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FORT MCCLELLAN
RESTORATION ADVISORY BOARD

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Taken before Donna D. Gallahar, Court
Reporter and Commissioner for the State of
Alabama at Large, taken at Fort McClellan,
Alabama on the 15th day of April, 2002,
commencing at approximately 6:30 p.m.

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P.O. BOX 544
OHATCHEE, ALABAMA 36271
PHONE: (256) 892-0591

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1 MR. BRANCHFIELD: If there's no
2 objection, let's go ahead and get started. We'll
3 start off by doing the roll call. Mr. Beckett?

4 MR. BECKETT: Here.

5 MR. BRANCHFIELD: Mr. Buford? Mr.
6 Clendenin?

7 MR. CLENDENIN: Here.

8 MR. BRANCHFIELD: Mr. Conroy? Dr.
9 Cox?

10 DR. COX: Here.

11 MR. BRANCHFIELD: Mr. Cunningham?
12 Mr. Elser?

13 MR. ELSER: Here.

14 MR. BRANCHFIELD: Ms. Fathke?

15 MS. FATHKE: Here.

16 MR. BRANCHFIELD: Mr. Franklin?

17 MR. FRANKLIN: Here.

18 MR. BRANCHFIELD: Mr. Freeman? Dr.
19 Harrington?

20 DR. HARRINGTON: I'm here, finally.

21 MR. BRANCHFIELD: Mr. Hood? Mr.
22 Hopper?

23 MR. HOPPER: Here.

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1 MR. BRANCHFIELD: I'm checking
2 people off who aren't here. Mr. Stratton? Mr.
3 Levy is here.

4 MR. LEVY: Here.

5 MR. BRANCHFIELD: And Mr. Stroud is
6 here.

7 MR. STROUD: Yes.

8 MR. BRANCHFIELD: Okay, if we could
9 go ahead and go around the room, we'll just start
10 down here and work our way around and have the
11 audience introduce themselves, please.

12 MR. SHANKS: Bill Shanks, the
13 Transition Force Environmental Office.

14 MR. JAY: Lee Jay from the
15 Transition Force Environmental Office.

16 MS. YACoub: Jeanne Yacoub from IT
17 Corporation.

18 MR. POPE: Ellis Pope from the Corps
19 of Engineers, Mobile District.

20 MR. JAMES: Paul James from the Task
21 Force Environmental Office.

22 MR. HOLCOMB: Art Holcomb, from
23 Foster Wheeler.

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1 MR. KUDNEY: Joe Kudney from Parsons.

2 MR. COPELAND: Dan Copeland, I'm
3 from Corps of Engineers.

4 MS. HOLSTEIN: (sp) Lisa Holstein,
5 Transition Force Environmental Office.

6 MR. DOYLE: Joe Doyle, Transition
7 Force, legal office.

8 MR. DAFFRON: Bob Daffron, National
9 Guard Environmental Office.

10 MS. BLUEMINK: Liz Bluemink,
11 Anniston Star.

12 MR. GARLAND: Bill Garland, U.S.
13 Fish and Wildlife Service.

14 MR. ALLEN: Frank Allen, 6102 Weaver
15 Road.

16 MRS. ALLEN: I'm Gail Allen.

17 MR. BRANCHFIELD: Thank you. Okay,
18 has everyone had an opportunity to review the
19 meeting minutes from the March meeting? Or better
20 yet, should I say has anyone not had an opportunity
21 to review the minutes from the March meeting?
22 Okay, well, with that, I would offer a motion to
23 approve the meeting minutes from the month of

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1 March.

2 MS. FATHKE: So moved.

3 MR. ELSER: Second.

4 MR. BRANCHFIELD: All those in
5 favor?

6 BOARD MEMBERS: Aye.

7 MR. BRANCHFIELD: Opposed? Okay, we
8 will have the minutes from the March meeting
9 approved. Let's see, just to go real quick through
10 the packets in front of you. Miki Schneider
11 couldn't be here tonight, but she has a note in
12 there which she encourages everybody to read. I
13 think she has some comments in there about the
14 landfill EE/CA which you may find interesting.

15 Here comes Pete. Just so we can get it
16 into the record, we can show that Pete Conroy is
17 present.

18 MR. LEVY: I'd point out based on
19 Miki's note that the Army intends to entertain a
20 request from JPA on extension of the comment period
21 for the landfill EE/CA which is supposed to end the
22 19th of April. At this point we have not seen any
23 letter, do not know how much time, additional time

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1 the Army is going to extend on this. Could be
2 anywhere from thirty to sixty days. We really need
3 to look at their request.

