if that's what the RAB feels they need, they can
20 apply for TAPP.

21 Federal, state, and local agencies
22 responsible for overseeing environmental restoration
23 at the installation. Do not have the technical

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1 expertise necessary for achieving the objective for
2 which the technical assistance is to be obtained or
3 the community members desire an independent and
4 objective viewpoint on a specific topic. So, you
5 know, Ron may do a good job here, as far as, you know,
6 briefing at these RABs, but you still may want an
7 independent viewpoint. And that's certainly
8 acceptable.

9 But before TAPP is requested, you
10 need to look at some other resources. And, of
11 course, some of these are the contractors that are
12 already giving briefings here at the installation.
13 And like I said before, your local, state, and federal
14 staff. And sometimes the EPA can step in and provide
15 technical briefings.

16 Local universities, volunteers. I

17 know some of the members here on the RAB are fairly
18 technical, from what Ron was telling me.

19 And Environmental Protection Agency,
20 there are technical assistance grants. I think that's
21 a little more complicated than applying for TAPP.

22 Technical outreach services for the
23 community, I'm not really sure what that's about.

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1 The TAPP process. These are the
2 steps in the TAPP process. The RAB has to identify a
3 need. And I will go through that form. There is a
4 form that has to be filled out, and I'll go through
5 that. I don't have it up here on the slides, but I
6 do have some hard copies that I can pass around.

7 But the RAB has to identify a need,
8 and then through that, they develop a project and you
9 have to really know what it is you want. I mean, you
10 just -- it's -- TAPP is not an open check to say,
11 okay, well, we can get money, so we're just going to
12 take the money and let's see what we can do with it.
13 You really have to develop a need, figure out what it
14 is you want, what it is you want this contractor to do
15 for you.

16 Really, through Ron's office, they can put together a
17 purchase order. And that's how simple it really is.
18 It can be done with a purchase order. And it was
19 specifically designed to work that way.

20 Some things to keep in mind here.
21 This is a government purchase order. Both the RAB
22 co-chair and the Army co-chair are really responsible
23 for overseeing this purchase order. But since it is a

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1 government purchase order, really, the Arm co-chair is
2 really responsible for that.

3 The RAB can -- they can't directly
4 advise this contractor to do something, especially if
5 it's outside of the scope of work. If they need
6 something done by the contractor, they really have to
7 go through the installation co-chair, because it's
8 illegal for them to manage a government contract. So,
9 it's really up to Ron to make sure that all of the
10 steps and the scope of work are followed. And that's
11 usually not a problem.

12 How is the assistance provided? I
13 think we went through this a little bit. But there is
14 no additional money made available to the installation

15 that -- you can use up to twenty-five thousand dollars
16 for each TAPP request, up to a total of a hundred
17 thousand dollars over a four-year period.

18 This money has to come out of Ron's
19 operating budget for the restoration activities, so,
20 you have to keep that in mind. It's not like it's
21 free money coming from somewhere. It comes out of
22 Ron's restoration budget. So, if you really need
23 this assistance, you really have to document why you

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1 need it and it should be for some good reasons.

2 And I think I went over this a
3 little bit before. It's really a simple application
4 form to complete, the government purchase order. They
5 put it out in competitive basis to award to small
6 business. The assistance is provided directly to the
7 RAB.

8 Ron, I think I'll go ahead and hand
9 out those applications --

10 MR. RON LEVY: There is only a
11 total of nine copies --

12 MR. ALAN FREED: Ron didn't make
13 copies for this many people, so why don't I just give
14 them to you -- and I don't know whether you want to --

15 MR. RON LEVY: Maybe we can get a
16 show of hands of who is really interested in seeing a
17 completed copy and we can hand it out to them.

18 MR. ALAN FREED: This is a completed
19 application that was filled out by Twin Cities Army
20 Ammunition Plant. You can keep these copies. But
21 when you do apply, you can use some of the information
22 that's already in here, because it's actually some
23 pretty good information. Actually --

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1 MR. CRAIG BRANCHFIELD: I would like
2 to see one, please.

3 MR. ALAN FREED: -- if you just want
4 to pass these around and whoever wants to -- maybe
5 every other person. I think Ron made what, about ten
6 copies or something?

7 MR. RON LEVY: Yeah.

8 MR. CRAIG BRANCHFIELD: Just fold
9 one up like a paper airplane and shoot it down here.

10 MR. GLYNN RYAN: Shoot one down
11 here.

12 MR. ALAN FREED: Basically, for
13 those who don't have a form, I'll just go over --

14 these are some of the sections of the form that have
15 to be filled out. Obviously, the installation name,
16 the source of the TAPP request.

17 Majority request certification.

18 There has to be a signed sheet at the end which has
19 signed members stating that they request TAPP
20 assistance and has to be a majority of the RAB.

21 There is a community member point of
22 contact. Project title, type, purpose, and
23 description. If you look in here, they've attached a

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1 sheet that really gets into more detail, other than
2 the boxes on that sheet. They've actually attached
3 the sheet that has a lot of detail on it.

4 And they've gone through, and just
5 like the Twin Cities group, spelled out exactly what
6 they wanted from this TAPP process. And the obvious
7 thing is that you want this person -- you want someone
8 that's knowledgeable in the environmental arena to
9 review the documents that are provided by the
10 installation and to really brief the RAB members on
11 what is in laymen's terms, or what is this, what's
12 really happening here, is there really a risk or not.

13 I mean, I think that's what the RAB members are
14 interested in.

15 Another thing that you can have in
16 this TAPP assistance is training. In Twin Cities,
17 they put in this TAPP request to have three training
18 sessions. I guess -- I don't know if they were in
19 conjunction with the RAB meetings or what, but the
20 contractor was going to provide them with three
21 training sessions.

22 And a lot of it has to do with just
23 getting up to speed with environmental terms. I know

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1 a lot of people have trouble with some of these
2 acronyms. They don't understand what they mean. And
3 that's really what you can use it for, is really to
4 get familiar with the environmental arena. And that
5 can come in pretty handy.

6 The other things are pretty basic
7 here. It's basically just filling out this form,
8 just like they did here at Twin Cities, and then
9 having the co-chairs look over it and make sure it's
10 in good shape. And then just Ron can turn it over to
11 the installation commander and that's it. I mean,
12 that's as simple as it goes.

13 This next slide is pretty
14 self-explanatory here. Here's some eligible
15 projects. I think we've already talked about
16 interpretation of technical documents --

17 DR. BARRY COX: TRC, is that the
18 partnering team?

19 MR. ALAN FREED: Review of proposed
20 --

21 MR. RON LEVY: (Inaudible) is the
22 same thing as a RAB.

23 MR. ALAN FREED: -- restoration

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1 technologies.

2 DR.. BARRY COX: No, it's got RAB
3 input, too, same document.

4 MR. ALAN FREED: Participate in
5 volunteer risk site evaluations --

6 MR. RON LEVY: Technical review
7 committee.

8 MR. ALAN FREED: -- and understand
9 health and environmental locations (inaudible) --

10 MR. GLYNN RYAN: Yeah, that was the
11 original --

12 MR. ALAN FREED: -- cleanup
13 strategies.

14 DR. BARRY COX: But I mean, it's not
15 -- the way it's written doesn't make sense.

16 MS. SUZANNE MURDOCK: TRC.

17 MR. RON LEVY: That's probably --
18 they're doing the same thing we did; they have a TRC
19 as part of their RAB.

20 MR. ALAN FREED: And there again,
21 you can do training as appropriate.

22 MR. RON LEVY: A separate TRC is
23 probably what they're talking about there. Other than

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1 that, I wouldn't know.

2 MR. ALAN FREED: Another example of
3 a RAB that used training quite a bit was Edwards Air
4 Force Base. They set up a training program for the
5 RAB and it was pretty extensive. I think they even
6 offered certificates for the folks that went through
7 this training.

8 MR. RON LEVY: Alan, Dr. Cox had a
9 question.

10 DR. BARRY COX: A question. On the
11 application it's got -- number one, it talks about the

12 Restoration Advisory Board, and then number two, it
13 says, a ten monthly technical review committee
14 meetings.

15 MR. ALAN FREED: Okay, I was --
16 yeah, I'm not sure what they meant. I'm not familiar
17 with Twin Cities. I've never been there.

18 DR. BARRY COX: I was curious if
19 that may have been the partnering team, EPA and the
20 State and the installation meeting.

21 MR. ALAN FREED: I saw that and I
22 was curious about that. I really wasn't sure what
23 they meant by that.

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1 MR. JIM GRASSIANO: (Inaudible.)

2 DR. BARRY COX: Yeah, that's what
3 that is, okay. So, that would be legitimate, to hire
4 a contractor to attend those meetings and give a
5 summary to us.

6 MR. ALAN FREED: (Nods head.) These
7 are the eligible projects.

8 MR. GLYNN RYAN: Alan, before you
9 go on, I think we need to get that clarified because
10 what Dr. Cox is stating is, that's to attend the BRAC

11 cleanup team meetings and provide a summary of that
12 information.

13 MR. ALAN FREED: Okay.

14 MR. GLYNN RYAN: I mean, that's what
15 I understand you to say, Barry.

16 DR. BARRY COX: Yeah, that was my
17 question: Is that what they're referring to here?

18 MR. ALAN FREED: I don't -- I don't
19 know.

20 MR. GLYNN RYAN: I think the answer
21 is no.

22 MR. JIM GRASSIANO: We don't know
23 that. For sites that are non-BRAC, you have a

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1 technical review committee of some kind. But because
2 we have -- this is a BRAC site, the BRAC closure team
3 seems to, to my understanding, take the place of that.

4 MR. ALAN FREED: Right.

5 MR. JIM GRASSIANO: But you could
6 certainly get clarification on that.

7 MR. ALAN FREED: Right. We really
8 don't have a TRC here, other than you said you have an
9 internal TRC. But you really have a Restoration

10 Advisory Board at McClellan and not an overall
11 technical review committee.

12 DR. BARRY COX: That's what I was
13 curious about. This uses both terms.

14 MR. ALAN FREED: Yeah, I was
15 confused about that. I can find out and I'll get
16 back to Ron on that.

17 DR. BARRY COX: Okay.

18 MR. ALAN FREED: Now, there are some
19 ineligible projects that you have to be aware of.
20 Now, the TAPP cannot be used for these things right
21 here; litigation and underwriting legal actions, the
22 generation of new primary data. You can't use this
23 money to go out and have a contractor take samples.

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1 That's definitely forbidden. You can't do that.

2 You can't reopen final records of
3 decisions or for conducting disputes with DoD, that's
4 not what this is for. Epidemiological or health
5 studies, community outreach and general contractor
6 support.

7 Whatever is written in that
8 statement of work, you pretty much have to stick to
9 that. And it's really a narrow field of things that

10 you can do here.

11 MR. SCOTT BECKETT: What's the
12 difference between allowing -- understanding health
13 and environmental implications at sites and cleanup
14 strategies, what's the difference between that and
15 epidemiological studies?

16 MR. ALAN FREED: Well, because what
17 they're talking about is the study, itself, doing a
18 study. You can't conduct a study like that. But
19 before that, you can talk about risk assessments or
20 some of this other stuff we're talking about. You can
21 talk about things that have already been done by the
22 installation and interpret that data, but you can't go
23 out and hire and contractor to do an epidemiological

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1 study.

2 MR. SCOTT BECKETT: But if a health
3 study had been done --

4 MR. ALAN FREED: The contractor can
5 interpret that, correct. That's clear? It's not
6 meant to go out and take sampling or do studies on
7 your own, that's not what it's meant for.

8 After we get through that, there is

9 some work to be done after the project. The Army
10 should be prepared to incorporate the findings of the
11 TAPP project into the restoration program, and if
12 warranted, redirect projects to address new findings.

13 The Army and the RAB are obligated
14 to make the outcome of the TAPP project available to
15 the community at large.

16 Reporting back. The RAB is
17 responsible to the Army for reporting an assessment of
18 the success of the assistance provider in meeting the
19 scope of work and the degree to which the community
20 benefited from the project. Now, this is really just
21 a couple of paragraphs, a one-page summary that the
22 RAB and the co-chairs work together to come up with
23 this. And there's some examples that I can provide

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1 Ron I don't have with me now. But that's something
2 that takes place after the project's over.