4 MR. BECKETT: Ron, can I ask you a
5 question about that at this point?

6 MR. LEVY: Sure.

7 MR. BECKETT: I went to the
8 government docs in the library today up at
9 Jacksonville and tried to find the EE/CA there and
10 couldn't. The librarian couldn't find it for me.
11 I'm wondering if it's on file yet and if it's
12 cataloged.

13 MR. LEVY: Lisa, the draft document
14 is up there, isn't it?

15 MS. HOLSTEIN: It should be.

16 MR. LEVY: We had problems before
17 with people finding the documents and --

18 MS. HOLSTEIN: That was at the
19 Anniston Library.

20 MR. LEVY: Yeah, we haven't had
21 one--

22 MR. BECKETT: This was at Houston
23 Cole. It would help if I had the --

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1 MS. HOLSTEIN: Did you go to the
2 ninth floor?

3 MR. BECKETT: I went to the woman in
4 the basement who catalogs them, and she sent me to
5 Doug on the fourth floor who is sort of the
6 librarian in charge, and he was unable to find the
7 catalog. He went on the internet and looked at the
8 US Government, I figured he knew what he was doing
9 because --

10 MR. HOLSTEIN: The documents are
11 kept on the ninth floor. When Brenda gets back in
12 here, I'll talk to her. But you should be able to
13 find them on the ninth floor. I'll ask.

14 MR. LEVY: Yeah, we'll get you the
15 specific information as to where they are at. They
16 may not be in the library catalog system, I don't--

17 MS. HOLSTEIN: They may not be.

18 MR. DOYLE: I don't think they are.

19 MR. BECKETT: This is in the
20 government catalog system, he accessed the US
21 Government.

22 MR. LEVY: But it still may not be
23 in that either. It may be just separately

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1 identified. I don't really know. Brenda
2 Cunningham, she just went to get some more coffee,
3 she is the one who keeps it up, and she'll be able
4 to tell you specifically. But we'll get you to the
5 document. I promise you that.

6 MR. DOYLE: With regard to the
7 extension of time, if and when that happens and the
8 amount of time, that will be put into a legal
9 notice and published in the Anniston Star depending
10 on the timing of when we get this request. We may
11 have it in as early as Friday, if not, the first
12 part of next week. Just driven by whenever we
13 receive that letter.

14 MR. LEVY: Which I would tell you
15 that the extension would also apply to the TRC
16 which is now reviewing the document as well.

17 MR. BRANCHFIELD: Could you guys
18 e-mail us or something, Ron, and let us know how
19 much longer we had once we know for sure?

20 MR. LEVY: Yeah, we can do that.

21 MR. BRANCHFIELD: Okay, moving on
22 down the agenda with old business, the technical
23 review committee. Jerry Hopper had been nominated

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1 earlier to become a member of that committee and he
2 graciously accepted that position. So Jerry will
3 be helping us review the technical documents from
4 here on forth. I think he will be a good addition.

5 MR. LEVY: Let me ask, Jerry are you
6 ready to accept a load of documents?

7 MR. HOPPER: Yes. I've got several
8 of them now. I've just got to get some time to
9 take a look at them. Yeah, I will give it my best
10 shot.

11 MR. BRANCHFIELD: Just real quick
12 for the record, we'll show that Mr. Buford has
13 arrived.

14 The next item on the agenda concerns the
15 TAPP program. And I guess it was a week or two ago
16 Dr. Cox and Mr. Conroy had a meeting with Ron and
17 Glynn Ryan to discuss opportunities for getting
18 some TAPP money to assist the RAB in our efforts.
19 And since I was not at that meeting, what I would
20 like to do is turn it over to Dr. Cox and have him
21 kind of go through what took place at that meeting,
22 and there are some specific items that we would
23 like to accomplish at this meeting tonight

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1 regarding a TAPP application which should require
2 us all to think about and basically sign up for if
3 we agree with the proposal. So Barry, I'll turn it
4 over to you if I could.

5 DR. COX: Probably give the credit
6 to Ron, because Ron wrote the document up. If you
7 would take a look at the TAPP proposal request.
8 This is essentially what we talked about before is
9 the fact that we don't have the time to review the
10 documents, even the technical review committee
11 doesn't, due to the length, don't have time to give
12 it the detail we should. We are proposing to have
13 somebody with this expertise to review the
14 documents for us and make a report at each of our
15 meetings.

16 The person that we have recommended as a
17 suggestion is on page two is Mr. Ron Grant. Ron
18 was the risk manager at the depot for a number of
19 years, and is, I think, highly qualified to perform
20 this type of operation. Also we have in your
21 packet a statement of capabilities from HGS
22 Engineering, should Ron not be a choice, certainly
23 we have another option there.

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1 Any questions on this?

2 MR. LEVY: The one thing I would
3 recommend you do is focus on the scope of work in
4 the attachment two, one through seven to ensure
5 that's exactly what you are looking for. This was
6 built off of another TAPP application that was done
7 at another Army base, so it's similar, but I think
8 the RAB, you'll want to look hard at that and see
9 if that's what you are looking for.

10 MR. CONROY: Barry, what action
11 would you like for us to take tonight?

12 DR. COX: Well, the first thing we
13 ask, this has to have the approval of the majority
14 of the RAB, as I understand it, is that correct?
15 So the question is, are we at this stage of the
16 game, are we ready to go forward with a
17 recommendation that we go after the TAPP money and
18 that we recommend one of these two groups, one of
19 these individual or groups as the one we would like
20 to recommend to the contractor.

21 MS. FATHKE: I've also got a
22 question, on the technical requirements --

23 COURT REPORTER: I'm sorry, I can't

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1 hear you.

2 MR. CONROY: Donna, can you say that
3 one more time?

4 COURT REPORTER: I can't hear with
5 the air conditioner on. I'm sorry.

6 MS. FATHKE: Oh, I'm sorry, yeah,
7 turn that thing off. It's too cold in here anyway.
8 It states in the requirements that contract period
9 be for twelve months and he would have to attend
10 twelve monthly RAB meetings, but we don't meet in
11 December. So I just didn't know if that would
12 cause a big problem.

13 MR. DOYLE: The answer to that from
14 a contracting standpoint is no.

15 MS. FATHKE: Okay.

16 MR. DOYLE: It probably works in
17 your favor, because you will note one thing is that
18 there is a level of effort in terms of twenty hours
19 a week. So I mean, and the reality is that's
20 chargeable against your hours. So we may have ten
21 meetings or eleven meetings, whatever, that's how
22 many there is.

23 MR. CONROY: There may be a

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1 committee or some peripheral meeting where we could
2 snag an extra --

3 MS. FATHKE: And then it also
4 assumes review of fifteen documents. Is that just
5 a ball park figure?

6 MR. DOYLE: That's an estimated
7 number.

8 DR. COX: We are estimating the
9 number of documents that come forth in a year.

10 MR. DOYLE: And be aware you need to
11 monitor somewhat in terms of level of effort in
12 twenty hours a week and keep track of his time
13 associated with each project so you can choose if
14 he takes forty hours on one particular project, you
15 might want to limit somewhat his area on another
16 project.

17 MR. CONROY: Sure.

18 DR. COX: And it may be one period
19 we may need thirty or forty hours a week and then
20 much less time later on. So I don't think we're
21 looking at actually twenty hours each week.

22 MS. FATHKE: Okay.

23 MR. LEVY: It assumes up to six

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1 technical review committee meetings. I know we're
2 not really having them, but it was put in there,
3 again, on our assumptions that there would be some.
4 If you feel it should be scaled back or taken out,
5 we can do that as well.

6 MR. CONROY: In concept, what do you
7 think?

8 MR. BRANCHFIELD: Okay, well, should
9 we --

10 MR. CONROY: How do you write that
11 down? Everybody nodded?

12 COURT REPORTER: Group nod.

13 MR. DOYLE: If I may interject, I
14 think somebody ought to make a motion and you
15 actually vote on that if you would. And then the
16 second thing would be then you make your selection
17 as to who your proposed contractor is.