3 And then Ron puts together a
4 close-out report that's -- at this point, it's
5 submitted up to the Army Environmental Center where I
6 work. And they keep those on file and maybe report --
7 some of that information is reported up the Army

8 chain.

9 So, basically, that's it. There is
10 a summary sheet, I think, on here. Yeah. For
11 community members of RABs, independent technical
12 assistance, demonstrated need for assistance, the
13 specific scientific and engineering projects.
14 Twenty-five K per year and a total of one hundred
15 thousand dollars per RAB.

16 Available resources. There is a
17 TAPP handbook, which Ron probably has some of these on
18 hand, I would think, here. Management guidance, do
19 we have that here at the installation if anybody needs
20 it?

21 MR. RON LEVY: (Nods head.)

22 MR. ALAN FREED: Also, there is a
23 web site. The one where it says the DENIX public menu

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1 down here, I got into that web site just before I left
2 to make sure it works. And you don't need passwords
3 or anything like that. You can get in there and you
4 can pull up -- actually, when you get into the general
5 page, you can hit -- look under quick search and type
6 in RAB, just type in R-A-B under quick search and it
7 pulls up all the Restoration Advisory Board stuff.

8 And that really does work.

9 I had a problem with this last one.
10 I couldn't really get it to work.

11 MR. RON LEVY: I'm pretty sure that
12 site you can also pull down the handbook and the rule
13 and the guidance off of the site, as well.

14 MR. ALAN FREED: Yeah. I think
15 that's it, Ron. I want to take some questions. I
16 went through that kind of fast, but --

17 MR. CRAIG BRANCHFIELD: Does anyone
18 have any questions for Mr. Freed?

19 DR. BARRY COX: Was this example
20 funded?

21 MR. ALAN FREED: Yes, it was.
22 Twin Cities.

23 MR. CRAIG BRANCHFIELD: Good

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1 question.

2 MR. ALAN FREED: Yeah, it was. I
3 wouldn't have provided that if it wasn't.

4 DR. BARRY COX: Well, the reason I
5 asked was: I thought we discussed this a few months
6 earlier and it was -- and I thought the guidance there

7 was you had to identify specific documents that you
8 wanted reviewed. And this one just --

9 MR. ALAN FREED: Oh, no, it's pretty
10 general.

11 DR. BARRY COX: So, this one, you
12 don't have -- this one you don't have to do that or
13 this one didn't do that.

14 MR. ALAN FREED: They didn't do
15 that. The way the Army views this: If the RAB
16 really feels that they need this technical assistance,
17 it's -- I mean, it's there for that reason. I mean,
18 it's not something we really want to fight. I mean,
19 like I said, it's not a free check, it's not money
20 that you can just go out and say, hey, Ron, I want
21 this, this, and this, that's not what it's for,
22 because it comes out of his budget.

23 But at the same time, if you really

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1 want it, we shouldn't be fighting it, because we're
2 all supposed to get along here. That's the point of
3 it.

4 MR. CRAIG BRANCHFIELD: Alan, what
5 input does the RAB have into the selection of the

6 contractor and what are the specific reasons regarding
7 --

8 MR. ALAN FREED: Well, I'll talk
9 about that.

10 MR. CRAIG BRANCHFIELD: You
11 mentioned it's limited to small business. Well,
12 there are some businesses where a small business may
13 not have the skill set to address it. As far as what
14 flexibility is there in that process?

15 MR. ALAN FREED: I'm glad you
16 brought that up, because the RAB can identify their
17 own assistance provider. And there are areas where
18 you obviously can go local universities, there are
19 local environmental contractors around here that some
20 of you might even know, belong to. There is a lot of
21 environmental resources around the area that you might
22 be able to use.

23 And if you can recommend a provider,

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1 you put that on that form, and then that's forwarded
2 up to the installation. Now, that provider has to
3 meet minimal qualifications, as far as being able to
4 understand these kinds of technical documents. It has
5 to be an environmental -- a person with an

6 environmental background of some sort. It can't be
7 just a general contractor. Obviously, it has to be
8 someone that understands this information, because
9 they're going to have to interpret this data and be
10 able to explain this to you in very general forms that
11 -- a form that you understand. So, they have to be --
12 you know, they have to be a good public speaker and
13 presenter, as well as a person that can understand
14 this technical information.

15 MR. CRAIG BRANCHFIELD: Does the
16 RAB have any input into the selection of the contract?
17 I know it has to go out on the street for bid. Is it
18 strictly a low bid or how does that work?

19 MR. ALAN FREED: Not necessarily.
20 I mean, it depends --

21 MR. GLYNN RYAN: I'm going to
22 answer that --

23 MR. ALAN FREED: Go ahead.

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1 MR. GLYNN RYAN: -- since it's my
2 contracting office --

3 MR. ALAN FREED: Since he's the one

4 --

5 MR. GLYNN RYAN: -- that will
6 probably be involved. It will have to fit within
7 their guidelines, depending on what the dollar value
8 is, is what the guidelines on each contract. So, to
9 give you --

10 MR. JOE DOYLE: But you can put a
11 suggested source on there.

12 MR. GLYNN RYAN: Yeah, there's a --

13 MR. JOE DOYLE: That's --

14 MR. GLYNN RYAN: A suggested source
15 can go --

16 MR. JOE DOYLE: That doesn't
17 guarantee if, but that suggested source combination
18 with what level of dollar effort that's associated
19 with that. Just take a number out of the hat, a
20 hundred dollars an hour, which probably is not far
21 fetched in this day and age. Well, obviously, if
22 you're looking at fifty hours of effort, the sole
23 source may very well fall within the parameters of the

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1 federal acquisition regs, so don't feel constrained by
2 that.

3 But by the same token, it does not

4 absolutely guarantee that you're going to get that
5 suggested source.

6 MR. CRAIG BRANCHFIELD: But am I
7 correct in assuming that a contractor would not be
8 selected without the RAB being told who it was and why
9 they were being selected?

10 MR. ALAN FREED: Right, correct.
11 That's part --

12 MR. CRAIG BRANCHFIELD: And at least
13 getting some measure of feedback from us?

14 MR. GLYNN RYAN: Sure.

15 MR. ALAN FREED: In other words, if
16 you suggest someone and the installation, for whatever
17 reason, said, no, we can't use that, I mean, they have
18 to provide you the information as to why they can't
19 use that contractor.

20 MR. RON LEVY: Might be a little
21 suspicious if you suggested your brother-in-law or
22 something.

23 MR. CRAIG BRANCHFIELD: He called me

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1 up last night, which is why I was asking.

2 MR. JOE DOYLE: But we can sit down
3 with the RAB, in terms of putting together some

4 criteria, whether it be you want somebody with a
5 Master's in environmental science, or whatever it
6 might be, who's got at least three years experience in
7 this field, we can sit down and put together those
8 kind of parameters before we put the solicitation out.

9 MS. DONNA FATHKE: I would assume
10 that a member of the RAB, nor the company that he or
11 she works for, would be able to qualify for a contract
12 like that.

13 MR. ALAN FREED: No, not the RAB
14 members, themselves, would not be able to.

15 MS. DONNA FATHKE: What about the
16 companies they work for? I'm thinking specifically
17 JSU is a good resource, but we've got --

18 DR. BARRY COX: Yeah, it would be --

19 MR. ALAN FREED: I think your
20 procurement folks would have to get into that.

21 MR. GLYNN RYAN: Yeah. Again, there
22 are so many federal regulations and laws on that, that
23 I'd have to --

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1 DR. BARRY COX: I would suggest we
2 stay away from that.

3 MR. ALAN FREED: I think it's
4 recommended that you not, you know, use people that
5 are affiliated with the RAB. You're supposed to go
6 outside the RAB and do that.

7 MR. CRAIG BRANCHFIELD: Any other
8 questions for Mr. Freed?

9 MAYOR KIMBROUGH: Is this open?
10 There's no time line on this? Any time we wanted to
11 request these funds?

12 MR. ALAN FREED: Yeah.

13 MAYOR KIMBROUGH: Since it comes out
14 of your budget, Ron, it --

15 MR. RON LEVY: Yeah, as far as I
16 know --

17 MAYOR KIMBROUGH: -- we don't --

18 MR. RON LEVY: -- there is no time
19 --

20 MAYOR WILLIAM KIMBROUGH: -- have
21 any time line where you could incorporate it in your
22 budget is what I'm saying?

23 MR. RON LEVY: I cannot put it into

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1 my budget, if that's what you mean, saying that --

2 MAYOR WILLIAM KIMBROUGH: Well, it
3 said it would come from your money.

4 MR. RON LEVY: Yeah, but it's --

5 MR. GLYNN RYAN: Out of a project.

6 MR. RON LEVY: Comes out of one of
7 the projects.

8 MAYOR KIMBROUGH: Oh, okay.

9 MR. GLYNN RYAN: We take it out of
10 the cleanup money.

11 MR. RON LEVY: So, we, you know,
12 end up yanking it from IT or Foster Wheeler and they
13 do that much less work or whatever it amounts to, so
14 --

15 MR. GLYNN RYAN: The one thing is:
16 This will -- while it should be a very simple
17 contract, it will take some time. I mean, we couldn't
18 ask you to give us something tomorrow and we get back
19 with you in a week. It will take a little longer
20 than that through the procurement process. And I
21 wouldn't guess at how long.

22 MR. ALAN FREED: Ron, was there
23 anything else we wanted to -- we were talking earlier

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1 about some points we wanted to bring up.

2 MR. RON LEVY: I can't remember
3 what --

4 MR. ALAN FREED: I can't think of
5 what they were. Well, if you have any questions -- my
6 number was on that slide package -- feel free to call
7 me at the Army Environmental Center. And your
8 immediate point of contact should be Ron here at the
9 installation. And that's all I have, Ron.

10 MR. CRAIG BRANCHFIELD: If I could
11 just address the RAB real quick and kind of close the
12 loop on this one so we can kind of move forward with
13 this thought process. We don't have a meeting next
14 month; is that right? We don't have December
15 meetings?

16 MR. RON LEVY: We've historically
17 not had December meetings with all the holidays and
18 people not being around.

19 MR. CRAIG BRANCHFIELD: I guess, you
20 know, I'm sure everybody has individual thoughts on,
21 you know, is this something we would like to pursue,
22 if so, how would we like to pursue it, so on and so
23 forth. And I guess what I would like to do -- and

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1 hopefully everybody has my E-mail address -- I'd like
2 to kind of open the doors to communication through
3 E-mail, since it seems to be good for pretty much
4 everybody in here. But if you have any thoughts or
5 something like that on what types of topics, you know,
6 or would you be interested in training, would you be
7 interested in project specific considerations, you
8 know, just general thoughts like that.

9 And then at the next RAB meeting,
10 you know, I'm more than happy to pull all those
11 thoughts together and we can pull the string on some
12 of them and see what type of interests the RAB might
13 have in addressing or, you know, pursuing this type of
14 resource, if we want to pursue it, at all, at this
15 time.

16 I mean, I think we have to be
17 responsible and not just spend the Army's money for
18 the sake of spending the Army's money. And I'm sure
19 they won't let us do that, because they're the Army,
20 but if there are -- and there are some good projects,
21 you know. And I would -- you know, I think, you
22 know, I would really appreciate the input from you
23 guys, because I understand a lot of this because I do

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1 it on a daily basis, it's my job, but that allows me
2 to take for granted what the non-technical members of
3 the RAB may have difficult times understanding. So,
4 that's why I would really appreciate your feedback and
5 we can, you know, put a lasso around this thing and
6 see what we want to do with it.

7 So, do we have like a contact list,
8 Joan or Diane, that has everybody's E-mail address on
9 it so they can E-mail me or call me --

10 MS. DIANE WILKERSON: We do.

11 MR. CRAIG BRANCHFIELD: -- with
12 their thoughts?

13 DR. BARRY COX: Does everybody have
14 E-mails?

15 MS. DIANE WILKERSON: Everybody but
16 Mr. Buford and Mr. Hood.

17 MR. CRAIG BRANCHFIELD: For those
18 that don't have E-mail, does it have like phone
19 numbers on it so people could contact me at work?

20 MS. JOAN MCKINNEY: What we'll do
21 is we'll just E-mail that list out to each one of you
22 again.

23 MR. CRAIG BRANCHFIELD: Okay. I

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1 guess we'll need to send a copy to Mr. Buford and
2 anybody else --

3 MS. JOAN MCKINNEY: Right.

4 MR. CRAIG BRANCHFIELD: -- that
5 doesn't have access to E-mail.

6 MS. JOAN MCKINNEY: We'll just get
7 you to E-mail the list out with that.

8 MR. CRAIG BRANCHFIELD: Yeah. But
9 if we could go ahead right now and make a note to put
10 that on the agenda for the January meeting, to talk
11 briefly about that, I'd appreciate that.

12 DR. MARY HARRINGTON: While we're
13 talking about January, we usually meet on the third
14 Monday and that's a holiday. Are we going to --

15 MR. CRAIG BRANCHFIELD: Oh, is that
16 Dr. Martin Luther King's birthday?

17 DR. MARY HARRINGTON: Uh-huh.

18 MR. CRAIG BRANCHFIELD: I think
19 we'll have to consider --

20 MS. JOAN MCKINNEY: I think what we
21 decided at the beginning of the year -- if I can find
22 my calendar -- we talked about that early on, and that
23 was the 14th of January and then again on the 11th of

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1 February, because both of those months have that
2 holiday in them. And so, we really don't fall -- it
3 would be the second Monday of each -- of January and
4 February.

5 MR. CRAIG BRANCHFIELD: Along with
6 the contact list, Joan, can we E-mail out like a
7 schedule for next year --

8 MS. JOAN MCKINNEY: Sure.

9 MR. CRAIG BRANCHFIELD: -- so
10 everybody can go ahead and put things
11 on their calendar?

12 MS. JOAN MCKINNEY: Certainly can.

13 MR. CRAIG BRANCHFIELD: Any other
14 questions or comments regarding these TAPP grants?

15 MR. JERRY HOPPER: Does this
16 pertain specifically to technical aspects or -- one of
17 our responsibilities as a RAB group is to be the
18 communication link between the JPA and the Army. And
19 how do we effectively communicate to the community and
20 the general public what we take away from these
21 meetings as a RAB group?

22 MR. RON LEVY: I can tell you what
23 we've done in the past or what the RAB has done in the

1 past: They've actually set up -- and Fern's done it
2 -- presentations. They've gone to Lion's Club,
3 they've gone to some of the local community clubs, and
4 actually had a briefing. It was a set briefing --
5 Barry, you did it, too, am I right?

6 DR. BARRY COX: Yeah.

7 MR. RON LEVY: There was a set
8 briefing that was put together and they used it to
9 talk to members outside the community. And it was
10 designated RAB members who went out and did that,
11 actually did the briefings. And while they were
12 there, they were able to talk about what's going on,
13 not just a -- you know, it was a process that showed
14 what the RAB did and how you were involved and they
15 were able to talk about specific things that were
16 going on at Fort McClellan and how the cleanup was
17 going. And that's really how the community -- the
18 two-way communications was going on between the
19 community.

20 But it's really up to you all, if
21 there is other things you want to do, you certainly
22 can do them.

23 MR. JERRY HOPPER: I know you said

1 at the meeting today we only had just one or two
2 people from the general public that indicated
3 interest. I just wondered if there was some way to
4 enhance the link of communications with the general
5 public from this group, some expertise on public
6 relations and communications.

7 MR. CRAIG BRANCHFIELD: Some of your
8 thoughts. Think outside the box. The Army can
9 always say no, but it's no reason why we can't put it
10 on the table for consideration. Anything else? Any
11 other questions?

12 I know Mr. Freed has to make a
13 beeline back to Atlanta, here.

14 MR. RAY CRUMP: Sir, what's the
15 possibility of coming up with a news-type thing and
16 putting it -- creating your own web page? Then that's
17 a public thing and nobody can come back at the RAB and
18 say, you didn't tell us what was going on.

19 MR. RON LEVY: What he said was
20 that what's the possibility of creating a web page.
21 Now, Fort McClellan has a web page where the minutes
22 go on there, documents, as we're able to get them on
23 there, go on there, as well. That's been -- in fact,

1 that's in some of the fact sheets and the news letters
2 that we've sent out. That's defined. So, that's
3 actually out there.

4 MR. RAY CRUMP: It protects you as a
5 committee, because you made it public information.

6 MR. CRAIG BRANCHFIELD: I would just
7 address that by saying, you know, let's think outside
8 the box. I mean, send whatever ideas you have to me.
9 And some of them we may not be able to do, because the
10 rules don't allow the money to be used for those
11 purposes. But, you know, people think that's a good
12 idea, I mean, let's put it on the list and they can
13 let us know.

14 MR. RON LEVY: Joan, you put that
15 web site on the mailing list, too, so --

16 MS. JOAN McKINNEY: All right.

17 MR. RAY CRUMP: That would be no
18 cost.

19 MR. CRAIG BRANCHFIELD: I'm sorry,
20 you walked in after we began. Could you --

21 MR. RAY CRUMP: Ray Crump,
22 C-R-U-M-P, as in Paul.

23 MR. RON LEVY: Move on?

1 MR. GLYNN RYAN: Thanks, Alan, we
2 appreciate it.

3 MR. ALAN FREED: Okay.

4 MR. RON LEVY: Do you want to point
5 out -- Alan's phone number is on the front of that
6 briefing, so he's looking forward to the calls.

7 MR. ALAN FREED: Actually, I'm not
8 the RAB point of contact at AEC, it's Jennifer Cook,
9 but because she has little kids, she was able to get
10 out of this.

11 MR. RON LEVY: But you can refer
12 them.

13 MR. ALAN FREED: Thanks, guys.

14 MR. PHILIP STROUD: Thanks.

15 MR. RON LEVY: The second part of
16 the program was the technical review committee
17 comments, but we're going to wait until after the
18 presentation. So, let me introduce Dave Moccia.
19 Dave, where you at?

20 MR. DAVID MOCCIA: Right here.

21 MR. RON LEVY: Dave's the project
22 manager for this particular piece at Foster Wheeler.
23 Dave is going to do an overview of the EE/CA process

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1 we went through and the alternatives that we're
2 recommending on the M-101 cleanup.

3 MAYOR KIMBROUGH: Show us again
4 where M-101 is on the map.

5 MR. RON LEVY: He's got a map that
6 he's going to show.

7 MR. PAUL JAMES: He's got a map in
8 the presentation.

9 MR. RON LEVY: In fact, you all have
10 a package, too.

11 MR. GLYNN RYAN: Ed, you got a copy
12 of it.

13 MR. PHILIP STROUD: You got a copy
14 of the presentation.

15 DR. BARRY COX: You sure that's not
16 a map at the end of the (inaudible)?

17 MR. GLYNN RYAN: Yeah, it is. Slid
18 that one in.

19 MR. DAVID MOCCIA: I'm trying to
20 decide what's the best place for me to be here.

21 MR. RON LEVY: Probably standing
22 right there.

23 MR. DAVID MOCCIA: I guess this is

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1 good.

2 DR. BARRY COX: Stand up on the
3 table.

4 MR. RON LEVY: Stand up on the
5 table.

6 MR. DAVID MOCCIA: I can do that, if
7 you want me to.

8 An EE/CA is an evaluation of removal
9 alternatives that are designed to address a threat or
10 the actual release of a hazardous constituent that may
11 pose a threat to the public safety, welfare, or the
12 environment.

13 Under public law -- not going
14 anywhere.

15 MR. RON LEVY: Don't -- you're
16 covering up --

17 MR. DAVID MOCCIA: Yeah, may be.
18 Here we go. Actually, I got ahead of myself here.

19 Under public law, the national
20 contingency plan requires that an EE/CA be performed
21 for all non-time critical removal actions under
22 CERCLA. Now, a non-time critical removal action is a
23 removal action under CERCLA when it's determined that

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1 a site requires some kind of response action, but it
2 doesn't need to be done or initiated within the next
3 six months, a non-time critical removal action is
4 appropriate for it. And that's the procedure that the
5 Army generally follows for OE sites, for those
6 contaminated sites.

7 MR. RON LEVY: Well, let me see if
8 I can't clarify that, David. A time critical removal
9 action would be there is an immediate threat to human
10 health and the environment, i.e., there has been a
11 release of a chemical and contact with that chemical
12 -- maybe it's heading in a certain direction --
13 contact with that chemical could result in loss of
14 life or impacts to health.

15 Whereas a non-time critical removal
16 action, you know you got a contaminant out there and
17 it's not immediately threatening the community. In
18 the case of McClellan, where we've got known areas
19 that are being cordoned off, you know, we've got gates
20 keeping people out of these areas, it's really not an
21 immediate threat.

21 The stakeholders involved in this
22 process, of course, are the Department of Defense as
23 the lead agency, represented by the Training and

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1 Doctrine Command, TRADOC, providing guidance and
2 funding for the project; USA Garrison Fort McClellan
3 Transition Force; U. S. Army Engineering and Support
4 Center Huntsville provides the technical expertise and
5 the contractor support; Foster Wheeler Environmental
6 Corporation, we do the actual studies and will be
7 responsible for implementing the removal actions; and
8 then, of course, you've got the Environmental
9 Protection Agency, ADEM, who are involved in the
10 process to ensure that federal and local laws are
11 being complied with; and then, of course, you've got,
12 also, the Restoration Advisory Board, which are y'all,
13 in an advisory capacity.

14 This is what's defined in the EE/CA
15 as the M-101 parcel. It actually consists of three
16 segments, a segment up here, which is just on the
17 north side of the Summerall extension, this area right
18 in here, which is between the Summerall extension and
19 the eastern bypass right-of-way, which is -- the light
20 area is the eastern bypass right-of-way; and then this

21 piece of property down here, which is just labeled as
22 miscellaneous property. These three segments are
23 really what makes up the M-101 parcel in this EE/CA.

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1 The history of this area, military
2 training and demonstrations is primarily what went on
3 in the M-101 parcel area, conventional weapons. The
4 activities have been documented since about 1912.
5 And, of course, Fort McClellan was closed in 1999
6 under BRAC.

7 Like I said earlier, the first thing
8 you want to do in an EE/CA is determine the level of
9 contamination you may be dealing with. In this
10 particular case, we had three investigations and
11 removal actions that have been done, you know, within
12 the M-101 parcel area, not in the 101 parcel area, but
13 contiguous to it and between it and etcetera.

14 And those three areas were the M-2
15 parcel removal action, which is a twenty-two acre site
16 just south -- if I go back to this figure real quick
17 -- that's the kind of pink area down in the bottom
18 left that says M-2 on it.

19 MR. GLYNN RYAN: That's a

20 Consolidated Publishing's site for those who might not
21 be familiar with it, trying to correlate it on the
22 map. MR. DAVID MOCCIA: Construction going on
23 there right now. That removal action was for

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1 twenty-two acres. And during that removal action --
2 that was a removal to depth -- items found there, the
3 only ordnance and explosives found there consisted of
4 a live flame thrower cartridge two inches below the
5 surface. We also found a fused white phosphorous
6 hand grenade, which was on the surface.

7 Those were the only two OE items
8 that we found in the entire twenty-two acre area.
9 Found a lot of OE debris, but not OE, not ordnance and
10 explosives.

11 Another study -- well, let's see,
12 was actually another removal action, was a
13 construction support one foot clearance on eighty-one
14 acres. And those were the two areas -- if I go back
15 to the map again real quick here, where you see the
16 Summerall extension, the light yellow Summerall
17 extension, plus the eastern bypass right-of-way here,
18 those two areas were cleared down to one foot.

19 And we used the data from that

20 study, as well. There was no ordnance and explosives
21 found in those areas. Again, ordnance debris, but not
22 any ordnance and explosives.