18 MR. BRANCHFIELD: Okay, and then I
19 guess we also have to get this form signed by
20 everybody, is that correct?

21 MR. LEVY: Well, a majority.

22 MR. BRANCHFIELD: By a majority,
23 okay. Well, I guess then I would make a motion to

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1 accept the proposal for the technical assistance
2 application --

3 DR. HARRINGTON: In carrying
4 business, you would need somebody else to make a
5 motion. Isn't that correct?

6 MR. CONROY: Probably.

7 MR. BRANCHFIELD: Say that again.

8 DR. HARRINGTON: Are you waiting for
9 a motion?

10 MR. BRANCHFIELD: Well, I don't
11 know, I was told that I just had to make a motion,
12 so I was going to make it.

13 DR. HARRINGTON: Well, you've got to
14 have a motion, you are conducting the business, you
15 don't want to make the motion.

16 MR. BRANCHFIELD: I don't want to do
17 that?

18 MS. FATHKE: You can put the words
19 out there and ask for one of us to so move.

20 DR. HARRINGTON: I'll offer a motion
21 that it be accepted as presented with the necessary
22 discussions addressed.

23 MR. CONROY: I'll second Dr.

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1 Harrington's motion.

2 MR. BRANCHFIELD: All those in
3 favor?

4 RAB BOARD: Aye.

5 MR. BRANCHFIELD: Opposed? Motion
6 is carried I guess is the appropriate lingo.

7 MR. CONROY: Unanimously.

8 MR. BRANCHFIELD: Unanimously.
9 Okay.

10 MR. LEVY: Can I ask a question?
11 Did this motion include the individual that was put
12 in here as the recommended sole source?

13 DR. COX: I think that would be the
14 second motion, wouldn't it?

15 MR. CONROY: Yeah, that's separate.

16 MR. BRANCHFIELD: So do I hear a
17 motion to accept Mr. Ronald Grant as the provider
18 for the technical assistance program?

19 MR. FRANKLIN: I so move.

20 DR. COX: Second.

21 MR. CONROY: Little discussion. Ron
22 is one of the smartest guys I ever met. Can he,
23 you know, cut the grass down where the goats can

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1 eat it, like me?

2 MR. BRANCHFIELD: Is that a
3 technical term, Pete?

4 MR. CONROY: Yeah.

5 DR. HARRINGTON: Repeat.

6 MR. CONROY: I mean, what we need is
7 someone to take this scientific information, this
8 complicated information, reams and reams of
9 scientific complicated information, and make it
10 understandable, well, as the lowest common
11 denominator, to me.

12 DR. COX: Yeah, and I would say
13 from my experience on the Anniston Army Depot RAB,
14 that I think, yes, he can. And I worked with Ron
15 on the environmental education project for a number
16 of years, and so in my opinion he can.

17 MS. FATHKE: Of course, you are
18 pretty brilliant yourself, can he bring it down to
19 our level is what he's saying.

20 DR. COX: Okay, I disqualify myself.

21 MR. CONROY: In which case, I call
22 for the question.

23 MR. BRANCHFIELD: You call for a

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1 question?

2 MR. CONROY: That means you say all
3 in favor, right?

4 MR. BRANCHFIELD: Oh, okay. I
5 thought you had a question or something. Okay, all
6 right, all those in favor?

7 RAB BOARD: Aye.

8 MR. BRANCHFIELD: Opposed. Carried
9 motion, unanimously again. I will sign this sheet
10 of paper and pass it around. I guess we need that
11 to document certification of the majority request
12 for this TAPP. And while I'm doing this, is there
13 any more discussion on the TAPP before we move on?

14 MR. DOYLE: Just administratively,
15 I'll pass that on to our contracting office first
16 thing in the morning. Don't know the time frame,
17 but I know we're talking just a matter of a couple
18 of weeks to get the contract in place. We will
19 keep all the members informed as soon as the
20 contract is in place.

21 MR. BRANCHFIELD: Okay, good.

22 MR. DOYLE: I assume you have
23 approached the individual and he is interested?

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1 DR. COX: (Shakes head up and down.)

2 Will we have it all in time to do the landfill

3 EE/CAs you think?

4 MR. DOYLE: After the meeting could

5 you give me his pertinent information, his phone

6 number and address.

7 MR. CONROY: It's on the

8 application.

9 MS. FATHKE: Will he need to do the

10 landfill EE/CA since JPA's engineer is doing that?

11 Do we want that redundancy or would we rather have

12 him start on something that hasn't been done

13 already?

14 DR. COX: My opinion is the more the

15 merrier. It would be interesting to see how the

16 two compare, wouldn't it?