23 And then, of course, we also had the

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1 eastern bypass EE/CA. We got data from that, as well.
2 That was a much smaller area. That only covered
3 really sampling of about two acres.

4 In the entire area, everything we
5 found was either on the surface or within a few inches
6 on the surface, except in the M-2 parcel, OE debris
7 was found anywhere from the surface down to about six
8 inches. Anything found below six inches was cultural
9 debris, horseshoes, things of that nature.

10 This figure is in your packet and
11 you can look at it later if you want to. But all this
12 really shows is the different areas that I was just
13 talking about. And the little square grids, the pink
14 ones up there, that overlay on the yellow and these
15 other ones down here, they just represent the areas
16 that were sampled.

17 These are a one hundred by one
18 hundred foot grids. And the ones that are

19 highlighted here are the ones where we actually found
20 ordnance debris materials.

21 Up here, same situation up here; the
22 pink boxes represented in the eastern bypass one foot
23 clearance. This is where ordnance debris material

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1 was found.

2 Based on all this information, we
3 put together a conceptual site model, which just
4 relates the sources, the release mechanisms, how did
5 the stuff get out into the environment in the first
6 place, transport and migration mechanisms, what
7 happens to it once it's out there, is it transporting,
8 is it going anywhere, is it moving.

9 And then, of course, who are the
10 potential receptors, people, animals, plants. And
11 then the exposure routes, how do you really get
12 exposed to it. You get exposed to it through direct
13 contact.

14 That's the conceptual site model.
15 You can look at that later if you want to. It's in
16 your package. Don't want to get into that too much at
17 this point.

18 The next step in the process, once

19 you've gotten to that point, is to do a risk
20 evaluation. We feel like we -- at this point, we feel
21 like we know what's out there, the real danger of it
22 and all. And the next thing to do is to look at the
23 risk evaluation, try to determine what kind of risk

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1 does it really pose. And the way you look at that is
2 a quantitative baseline risk assessment, initially.

3 A baseline risk assessment, of
4 course, just means exactly that. It's based on the
5 current status of things, without making any changes.
6 It's what kind of risk do we currently have. That's
7 what it boils down to.

8 And it considers the potential
9 hazards of the OE items, the ordnance and explosive
10 items. Things we're primarily dealing with out there
11 are practice items. Practice items, you've got to be
12 concerned about the possibility of small explosive
13 charges being attached to them that didn't explode
14 when the thing hit the ground. That's the hazard of
15 those items. And, also, you could have some
16 pyrotechnic material associated with them. So, there
17 is some potential there to cause some harm, if you had

18 an unexpected explosion or fire.

19 And, of course, you also could run
20 into some expended items, that they're already
21 expended like rifle, you know, flares, things of that
22 nature, they present no hazard.

23 The baseline risk assessment also

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1 considers the potential for human access to the OE
2 items. For example, can they get into the area. I
3 mean, that's what it really says, can they get into
4 the area where they could become exposed to them to
5 begin with.

6 And then the next thing the thing
7 looks at is the potential for any direct human
8 contact. And, of course, that considers different
9 types of activities, whether it's passive activity or
10 intrusive activity. Passive means, you know, hiking
11 through the area or something like that. Intrusive
12 would be, if you're in the area and you're actually
13 digging into the ground and doing some excavation or
14 something like that.

15 And then, of course, it also
16 considers the density or the distribution of the
17 ordnance and explosives. In this particular case, we

18 said, you know, we came up with three ordnance and
19 explosive items across the entire area. That works
20 out to a density of approximately one item every
21 thirty-four acres. So, that's what we looked at
22 there.

23 In summation -- we got a slide out

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1 of order here, so I will go back to that. But in
2 summation, the risk is higher for intrusive activity.
3 That would be a situation, you know, maybe residential
4 or mixed business area, where you got to be concerned
5 about people digging into the ground. It would be
6 lowest for non-intrusive activities or more of your
7 passive activities like just hiking through the woods
8 or bicycling.

9 Overall, the risk is considered low.
10 It's predominantly practice items in the area. And
11 like I said earlier, it's a low density. It's
12 estimated at one item per thirty-four acres.

13 The next step in the process is to
14 define the response objectives and then go ahead and
15 develop the alternatives that you want to look at for
16 the removal actions. And the response objective, of

17 course, are pretty basic here, to protect the site
18 workers and the public. And then the actual response
19 action -- yes?

20 MR. FERN THOMASSY: Something that
21 might not be clear to everybody. When you talk about
22 one item per thirty-four acres, you're talking about
23 one OE item, you're not talking about other metallic

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1 parts you find that are OE items --

2 MR. DAVID MOCCIA: I'm talking about
3 ones that are ordnance and explosive items.

4 MR. FERN THOMASSY: One live item.

5 MR. DAVID MOCCIA: Well, an item
6 that's got explosives in it, where it has some
7 potential to cause some kind of harm if it
8 accidentally detonates. I generally refer to that as
9 an OE item. If I was talking about pieces, I would
10 refer to that as OE debris, like a piece of something.

11 Protect the site workers and the
12 public while you're actually doing the response
13 action, that's important. You have to petition zones
14 built up around your area when you're doing work and
15 make sure that no one gets too close to it, because
16 you -- could always be an unplanned detonation during

17 a response action.

18 Be sure of overall protection. This
19 is to the public after the response action. Complying
20 with -- comply with ARARs. ARARs are applicable,
21 relevant, and appropriate regulations. Generally,
22 these are local, state, and federal regulations.

23 And also facilitate the intended,

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1 future land use. In this particular area, you know,
2 the land uses can be a mixture of passive and active
3 land uses, commercial, industrial, residential, and
4 recreational.

5 The risk reduction alternatives that
6 are considered here were six. The baseline, what I
7 think of really is the baseline alternative number
8 one, which is the no-action alternative, means you do
9 absolutely nothing. Number two is land use controls,
10 construction support, surface clearance, clearance to
11 one foot, and clearance to depth. And I'm going to
12 explain what each one of those entail.

13 The no-action alternative, no action
14 is taken. There is no land use controls implemented
15 and there is no risk reduction provided as a result.

16 Basically, you do nothing, absolutely nothing.

17 Land use controls is alternative
18 two, which would include, you know, public awareness
19 components, printed visual media, exhibits, displays,
20 posting of warning signs. It does not include any
21 removal of OE, so the risk reduction there is going to
22 be entirely behavior dependent, which means if you
23 can't convince people -- you can't educate people to

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1 stay away from the area or something like that, you
2 still could potentially have a problem.

3 Alternative three, construction
4 support. This is where you would provide construct
5 use -- provide a clearance action, if you want to call
6 it that, or support during construction, do they know
7 where they're going to plan, do they know where
8 they're going to build, so, when you go out there and
9 you actually clear the area, and where they're going
10 to put footers in and all that, you actually clear
11 that area, as well, to make sure there is no problem.

12 Technology there is generally just
13 not necessarily hand-held instruments, but a simple
14 type metal detection instruments. Of course, it
15 could give you a limited risk reduction, because it's

16 only clearing those areas where you actually have say
17 a construction footprint.

18 Alternative four, surface clearance,
19 that's limited to removal of OE items on the surface,
20 the technology, this is a visual clearance that's
21 generally aided by hand-held metal detection device,
22 and the guys will walk through there and they'll be
23 looking for stuff on the surface, but they'll have a

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1 held-held metal detection device so that they can also
2 -- that will help them when they get into areas where
3 maybe they can't see too well, where there is a little
4 bit of roughage or something on the ground and they
5 need that.

6 Again, limited risk reduction,
7 because if there is anything below the surface, you're
8 not going after the stuff below the surface, you're
9 just going after the stuff that's on the surface. So
10 it's really only -- would be most effective for, you
11 know, surface activities in the area, passive-type
12 activities, riding through the area, bicycling, things
13 of that nature.

14 Alternative number five is clearance

15 to one foot depth. This, of course, involves a
16 removal of OE on the surface, as well as subsurface
17 down to one foot. This is a -- this technology in
18 this case uses a hand-held metal detection
19 instruments. And the residual risk -- any residual
20 risk is it remains to be managed by a deed note.

21 Alternative number six --

22 MR. PHILIP STROUD: Before you go
23 there --

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1 MR. DAVID MOCCIA: Sure.

2 MR. PHILIP STROUD: -- can you give
3 them some of those what would be in the deed, maybe?

4 MR. DAVID MOCCIA: Ron might be able
5 to address that better, but I --

6 DR. MARY HARRINGTON: Like a
7 covenant or something.

8 MS. SUZANNE MURDOCK: It's mostly a
9 notice that says, this property was in the past used
10 for military training and there may be ordnance items.

11 MR. RON LEVY: It's a warning to
12 the new owner that says, if you find it, that you
13 should call us and we'll come, but that there is a
14 history here that the -- in fact, just about every --

15 virtually, every piece of property that we do transfer
16 does have a deed notice in it, even those that don't
17 have a history of ordnance on it because -- just
18 because we're a military installation. All the deeds
19 the JPA get have that notice or covenant of the
20 potential for OE in it.

21 DR. BARRY COX: So, would that be
22 present in option six, also, then?

23 MR. RON LEVY: Yes.

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1 MR. GLYNN RYAN: Yes.

2 MR. DAVID MOCCIA: Alternative six
3 was the last alternative we looked at, and that's
4 clearance to depth. Of course, that's a surface
5 removal and subsurface removal. The technology is
6 different here. It's a much more detailed, more
7 broad, more encompassed type of technology. It has a
8 much different approach. It's a digital, geophysical
9 mapping technology. And I'll get into that in more
10 details in a minute here. But also, it's a --
11 subsurface removal is not limited to one foot, it's --
12 may have a limit of three or four feet or something
13 like that, but basically you're going to go down to

14 wherever you need to go down to to find your anomaly.

15 These alternatives were evaluated,
16 in accordance with the national contingency plan.
17 There is three primary criteria that you're supposed
18 to evaluate alternatives with, and that's
19 effectiveness, implementation capability, and the
20 cost. These break down further into sub-categories,
21 so, there's really nine national contingency plan
22 criteria that you're supposed to evaluate on the basis
23 of.

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1 Effectiveness looks at the overall
2 protection of public health and the environment.
3 It's really assessing the ability of that alternative
4 to meet the response objectives that you set up for
5 yourself. Then, of course, it also considers the
6 long-term effectiveness and permanence of the
7 alternative. It also looks at short-term
8 effectiveness, which is kind of -- I think it's a
9 funny selection of words, but what it really means is
10 what are the effects while you're actually
11 implementing the alternative.

12 And then compliance with ARARs,
13 which again were the applicable or relevant and

14 appropriate regulations.

15 Implementation capability looks at
16 such things as the technical feasibility of being able
17 to implement that alternative. And, you know, the
18 reliability of the technology and the ability to
19 monitor the effectiveness of it.

20 It also looks at the administrative
21 feasibility, which considers such things as, is this
22 going to be difficult to put into effect, are we going
23 to have to coordinate with a lot of different parties,

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1 you know, what's going to be required here, etcetera,
2 etcetera. It also considers things like, are the
3 services and materials available.

4 It also looks at regulatory
5 acceptance issues, you know, it concerns the issues of
6 EPA, ADEM, and the local government, are we going to
7 be able to satisfy them with the alternatives.

8 And then, of course, the last item
9 under implementation capability considers it with the
10 acceptance of the alternative. You know what's the
11 likelihood the community is going to accept that as
12 the alternatives. Are they going to have concerns and

13 issues with the (phonetic).

14 This is an over-simplification here,
15 but basically, after we did the analysis, the
16 effectiveness, implementability, and cost, the most
17 effective alternative would be the clearance to depth.
18 From an implementation standpoint of view, the
19 no-action alternative would obviously be the easiest
20 to implement, unless it received a lot of rejection
21 from the community, then it may be more difficult.
22 But that's not a real critical issue here, anyway.

23 Under cost, the no-action

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1 alternative would obviously be the cheapest. Those
2 are actually listed. It's coincidental, but they're
3 actually listed in terms of the lease cost all the way
4 down to the most expensive of the alternatives.

5 The alternative that we ended up
6 recommending was the clearance to one foot
7 alternative. And the rationale for that was, first
8 of all, it meets all the response objectives. And
9 there's a repeat there basically of the response
10 objectives that need to be protective of site workers
11 during the response action, needs to ensure overall
12 protection to the public after completion of the

13 response action, must comply with ARARs to the extent
14 practical, and will facilitate the intended future
15 land use.

16 It is effective and will provide a
17 high level of public safety. It's removing both the
18 surface and the subsurface OE ordnance and explosives
19 down to one foot. The findings on the site are
20 indicative, you know, that there is only a minimal
21 potential of items being below a foot.

22 And it provides a long-term
23 solution. It provides a high reduction in residual

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1 OE risk. And any potential residual risk that does
2 remain would be managed through the deed notices I
3 mentioned earlier.

4 It's a highly implementable
5 alternative. The technology and the resources are
6 readily available to implement the alternative. And
7 we expect it will receive a high level of support from
8 the stakeholders, the community, and the regulators.

9 This last one is a little more
10 interesting. It's the most cost effective subsurface
11 clearance option. Between the two, alternative five

12 and alternative six, were the only two that included
13 subsurface clearance. And alternative five was
14 estimated at one point eight million, alternative six
15 was at three million.

16 I can get into the details of that,
17 and I'm more than happy to get into the details of
18 that, in terms of why the cost is so different on
19 those, if y'all want to hear it. And you probably do.

20 But also, I wanted to point out
21 something else here. When we recommended alternative
22 five, ADEM expressed some good concerns about that.
23 They were concerned about, you know, what may happen

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1 if you are out there and there are some items that are
2 actually below a foot, what are you going to do.

3 And Army worked with ADEM on that
4 and we believe we've satisfied their concerns here.
5 What the Army intends to do is whenever they're out
6 there doing the actual one foot clearance, any
7 excavations where they find a UXO item -- that's an
8 unexploded ordnance item -- if they have anymore
9 ring-offs or anymore indication there is anything
10 below that, in that same hole, they'll continue to dig
11 until they get it. And that has satisfied ADEM. So,

12 we think that, you know, that we're -- we feel good
13 about that.

14 In summary, on selection or the
15 recommendation, like I said, it really came down to
16 comparing the final merits of alternative five and
17 alternative six. And alternative five was selected.
18 Primarily, the fact that all the materials that were
19 recovered in the area from the other investigations
20 that were done, all this material was recovered from,
21 you know, really from within a few inches of the
22 surface. And it was all practice items, which really
23 has a fairly low hazard associated with it in the

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1 first place.

2 And the expected depth of
3 penetration of all these items -- one reason why all
4 this stuff is so close to the surface is because
5 they're practice items, they got very low expected
6 penetration depths. It just don't penetrate well into
7 the soil. So, that's a primary reason for suspecting
8 that this stuff is, you know, within the first foot of
9 the soil -- first foot of the surface.

10 And finally, you know, just the

11 preponderance of the practice items and the shallow
12 penetration depth supports the Army's belief that the
13 clearance to one foot should effectively result in the
14 removal of all the OE within that area, within the
15 M-101 parcel.

16 Now, on the issue of the big
17 difference or the major difference, I'd say, between
18 the cost --

19 MR. RON LEVY: Just a second.
20 This goes back to a question that was raised by Craig
21 in his comments, just so we're on the record as to
22 what we're about to discuss. This goes back to the
23 question that was raised by Craig in his comments in

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1 the RAB, on the difference in the cost, what you were
2 just about to get into.

3 MR. DAVID MOCCIA: Yeah, okay.

4 MR. RON LEVY: All I wanted to do is
5 make sure it was on the record.

6 MR. DAVID MOCCIA: I wasn't
7 following. Probably the best way to explain this is
8 to tell you that alternative five is a clearance to
9 one foot. And the way alternative five is going to be
10 implemented is with hand-held metal detection

11 instruments.

12 Now, what happens is you go out in
13 the field, in this particular case you do a brush
14 clearance first, just to give you access to the area,
15 you do a limited brush clearance. You don't have to
16 do an extensive brush clearance, because we're walking
17 through the area with hand-held instruments.

18 You go out there, you do that, you
19 do the survey with the instruments, you -- whenever
20 your instrument indicates there is something in the
21 ground there, you go ahead and you dig it. You do all
22 your removal work, you do all your disposal of OE
23 items, all during one mobilization, one time in the

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1 field. It's a relatively inexpensive process,
2 compared to alternative six.

3 Where alternative six is you go out
4 there first, you have to start with a very extensive
5 brush clearance, because what you're going to be doing
6 there is you're going to be traipsing through the
7 area, traversing the area with geophysical
8 instruments, which are usually -- a man carries them
9 like this or they're on wheels or something of that

10 nature.

11 MR. RON LEVY: Show them up on the
12 picture.

13 MR. DAVID MOCCIA: But you've got to
14 have a very good brush clearance to be able to do
15 that.

16 MS. SUZANNE MURDOCK: They're about
17 a meter wide.

18 MR. DAVID MOCCIA: There are some
19 pictures over there of a man carrying the instrument.
20 Let's see --

21 MR. ART HOLCOMB: Second on the
22 right, isn't it?

23 MR. DAVID MOCCIA: Yeah, the second

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1 on the --

2 MR. PHILIP STROUD: On the right.

3 MR. DAVID MOCCIA: The second one on
4 the right, the second down on the right hand side is
5 an example. It's a very heavy -- you know, the thing
6 is pretty heavy. It doesn't look heavy, but it's
7 pretty heavy. Plus, he's got a backpack and all this
8 other kind of stuff. But it's pretty heavy.

9 And what has to happen is the ground

10 has to be clear enough that he can walk through there,
11 safely, unhindered, he can't have trip and hazard
12 potentials. So, you got to clear the ground out real
13 well.

14 And he walks through there, he walks
15 back and forth across the entire site. And what
16 happens is, they generate a lot of geophysical mapping
17 data, because what he's doing, that's an electronic
18 instrument that he's got. He's also got a navigation
19 system on top so that he knows where he's at.

20 And all this information is down
21 loaded at the end of the day. And then that
22 information has to be consolidated and interpreted,
23 processed, etcetera.

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1 And then what happens from that, is
2 the geophysicists get together and they generate maps
3 of the area. And then they also generate what's
4 called a target anomaly list, which are the items that
5 they think from -- you know, from what they got, the
6 kind of signals they got in the field, these are the
7 items they think are most likely the ordnance and
8 explosive items.

9 instruments.

10 So, it's a much more involved
11 process. It requires a lot more resources, requires a
12 lot more documentation, requires a lot more people
13 looking at data, etcetera, etcetera, etcetera, as
14 opposed to alternative five, where it's go out in the
15 field, walk back and forth, and you get a ring-off on
16 your instrument, you dig a hole, if you find
17 something, you take care of it, if you don't find
18 something, you go to the next spot.

19 And so, it's a much different
20 process. And that's the biggest reason why you see
21 the differential in the cost here.

22 And we kind of feel like the
23 incremental increase in residual risk that you may get

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1 by going to a clearance to depth option is not
2 warranted, you know, for an additional one point eight
3 million dollars.

4 MR. CRAIG BRANCHFIELD: Could you
5 pull, Dave, for my benefit and for the benefit of
6 everybody else, could you pull the string a little bit
7 more on why going below a foot is not warranted? Now,

8 correct me if I'm wrong, you've used -- and don't get
9 me wrong, I'm not necessarily saying that I don't
10 agree with it, but I just need to understand it a
11 little better than --

12 MR. DAVID MOCCIA: Again, it's --

13 MR. CRAIG BRANCHFIELD: Let me be
14 more specific on my question. Okay?

15 Is it based on -- I believe -- and
16 correct me if I'm wrong -- but other removal actions
17 that have been done in areas, obviously, that M-2
18 area, which you've sold to Consolidated Publishing,
19 some sort of process similar to this has been done.
20 Is this based on the fact that a more in-depth
21 investigation was done previously, which did look at
22 depth and didn't find anything there?

23 Which, you know, this is me, I don't

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1 necessarily speak for the rest of the board, but if
2 something like that is the case, then, yeah, that
3 makes every bit of sense. I'm all for looking at
4 adjacent areas, and if they have current, previous
5 land use, then use that information and run with it.

6 But, I mean, is there a more
7 quantitative basis for eliminating the more detailed

8 depth investigation as opposed to a qualitative basis,
9 which is, well, all we're finding is little stuff and
10 it's just not likely to go that deep?

11 MR. DAVID MOCCIA: Well, based -- I
12 guess probably the best way to answer that question is
13 number one say again that the types of items that have
14 been found across the entire site, which stretches
15 from the M-2 parcel down at the bottom all the way up
16 to the top, all the types of items that have been
17 found have been practice items. And the practice
18 items have real shallow penetration depth. Okay, that
19 was the first thing.

20 The second thing was the fact that
21 we did a clearance to depth at the M-2 parcel. And
22 every ordnance item, every ordnance and explosive item
23 we found was either on the surface or about two inches

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1 below the surface.

2 MR. CRAIG BRANCHFIELD: And that's
3 the essence of my question right there is that we have
4 in adjacent areas that had similar land use looked at
5 depth and we didn't find anything?

6 MR. DAVID MOCCIA: Right. And

7 again, like I say, in the M-2 parcel area, we found
8 ordnance debris, but it was -- we found it from zero
9 to six inches down. So, again, you know, you're not
10 -- you're not even encroaching on the twelve inches at
11 that point in time.

12 MR. PHILIP STROUD: I want to get
13 this take from Suzanne here. She mentioned a number
14 of items that -- I wanted a statistic out of this.
15 And what was the number of items in M-2?

16 MS. SUZANNE MURDOCK: Based on what
17 we've seen in the surrounding property, we think that
18 we'll end up digging approximately forty thousand
19 holes in this hundred acres. That's just down to one
20 foot. And, you know, the possibility worldwide
21 exists -- typically, our experience shows that there
22 could be 10 percent ordnance items below one foot in
23 most cases. So, that leads to -- you know, on a site,

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1 if you had ordnance that penetrated, you could
2 possibly have quite a few items but -- and that's --
3 well, I don't know why -- was that where you were
4 going with --

5 MR. PHILIP STROUD: It was kind of

6 just the sheer numbers, the digs, you know --
7 MS. SUZANNE MURDOCK: We got forty
8 --
9 MR. PHILIP STROUD: -- or petitions
10 --
11 MS. SUZANNE MURDOCK: We expect to
12 have approximately forty thousand digs out --
13 MR. JIM GRASSIANO: Over what --
14 MS. SUZANNE MURDOCK: Over nine --
15 over this --
16 MR. JIM GRASSIANO: Hole in --
17 MS. SUZANNE MURDOCK: Less than a
18 hundred acres.
19 MR. CRAIG BRANCHFIELD: That doesn't
20 click with what we saw up there where you said you
21 only found one item for every thirty-four acres,
22 though --
23 MS. SUZANNE MURDOCK: But we're

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1 digging in all metal and we're going to get --
2 MR. RON LEVY: That's OE, UXO items,
3 as opposed to --
4 MR. CRAIG BRANCHFIELD: Okay, I got
5 you. Never mind.

6 MR. JERRY HOPPER: You got a
7 pre-determined depth of one foot. So, what do you do,
8 you let your detection devices determine the vertical
9 or the horizontal and lateral extent of your digging?
10 If you have a hit at one point, you go a foot and then
11 how far out or around that foot do you move to --

12 MR. DAVID MOCCIA: What will happen
13 is, you know, you'll go to that spot where they think
14 there is an item and they'll dig. If they get down
15 to -- if they get down -- they may get down six or
16 eight inches and find the item they're looking for.

17 If that's a UXO item, that's an
18 unexploded ordnance item, which is a dangerous item,
19 then they'll continue in that hole, if they get
20 anymore ring-offs on their instrument. In other
21 words, if their instrument gives them anymore signals
22 that there is still something there, they'll continue
23 to dig in that hole. And if that means going out to

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1 the side a little bit or something like that, they may
2 do that, as well.