17 MS. FATHKE: That's true, yeah.

18 MR. BRANCHFIELD: Okay, anymore

19 questions or discussion on that? So you guys will

20 get with them and get the contractual stuff set up.

21 MR. LEVY: There is still a little

22 piece that has to be approved by Glynn who is on

23 leave for part of this week. And I'm not sure, but

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1 we do need to notify folks at the Army level that
2 the RAB is in fact requesting this. So I think we
3 want to get through that process before we
4 guarantee that this is going to happen.

5 MR. DOYLE: We anticipate no
6 problems.

7 MR. BRANCHFIELD: Is this something
8 we would expect to be -- how long does it take to
9 go through this process, Ron, would you anticipate?

10 MR. LEVY: I think just having the
11 folks there. I think the funding is available, I
12 just need to make sure that the powers that be are
13 there to sign off on it. That's my thought.

14 MR. BRANCHFIELD: I guess it's kind
15 of getting to Donna's question, is assuming it goes
16 through without any difficulties, would it be in
17 place in time for this gentleman to look at the
18 landfill EE/CA which I know a lot of people are
19 looking at given that you guys are going to give,
20 probably give an extension of some thirty to sixty
21 days on that.

22 MR. DOYLE: I think it would be
23 feasible.

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1 MR. LEVY: How quickly can
2 contracting actually award --

3 MR. DOYLE: Couple of days.

4 MR. CONROY: Pardon me?

5 MR. DOYLE: A couple of days.

6 MR. CONROY: That's what we like to
7 hear.

8 MR. DOYLE: Once we have a fund
9 site.

10 MR. STROUD: And this guy should be
11 able to see the landfills, a tour of them if he
12 requests that.

13 MR. CONROY: Absolutely. That means
14 everything, to see them.

15 MR. BRANCHFIELD: Well, I guess as
16 soon as this guy is blessed by the Army and
17 everything is approved, can you guys, Ron, give the
18 notification to, I guess myself, obviously, well
19 the whole RAB.

20 MR. LEVY: Here's what I'll do,
21 because Joe Doyle will take it probably tonight and
22 turn it over to Glynn who will be back in on
23 Wednesday, still got to get a signature from him,

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1 but hopefully something will occur before the end
2 of the week, hopefully. At which point I'll get
3 Brenda to send a note to the TRC members and
4 possibly the RAB that the contract is in place.
5 And as soon as it happens, we'll send you a note
6 electronically.

7 MR. CONROY: So hypothetically he
8 could be on the ground and reading in two to three
9 weeks?

10 MR. LEVY: Yeah. That's really
11 quick actually if you think about it.

12 MR. CONROY: Yeah.

13 MR. BRANCHFIELD: Okay, good. And
14 Barry, I guess you have worked with him over at the
15 depot, so you would be a good point of contact
16 for--

17 DR. COX: Yes

18 MR. LEVY: Actually Barry is the
19 TAPP point of contact based on the application, so,
20 he takes care of it all.

21 MR. BRANCHFIELD: All right. Moving
22 on down the agenda to technical review committee
23 report, review of EE/CAs. I will be quite honest

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1 and say that I have not completed my review of the
2 landfill EE/CA. I just started reading it this
3 afternoon, as a matter of fact, and so I'm
4 personally not in a position to offer anything on
5 those yet, although I will be. The other members,
6 I know Jerry just got anointed, so he hasn't looked
7 at it. Dr. Cox, Pete, have either of you had an
8 opportunity to look at the EE/CAs and developed any
9 comments or thoughts that you would like to share
10 with everyone?

11 MR. CONROY: Yeah, not in their
12 entirety, but at this stage of the game I have done
13 a kind of a cursorial review. And, you know, I
14 guess in all honesty, I'm still very concerned that
15 the direction the Army has taken with regard to
16 these landfills is not in the best interest of the
17 community. And I don't know what group there is in
18 Calhoun County that can say that or should say that
19 any more than really this group.

20 And what concerns me, I guess, what I've
21 just done is looked at some of the numbers, the
22 financial data, and it appears that eight, eight
23 million dollars has been set aside, you know, to

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1 pretty much take care of the landfills. And think
2 about this, eight million dollars, three million
3 dollars would go to administrative costs, and then
4 five million dollars would go to like caps and
5 covers and dealing with the landfills but leaving
6 the materials in place. And clearly in situations
7 like the stump dump, hey, leave the stumps in
8 place, you know what I am saying? I mean, they are
9 like wood. But if Mayor Kimbrough were here, do
10 you think he would say something different? And,
11 frankly, if Chip Howell were here, do you think he
12 would say something different? Of course they are
13 down in South Alabama at the mayors meeting,
14 municipality meeting.