3 But the bottom line is, if they got
4 their stick in that hole there and they're still

5 getting a ring-off then they're going to continue to
6 look.

7 MAYOR WILLIAM KIMBROUGH: So, what
8 you said world average is forty thousand --

9 MS. SUZANNE MURDOCK: No, no, no.
10 I'm sorry. The 10 percent was. This is based on
11 what we found in the eastern bypass. It's
12 approximately four hundred items per acre. So, we've
13 got just under a hundred acres. It's about forty
14 thousand holes that we will probably dig.

15 MAYOR WILLIAM KIMBROUGH: And 10
16 percent would be below that, there's a possibility?

17 MS. SUZANNE MURDOCK: That -- I
18 probably shouldn't have gone there. 10 percent -- if
19 you, I guess, in any --

20 MR. DAN COPELAND: If you expect
21 that items to go -- to be --

22 MS. SUZANNE MURDOCK: If you expect
23 --

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1 MR. DAN COPELAND: -- to penetrate
2 below a foot, then you could find 10 percent below the
3 foot. But we don't expect to find anything, at all,
4 below a foot.

5 MS. SUZANNE MURDOCK: I guess where
6 Philip was going when he asked me that question was,
7 well, why don't you just go ahead and dig the rest of
8 the items. I mean, how many more holes would that be.
9 And I said, well, forty thousand holes, that could be
10 an extra four thousand holes we have to dig below
11 that. I mean, it is significant. It's a significant
12 effort for us to just go ahead and do that. It's not
13 like, oh, it's just a few more. It could possibly be
14 a lot more for what we think is not going to be any
15 ordnance.

16 And, you know, M-2 was a pretty good
17 example of that.

18 MR. PHILIP STROUD: And that's why
19 he brought the point -- I had an issue with that. And
20 we had alternative five and alternative six, and I was
21 going through an alternative five point five, you
22 know, let's go that extra effort to get that extra UXO
23 if it's there, and don't stop at one foot if you find

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1 any UXO, if you get another ring. You know, is it a
2 burial or what?

3 I feel more protective knowing that

4 we're getting the UXO, if it's there.

5 MR. JIM GRASSIANO: Dave, can you
6 provide some clarification? I think Dr. Cox started
7 to get at this issue. The content of the deed
8 restriction between alternative five and alternative
9 six, would there be any difference in the deed
10 restriction and content? And I think the answer is no
11 --

12 MR. DAVID MOCCIA: Don't use the
13 term "deed restriction", because we're not talking
14 deed restriction.

15 MR. JOE DOYLE: No.

16 MR. JIM GRASSIANO: Deed notice.

17 MR. RON LEVY: It's not really
18 Foster Wheeler's job -- they don't work the deeds.
19 The real estate actions happen in a whole different
20 realm. You know, there is a report put out that
21 recommends the alternatives. They go in to do the
22 clearance.

23 And then, from there, once we get

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1 the certification of clearance, we, the Army, start
2 working the real estate piece, separately. First
3 there is a finding of suitability to transfer and then

4 there is a real estate. And there is set language
5 that goes in those deeds.

6 ADEM gets a copy of those deeds.
7 You see those deeds.

8 MR. JIM GRASSIANO: Sure. I
9 understand. But it was listed under alternative five,
10 and it wasn't in six. And maybe it's just unclear at
11 this point. Is that an issue or --

12 MR. JOE DOYLE: No, it's going to be
13 the same deed notice that would be used under either
14 of the alternatives. And it is a notice. It's not a
15 covenant, it's a notice.

16 We're merely putting the future land
17 owner on notice that the potential always exists.
18 It's not an exact science. And what to do in the
19 event that OE type items are found.

20 FATHER BOB SULLIVAN: And it's put
21 in all the deeds. It was put in our deed at the
22 school when we bought the property at the school.
23 Which, you know, chances are there was never anything

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1 there, but it was still put in our deed because it's a
2 military installation.

3 MR. RON LEVY: If you look at -- as
4 we go out there and we look at known training areas
5 where ordnance was used and we use that history to
6 determine how we're going to clean it up like we're
7 doing here and we say, well, we know what the ordnance
8 was used out there, we have data that supports how
9 that ordnance can be fired and what's the depth of
10 penetration. Well, in this case, for these types of
11 ordnance, the depth of penetration is not going to be
12 any greater than one foot.

13 That's just a known piece by the
14 data that Huntsville and the Corps has. I mean, they
15 have firing data. They know how, based on the type of
16 soil, how far it will penetrate. And it's not -- it's
17 improbable that ordnance would be found below one
18 foot, just by virtue of knowing what type of ordnance
19 was fired out there in the soils.

20 But there is a possibility -- and
21 the reason you see the deed notice -- there's a
22 possibility that -- I don't know -- some supply
23 sergeant decided he didn't want to turn that round in

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1 and dug a hole deeper than one foot and put it in

2 there.

3 Now, how do you capture those?

4 Well, you can't really, because you don't know where
5 that was happening, you really don't know where that
6 was happening. And it could have happened inside a
7 cantonment area where the general public was. You
8 just don't know.

9 So, there's a notice in there that
10 says if it does come up -- it's not likely to be
11 there, it's not likely to have happened. But if it
12 does come up, report it and it will be responded to.

13 DR. BARRY COX: Is there any
14 possibility that erosion would have caused the
15 ordnance to be buried more than the anticipated one
16 foot?

17 MS. SUZANNE MURDOCK: It's probably
18 a slim --

19 MR. CUNNINGHAM: That's what the
20 whole issue is. Is it a probability?

21 MS. SUZANNE MURDOCK: It's probably
22 (inaudible). I mean, if you've ever been out there,
23 it's thick with vegetation. And we know -- I would

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1 say, runoff, you're not going to have a big runoff

2 problem. I mean, the vegetation is very thick.

3 There is kudzu and there's trees and there is --

4 MR. RON LEVY: But the answer is,
5 yes, it's probable, the risk is low. There is also a
6 probability the Army might have reworked that piece of
7 property because they built the road and that ended up
8 burying a piece of ordnance back when there wasn't any
9 safety features in place.

10 But again, we tried to look at the
11 history of the sites to see what we might find.

12 MS. SUZANNE MURDOCK: And the other
13 part of this is what we have found is relatively low
14 hazard items. I mean, if -- you know, the worst thing
15 that we found is a -- it has a fuse or it has a
16 spawning charge. It's a -- we haven't found anything
17 that's a high-risk item.

18 MR. DAVID MOCCIA: No high explosive
19 items.

20 MAYOR KIMBROUGH: What's the land
21 use? What's this to be -- this area to be used for?

22 MR. GLYNN RYAN: It's mixed. It's
23 everything from commercial to passive recreation.

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1 MR. RON LEVY: Residential, too.
2 MR. GLYNN RYAN: Residential.
3 MAYOR WILLIAM KIMBROUGH: So,
4 construction could go below the one foot?
5 MR. RON LEVY: Yes.
6 MR. SCOTT BECKETT: Just so I get an
7 idea, comparing this area to other areas, where would
8 you expect to find ordnance, under what use conditions
9 would you find ordnance that would go deeper than one
10 foot? In what kind of --
11 MR. DAVID MOCCIA: Impact areas --
12 MR. SCOTT BECKETT: Impact areas?
13 MR. DAVID MOCCIA: Yeah.
14 MR. SCOTT BECKETT: For real things
15 as opposed to practice things?
16 MS. SUZANNE MURDOCK: Right.
17 MR. DAVID MOCCIA: Probably more
18 real things.
19 MS. DONNA FATHKE: Afghanistan would
20 be a good place.
21 MR. SCOTT BECKETT: Is there
22 anything like this on the Fort? I mean, I hear you
23 saying it's not an M-101.

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1 MS. SUZANNE MURDOCK: We're finding
2 some on the eastern bypass that are deeper than one
3 foot.

4 MR. DAVID MOCCIA: Not part of the
5 eastern bypass, it's associated with the M-101 part of
6 --

7 MS. SUZANNE MURDOCK: For tract --
8 well, actually, that's not a good picture.

9 MR. GLYNN RYAN: It's more along --
10 if you look at this map -- I think Suzanne can
11 probably point it out better on this map over here,
12 the second one, right above Art over here. If you'll
13 look there is a --

14 MR. DAN COPELAND: Dr. Cox said it,
15 the next one will (inaudible). You know from this
16 area over here, one foot clearance from here down to
17 here, we have a clearance to depth. So, we're
18 actually going below one foot in that area.

19 MS. DONNA FATHKE: And that's
20 because your historical records show there is probably
21 --

22 MR. DAN COPELAND: Right. There is
23 impact area that -- you know, there are several impact

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1 areas there.

2 MR. RON LEVY: You remember we
3 briefed this map here in the past? Through historical
4 reviews, through ground reconnaissance, Foster Wheeler
5 developed this map. And it really looks at density of
6 ordnance, where we expect to see the highest density
7 of ordnance. This brown area would be the greatest --
8 where we'd see the greatest, the yellow would be
9 medium, and this -- I guess you call this a green --
10 would be very low density. And the M-101 area, as you
11 can see here, it's in a low density area.

12 Where -- what she was pointing out
13 within the eastern bypass, the likelihood of finding
14 it below one foot -- in fact we are looking below one
15 foot -- it is there. And you can see the eastern
16 bypass and you can just see the outline here runs
17 through the middle of an area we have historical
18 knowledge and reconnaissance of ordnance that was
19 fired that could be below one foot and the density was
20 high.

21 MR. DAVID MOCCIA: That's it for
22 me, if there is no more questions.

23 MR. RON LEVY: I want to point out

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1 that we'll continue to take comments through the end
2 of the comment period, which ends 1 December. So, if
3 you have additional comments and you want to write
4 them down and send them in, we'll certainly take them
5 and address those.

6 We're in the process of addressing
7 the ones that were submitted by Craig from the RAB.
8 But again, we'll continue to take comments. And I got
9 some more right here. Okay.

10 FATHER BOB SULLIVAN: When will this
11 clearance start?

12 MR. RON LEVY: In terms of the --
13 we still got to get through the public comment period.
14 Help me out here, Suzanne. I'm running a blank on
15 the --

16 MR. DAN COPELAND: When the action
17 memorandum (inaudible).

18 MR. RON LEVY: And the action
19 memorandum. And we're looking at being in the field
20 --

21 MS. SUZANNE MURDOCK: Spring,
22 probably.

23 MR. RON LEVY: Can't remember the

1 dates. Glynn, do you remember what the dates were?

2 MR. GLYNN RYAN: No. Depend on our
3 addressing public comments, I believe that it was in
4 the late -- early spring.

5 FATHER BOB SULLIVAN: March, April?

6 MR. GLYNN RYAN: Yeah, I think
7 that's probably a good time frame.

8 FATHER BOB SULLIVAN: And what's the
9 expected time frame to be done?

10 MR. RON LEVY: How long in the
11 field?

12 MS. SUZANNE MURDOCK: About -- was
13 it two months, two and a half months in the field?

14 MR. ART HOLCOMB: Yeah, two to two
15 and a half months.

16 MR. RON LEVY: That's not the end
17 of the process. Once they're out of the field,
18 there's a report that has to be done.

19 FATHER BOB SULLIVAN: (Inaudible)
20 will notify when it gets started (inaudible).

21 MR. GLYNN RYAN: Yeah.

22 COURT REPORTER: I can't hear him.

23 MR. GLYNN RYAN: The question was

1 who would be notified. We will work, as the Army, we
2 start any clearance operation that would be intrusive
3 and require exclusion zones, we'll work with those
4 property owners, whether it's JPA or they in fact have
5 sold property to someone beyond them. And we'll be
6 coordinating with them. If there is times that we
7 couldn't do intrusive work, we're going to work around
8 it, we're going to have to make a coordinated effort
9 with each individual.

10 MR. RON LEVY: Right now, our
11 present schedule calls for deciding the -- the actual
12 action memorandum, after we get through all the
13 comments to be done by the 8th of February, and we
14 will start in the field some time after that. We're
15 looking at completing the removal action in the --
16 beginning in June.

17 And then, as we get it through the
18 process, the actual, final report won't be completed
19 'till September. All that will be needed before we
20 can start looking at any FOSTs, finding of suitability
21 to transfer. And then the actual transfer for the
22 property.

23 There is a long lag or time line

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1 associated with getting it through reviews and the
2 legal hoops, as well. So, all that just adds to the
3 time lines, unfortunately.

4 MR. GLYNN RYAN: I think one of the
5 things that Dave did very well at pointing out was the
6 cost. And it's cost not only in dollars, but in time.
7 You know, the amount of time it would take us to do a
8 clearance to depth beyond one foot, is a large sum of
9 time there that -- Dan is interested in the property,
10 and we believe that's one of the things we need to
11 look at is also the priority that the JPA has to it.
12 Throw that out for your information.

13 MR. CRAIG BRANCHFIELD: Anyone have
14 any other questions on this M-1 parcel?

15 MR. RON LEVY: I just want to --
16 on the record -- we received some comments from Mr.
17 Thomassy, and we'll attempt to also address those, as
18 well.

19 MR. CRAIG BRANCHFIELD: What I'll do
20 now is, I'd just like to take not too long, because
21 we're running a little late this evening and we still
22 have some other things to discuss, but I did put down
23 some written comments on the report that should have

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1 got E-mailed or sent to everybody on the RAB. They
2 are a draft. And I purposely made them draft, because
3 I didn't want to make them official without talking
4 briefly to the RAB about the process we may want to
5 consider when we have the opportunity to review a
6 technical document.

7 What I proposed -- and there may be
8 other thoughts on this -- but what I proposed was
9 that, you know, there is four of us on the RAB that
10 receive a copy of these documents. And we get the
11 opportunity to review them and generate comments. And
12 I would propose that we try not to generate those
13 comments as individuals, but we do it as a group. I
14 mean, this is a Restoration Advisory Board and we
15 should try and do things as the board.

16 What I would propose is that when we
17 get that consolidated set of comments, we can issue
18 them to the RAB members to look at and certainly to
19 the Army so that when they discuss these with us, they
20 already have a feeling for what some of our questions
21 will be. And it will allow them to address them more
22 effectively.

23 Should we decide that we want those

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1 comments addressed in writing -- and I'm not
2 predisposed necessarily to submitting all our comments
3 in writing, I'm just trying to open up the doors of
4 communication here -- but if we should decide that we
5 want to submit those comments in writing and get a
6 written response, we can certainly do that.

7 The other thing I would propose is
8 that when we have these opportunities and these
9 presentations from the Army is that if, at the end of
10 that presentation, we're comfortable with what the
11 Army has proposed, that as a Restoration Advisory
12 Board, I would suggest that we also have a
13 responsibility to put on the record whether we support
14 or oppose that particular remedy.

15 Now, if we support it, that's great.
16 If we oppose it, that's up for, you know -- then we'll
17 have to -- that will have to be addressed between
18 ourselves and the Army and how we best go about that
19 process.

20 But I wanted to throw that process
21 on the table and see what, if any, thoughts there were
22 on that. Any up side, down side? I saw one person
23 nodding their head at the end of the table, but --

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1 MR. DON CUNNINGHAM: I recommend we
2 table that one and think about it.

3 MR. CRAIG BRANCHFIELD: Are you
4 proposing that we put it on the agenda to discuss at
5 the next meeting?

6 MR. DON CUNNINGHAM: It's a good
7 idea, yes. Two months would be time to think about
8 that, because there is a lot of implications
9 associated with that. If there is a lot of dissension
10 and disagreement, then obviously resolution of that
11 would have to be addressed.

12 MS. DONNA FATHKE: I think --

13 MR. CRAIG BRANCHFIELD: That's
14 certainly a good point.

15 MS. DONNA FATHKE: I think for --
16 made a public record, it should be put in writing
17 somehow.

18 MR. CRAIG BRANCHFIELD: Whether we
19 have comments -- any comments we might have on a
20 particular project that the Army gives us the
21 opportunity to review?

22 MS. DONNA FATHKE: Yeah. Or even if

23 we support it, that also should be a matter of record.

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1 And it's in the minutes, of course, but sometimes
2 we're all over the place with the minutes. It should
3 be concise and easy to pick out.

4 MR. JIM GRASSIANO: I think that's
5 especially warranted for a document that's out to
6 public notice, the RAB should, during the public
7 notice process, come to a position on the matter.

8 MR. CRAIG BRANCHFIELD: Was there
9 anyone, either in favor or opposed to taking my draft
10 comments and -- I mean, they're draft right now. I
11 can put them in the shredder and the Army will never
12 have to deal with them. It's not signed by me. It's
13 got draft written all over it. I can either follow
14 through with sending those in writing, as a submittal
15 of the RAB, or I can just do it on my own or I can
16 ignore it and let it go, since most of the questions
17 were addressed in the meeting today.

18 MR. JERRY HOPPER: Is that something
19 you would want to combine with Mr. Thomassy's comments
20 and make it all one document?

21 MR. CRAIG BRANCHFIELD: I think at
22 the end of the day we might want to try and do that.

23 For this particular one, I don't see any reason to do

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1 that.

2 MR. FERN THOMASSY: Well, the
3 comment I have on it as a TRC, we never came together
4 as a group. We were asked to review the document and
5 provide our comments. That's what each of us did.

6 Unless we have issues with each
7 other's comments, I think they ought to go forward as
8 comments, since we're already in a public comment
9 period, to the people that are taking those comments
10 and will formally review them.

11 I've looked at yours, and I don't
12 have any problem with them. I agree with them. I
13 think they ought to go forward. I say now you ought
14 to take a look at mine, if you have a problem with
15 them. And the same thing with the other members of
16 the TRC.

17 But I don't think, at this point, we
18 ought to try to go through all of this shuffling and
19 all of the compromising. We'd never get it done,
20 because we didn't start that way. That's my
21 recommendation.

22 MR. CRAIG BRANCHFIELD: Any other --

23 MAYOR KIMBROUGH: So, are there four

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1 sets of comments that have been submitted, the four
2 members?

3 MR. FERN THOMASSY: I can't answer
4 that.

5 MR. CRAIG BRANCHFIELD: I'm aware of
6 mine and Mr. Thomassy's. I don't believe Dr. Cox has
7 had an opportunity to --

8 DR. BARRY COX: I looked over yours,
9 and I didn't see anything that I wanted to add to it.
10 So, I would recommend just go forward with your
11 comments, that's fine with me. I didn't -- there was
12 no major issues that I saw with those.

13 MR. RON LEVY: The --

14 MR. FERN THOMASSY: And what I
15 would do, hold on to those. And I have them in
16 electronic copy, so I'll go ahead and E-mail them to
17 each of the four members of the TRC.

18 MR. RON LEVY: Could you E-mail them
19 to me, too, so we can --

20 MR. FERN THOMASSY: Yeah, make it
21 easier for you. I'll get you a copy, too.

22 MR. PHILIP STROUD: I'll get it
23 through him.

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1 MR. CRAIG BRANCHFIELD: Okay, that's
2 what we'll do.

3 MR. FERN THOMASSY: I got your
4 E-mail address. You can't get away. It will go
5 straight to you.

6 MR. CRAIG BRANCHFIELD: What I'll
7 ask everybody to give some thought to is whether the
8 RAB is interested in making an official statement
9 regarding their support or -- what's the opposite of
10 support? The opposite of support for a --

11 MAYOR KIMBROUGH: Opposition.

12 MR. CRAIG BRANCHFIELD: Opposition,
13 that's the word I'm trying to come up with. In
14 support or opposition to a particular -- because
15 certainly, there are up sides to that and there are
16 questions some people may have about actually doing
17 that and putting it officially on the record.

18 MR. FERN THOMASSY: And I would
19 recommend also that one of the things that the TRC was
20 formed for was to try and do that review and make its

21 comments known to the board, and the board can write
22 on them, go into depth on them, dispute them, make its
23 own decision when it comes time to finally make a

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1 decision.

2 MR. CRAIG BRANCHFIELD: Yeah.

3 MR. FERN THOMASSY: But they ought
4 to have a chance to hear from us. That was our job,
5 as I thought, when the TRC was put together.

6 MR. CRAIG BRANCHFIELD: I agree.
7 I agree.

8 DR. BARRY COX: This might not be
9 the appropriate time, but Mr. Hopper here has
10 considerable technical expertise. I guess some --
11 whether it's appropriate, I would like to recommend
12 that he be added to our technical review committee.

13 MR. CRAIG BRANCHFIELD: We currently
14 have a committee, as most people know, made up of four
15 people, which is myself and Dr. Cox, Mr. Thomassy, and
16 Mr. Conroy. There is certainly no reason not to
17 expand the size of that to include Mr. Hopper and
18 others, if they're interested.

19 Recognize that some of these
20 documents are fairly large, but that shouldn't be a

21 reason, if you're interested in reviewing things from
22 a technical perspective, that you shouldn't be given
23 that opportunity. So, why don't we -- also, we're

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1 going to have a long meeting in January.

2 But anybody that's interested in
3 serving in a technical review capacity, why don't you
4 -- you know, everybody give it some thought. And if
5 you're interested, we'll have some more discussion on
6 it at the next meeting. And if we choose to expand
7 the size, then we'll do that.

8 And if you're not interested, be
9 prepared to say that, also, in case somebody else
10 volunteers you.

11 MR. JERRY HOPPER: Well, it might
12 be something to consider if we get a sizable committee
13 to perhaps appoint a chairman of that committee and
14 after the review come together and then make your
15 recommendations or presentation to the RAB as a group.
16 And that may be something that would be good to
17 precede the community, is an open meeting comment
18 session, if we could, you know, say that we do approve
19 or disapprove, that might have a lot to do with how

20 the community, as a whole, would approach it.

21 MAYOR WILLIAM KIMBROUGH: Need to
22 consider the -- make sure it's functional, that we
23 don't get so big that, you know, that we have more

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1 members or as many members on it as we do the RAB
2 members.

3 MR. CRAIG BRANCHFIELD: Yes.

4 MR. JERRY HOPPER: Well, at the
5 same time, you don't want to get too bureaucratic,
6 either.

7 MR. CRAIG BRANCHFIELD: Well, yeah,
8 we don't want this to --

9 MR. JERRY HOPPER: We're a community
10 group and advisory group, so it's a --

11 MR. CRAIG BRANCHFIELD: Well, if
12 everybody would spend at least twenty hours thinking
13 about that over the next few months, I'm sure we'll
14 reach a resolution.

15 Why don't we move on through the
16 agenda. Ron, I guess you guys are up next with new
17 business.

18 MR. RON LEVY: Well, this was the

19 new business, the new business is the -- starts out
20 the agency reports and then the action summary sheet.
21 So, on the agenda we would be onto agency reports.

22 MR. PHILIP STROUD: Okay. I'll
23 make mine quick. This is a follow-up from the last

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1 one. As usual, I'll hand these out.

2 You'll see a lot more of the reports
3 have gone through. There are quite a few there are
4 now being signed and so, this will be pretty well
5 updated next time you see this. And I'm just going
6 to pass it around this way.

7 I talked to Doyle Brittain, briefly.
8 He's well into the review process, too. He wasn't
9 able to make it here for budgetary reasons again. I
10 guess it still stems down to this New York disaster
11 they had.

12 But anyhow, he didn't have much to
13 add, either. So, that's all I'm going to really say.

14 MR. CRAIG BRANCHFIELD: Is that it,
15 Phil?

16 MR. PHILIP STROUD: That's it.

17 MR. CRAIG BRANCHFIELD: Go on to the
18 JPA.

19 MR. DON CLECKLER: Just briefly,
20 we're continuing marketing the property that's been
21 transferred to us. And I guess the biggest thing on
22 the horizon right now is the privatization or transfer
23 of acreage up near Reilly Field for an industrial

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1 complex up in that area. And we're moving along with
2 that discussion with the Army and TRADOC and we're
3 moving, I think, pretty rapidly in that direction.

4 DR. BARRY COX: Where are you on
5 the issue of privatization cleanup? Is that something
6 you're still considering?

7 MR. DON CLECKLER: That's what we've
8 been in discussion with TRADOC just this last week,
9 some more discussion on that, and we're moving forward
10 and we'll be talking more with the Army in our January
11 meeting. And we will have someone, I guess, from
12 TRADOC will be coming down --

13 MR. GLYNN RYAN: Actually, from
14 Department of the Army.

15 MR. DON CLECKLER: -- give the board
16 an overview of what privatization or the transfer is
17 all about and what the responsibilities are.

18 MR. GLYNN RYAN: We're looking at
19 asking someone from Department of Army level to come
20 down and talk about privatization, early transfer,
21 what that would mean to the JPA and the board of
22 directors, what's their responsibility under that.

23 DR. BARRY COX: Could you also maybe

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1 inform -- let them meet with the RAB when they're --
2 to keep the RAB up to speed on what's happening there?

3 MR. DON CLECKLER: That would be --

4 MR. GLYNN RYAN: Yeah. I certainly
5 don't -- maybe not at the January meeting, since this
6 seems to be growing, but, you know, there may be --

7 MR. BARRY COX: I don't disagree
8 with that.

9 MR. GLYNN RYAN: Yeah, exactly. I
10 think that certainly that would be something we would
11 do, because that's a buy-in that we've got some.

12 MAYOR WILLIAM KIMBROUGH: Are there
13 any plans for the JPA to use the RAB in any way, since
14 we've been through this for about four or five years?

15 MR. DON CLECKLER: It hadn't been
16 discussed, but my feeling -- you and I have had

17 discussions about it, Mayor, that we should continue
18 to use the RAB in the same way that it's being used
19 for -- whatever vehicle we use or whatever contractors
20 we use could make the same reports here that you're
21 getting now from the transition force. I see no
22 reason why that shouldn't continue. I would recommend
23 it.

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1 MAYOR WILLIAM KIMBROUGH: Thank you.

2 MR. RON LEVY: Okay. The action
3 summary sheet, I'll try to do a quick review. I know
4 we've been here a long time. People are starting to
5 fall asleep.

6 MR. CRAIG BRANCHFIELD: Just keep
7 going, Ron. I could do this all night.

8 MR. RON LEVY: All right.

9 MR. GLYNN RYAN: Make it short, Ron.

10 MR. RON LEVY: Then I'll read it
11 word by word.

12 Status of landfill three, in terms
13 of the well sampling, we do expect to continue
14 sampling the wells. The existing wells will be
15 resampled in January, this coming January. And our
16 plan is to do a quarterly sampling. And Mayor asked

17 me about that.

18 In terms of additional wells being
19 sampled, right now we're working on a work plan,
20 identifying those locations before we can actually go
21 in and start to negotiate, one with ALDOT, because
22 part of those -- some of those wells need to go in the
23 median and the other with Mr. Brown.

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1 And before we actually get through
2 that work plan, it's going to have to be in for a
3 regulatory review of EPA and ADEM. We're going to
4 want them to buy into our proposal, as well. So, it's
5 moving.

6 Probably won't have the work plan,
7 Jeannie, until -- ready until January?

8 MS. JEANNIE YACOUB: Right. We
9 already briefed the regulators, too. So, they
10 provided some technical input. We're committing it to
11 paper.

12 MAYOR WILLIAM KIMBROUGH: May I
13 make a statement on that, Ron? 12 February, we were
14 given a time line of when this would be complete, no
15 longer than nineteen weeks. And now we're almost a

16 year away from it, and we still -- of course, I
17 understand complications. But this is not acceptable
18 to me and our city, because I still feel like there is
19 a probability that there is some danger, whether it's
20 a great probability or small.

21 And I think if -- I would request
22 that if there is any way to expedite this, that it be
23 done, because like I said, it was urgent at one time.

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1 And, you know, I talked to Mr. Blocker with the Corps
2 of Engineers and I met with Mr. Bennett and I met with
3 his daughter this summer --

4 MR. GLYNN RYAN: Mr. Brown?

5 MAYOR WILLIAM KIMBROUGH: Mr.

6 Brown, yes. Ms. Bennett's his daughter. Star Bennett
7 is the one that's handling it. You know, this -- and
8 everybody says I'm overreactive, but we saw that the
9 quantities had increased from ninety-five to
10 ninety-eight to zero one. And whether that's
11 increased because it's moving or what.

12 But, you know, I've got a water
13 source, and I've got about six thousand people that
14 use that water source. And I classify it as very
15 important to my city. And y'all know that's one

16 reason I'm on this RAB is because of that. And I
17 guess I'll bring it up every meeting until we find out
18 that it isn't, because that's my concern. And it's an
19 honest concern, it's a sincere concern.

20 That's all I've got to say.

21 MR. GLYNN RYAN: Let me address
22 those a little bit, Mayor Kimbrough. We gave you the
23 time lines based on receiving the go ahead from

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1 private property. And we have not received that.
2 We're still working on that. Your talk with Ms.
3 Bennett and Mr. Brown -- as soon as we receive that
4 and our work plan is complete, we will be out there
5 putting those wells in.

6 In the meantime, because we could
7 not get that approval, we went over to a -- very close
8 to your water wells and we drilled sentinel wells.
9 And our tests came back that there was no
10 contamination of those or in your city water well. We
11 think we're at least providing you assurance that
12 there is nothing there.

13 MAYOR WILLIAM KIMBROUGH: What
14 other wells besides on Blarney? That's the only one

15 I'm familiar with.

16 MR. GLYNN RYAN: I think that's the
17 one.

18 MR. RON LEVY: Those are the ones.

19 MAYOR WILLIAM KIMBROUGH: Which
20 that's on the side of a hill, it's not in the valley,
21 which -- where the ground water is going.

22 MR. GLYNN RYAN: That's what we're
23 still determining, where the ground water is going.

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1 That's one of the things we're out there looking for
2 right now. I think ADEM and -- Philip, do you have
3 any -- I mean, you've been working this issue with
4 ground water. Can you --

5 MR. PHILIP STROUD: Yeah. I
6 appreciate, you know, you wanted to expedite this,
7 too. And I have the same sentiments to get those
8 wells in over there, to find out the direction of
9 ground water flow, because I don't feel comfortable
10 with the ground water flow until we get those wells
11 in.

12 MAYOR WILLIAM KIMBROUGH: Well, you
13 know, what kind of -- excuse me if it sticks in my
14 craw -- is that y'all said that y'all were going to

15 have these results. I was trying to get funds because
16 I've got a problem if I have to cut my wells off.
17 And yet EPA and ADEM and the Corps of Engineers would
18 not give me a letter of support to receive some funds
19 which I had in the works in Washington. And so -- and
20 it was because, well, we're going to get to this real
21 fast and there is no problems.

22 And I don't know. Like you say,
23 everybody's said, no, there is no big problem. If my

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1 well's contaminated, I got households that won't have
2 water and I need to know something.

3 MR. GLYNN RYAN: Okay.

4 MAYOR WILLIAM KIMBROUGH: I mean, if
5 I go on Anniston, I got three hundred houses that
6 won't have any water.

7 MR. GLYNN RYAN: I think, again, the
8 contamination, we're still sampling to determine if it
9 reaches your wells. We have seen no sign that it is
10 in that area, at this point. And we'll continue to
11 sample and we will continue to work with you, to work
12 with the problem, if we have one.

13 MAYOR WILLIAM KIMBROUGH: Thank

14 you.

15 MR. RON LEVY: Okay. Let me move
16 on. We're still moving on the EE/CAs. As I briefed
17 before, the Alfa area is complete. We expect to have
18 that out for regulatory review here shortly to EPA and
19 ADEM some time in the middle of next month.

20 Bravo field work continues on.
21 There's lots of work going on there, but we still
22 don't expect to complete that until some time in
23 February. After which we'll have to go through a

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1 draft EE/CA, regulatory reviews and so forth. So,
2 report some time by mid July to the regulators.

3 The Charlie area EE/CA is still
4 undergoing review, although I think we've, for the
5 most part, from a regulatory standpoint, have been
6 able to get through all of the comments and resolve
7 those. So, we're looking towards January as our
8 expected start date. It says in the summary sheet
9 it's about three months worth of effort there.

10 And we briefed you about the M-101,
11 so I won't go back over that. That was in the action
12 summary sheet. Sixty contractors on site with Foster
13 Wheeler, various types of contractors involved in the

14 OE removal effort.

15 The CWM, that's been briefed to you
16 in the past. The field work is complete. Right now
17 we're involved in the review with the regulators with
18 EPA and ADEM. In fact, we've got an onboard review
19 coming up tomorrow on that.

20 We anticipate providing a report in
21 February. That, as you all are aware, is good news.
22 We really did not find anything.

23 Completion of the report some time

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1 in March, with the action memorandum some time in
2 spring, completion of the actual spring -- but our
3 action memorandum for the most part is going to be no
4 further action, since we didn't find anything. There
5 may be some institutional controls. At this point
6 we're still working through that.

7 There's an EE/CA been prepared on
8 the landfill investigation. We're looking at EPA and
9 ADEM's comments. We're trying to address those
10 comments at this point. Based on the time lines, it
11 probably won't go out for public review until some
12 time in March.

13 facilitation response or CERFA parcel is various
14 parcels that we've been investigating at this point
15 and no further action. I don't have a map of that
16 anywhere to show you, but a big part of that is in the
17 southern part of the installation, in M-3 that's being
18 FOST'ed. For those of you who don't remember, FOST is
19 finding of suitability to transfer.

20 Right now, that's been sent to
21 TRADOC. And TRADOC, who has the signature authority
22 on this, should sign off on the document here within
23 the -- they've got thirty days -- within the next two

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1 months. So, we hope to see the actual signature on
2 that FOST.

3 Some time after that, we are
4 prepared to transfer the property. Although I can't
5 talk to you specifically about how the transfer is
6 going, that's kind of out of my realm.

7 There is a safety note on here that
8 I just wanted to point out. We still continue to see
9 people going into areas that are marked as unsafe,
10 where we have ordnance operations going on. As
11 members of the RAB, if you have a chance to talk to

12 folks -- I think there is a lot of activity on post
13 here because it's opened up now.

14 These areas are unsafe. They may
15 not realize it. They may think there is nothing going
16 on out there, but in fact there is. And if we see
17 folks out there, we'll ticket them or take whatever
18 appropriate action is necessary to protect them and
19 the Army's interest, as well.

20 That's all I've got.

21 MR. CRAIG BRANCHFIELD: Any
22 questions for Ron on the action summary sheet? At
23 this point we'll ask if there is any comments from any

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1 members of the audience? No.

2 Real briefly, before I toss out a
3 motion to adjourn, I just want to take a second and
4 offer my thanks -- and I'm sure I speak for everybody
5 on the RAB -- to offer our appreciation to Dr. Cox for
6 serving as the co-chairman for the last year. I think
7 the RAB is a better organization for it and certainly
8 appreciate the time and effort he put into that.
9 Thanks, Dr. Cox.

10 And with that said, is there a

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motion to adjourn for the evening?
MR. JAMES BUFORD: So moved.
MR. CRAIG BRANCHFIELD: Second?
MR. DON CUNNINGHAM: Second.
MR. CRAIG BRANCHFIELD: All in
favor? Anybody opposed? I'm sure not.
(Whereupon, the meeting was adjourned.)

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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

11 a true and correct transcript of the proceeding to the
12 best of my ability.

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

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P.O. BOX 544
OHATCHEE, AL 36271
256-892-0591
FAX 256-892-3001

NOBLE & ASSOCIATES

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IN WITNESS WHEREOF, I have hereunto
set my hand and affixed my seal at Anniston, Alabama,
on this the 3rd of December, 2001.

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11

SAMANTHA E. NOBLE

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Notary Public in and for

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Alabama at Large

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MY COMMISSION EXPIRES: 11-19-2005.

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