15 But you know, then you look at the
16 numbers a little bit more, what does that add up to
17 is eight million dollars. And then you look at the
18 operation and maintenance cost of those landfills,
19 and it was calculated out at three hundred and
20 sixty-seven thousand dollars a year for thirty
21 years. And hey, I don't know where thirty years
22 came from, like I don't know what's going to happen
23 magically in thirty years, like this stuff then

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1 will disappear, but anyway, thirty years is the
2 number that the calculation was based on. And if
3 you do three hundred and sixty-seven thousand
4 dollars times thirty, my calculator came up with
5 eleven million. If you take eleven million plus
6 eight million, I think it's like nineteen million.
7 If we were to do what would be called
8 consolidation, and I know this is all controversial
9 and expensive, and there are no good answers, just
10 me looking at those numbers, it would cost like
11 twenty million, maybe twenty-two million is what I
12 read to do a consolidation project, where you
13 actually clean up the landfills and make one super
14 landfill. I guess that would be like, like a
15 subtitle D, that would be liners and leachate
16 removal and test wells. This is like a Cadillac
17 landfill.

18 Twenty-two million to do the Cadillac
19 where really Mayor Kimbrough could rest easily.
20 Nineteen million to go the other route. I mean,
21 that's why then I say maybe in an uneducated
22 manner, but nevertheless, just by my cursorial
23 review, reconsideration of what has been put on the

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1 table at this stage of the game starts to sound
2 fairly attractive.

3 Moving a little further into some of the
4 other, since we bring up Mayor Kimbrough's name, I
5 think when we were meeting with Glynn we kind of
6 got off into a couple of different areas, and I
7 think what I heard was that the test wells that are
8 out there now would be removed in the long run.
9 And I understand that some of those test wells are
10 described as temporary test wells, so they weren't
11 put in real, real well. And that means that they
12 probably need to go. Because in the long run water
13 could run down, you know, they need to go.

14 But there are a number of test wells that
15 were installed as permanent that are now proposed
16 to be taken out. And seems to me they ought to be
17 left in. Because in the long run we could use
18 those maybe even in thirty years to see what was
19 happening. And the danger there would be, I guess,
20 would be that some nut would come and pour Clorox
21 down there or do something bad. But to me, from my
22 point of view, that's where big old locks come into
23 place, you know. And seems like they should be

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1 kept.

2 And then the last issue, which is maybe
3 less significant, but again this is something that
4 was brought up by Mayor Kimbrough, and that is
5 couldn't the existing wells be used for what's
6 called dye testing, and so now, we could get a
7 sense of how, you know, the aquifers work. Then in
8 the future if we did dye testing we would get a
9 sense of how the aquifer works. And lord knows we
10 don't know near enough about that now. But it
11 seems as though that opportunity should be given to
12 the City of Weaver if they choose to do that.

13 Now, I think Glynn was saying there are
14 private property concern issues and then access
15 issues. And from my point of view, that would be
16 Mayor Kimbrough's problem. He would then have to
17 knock on some doors and ask for permission to use
18 those wells. But you know, that's insignificant
19 almost. And the permanence of these test wells is
20 probably insignificant in some way relative to the
21 fundamental issue as to what level of cleanup will
22 we recommend as a RAB. Maybe not tonight, because
23 this is probably the beginning of a dialog rather

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1 than the end of it. And this is why I think,
2 Donna, your question is a good one is that we
3 probably do need our contractor to look at this at
4 the same time HGS continues to look at this. But
5 anyway, I had comments and that kind of sums them
6 up.

7 MR. STROUD: I had actually taken a
8 count of permanent and temporary wells, and these
9 numbers may not be exact, but they are very close.
10 In the permanent wells, this includes all the
11 landfills, I would come up with forty-one permanent
12 wells that do exist now. A couple of those are
13 wishy-washy, I think they have been hit. I've got
14 to see what the status of that well is. And on the
15 temporary wells, there were only twenty-nine. Some
16 wells had only permanent -- I mean, some landfills
17 only had permanent wells, some landfills only had
18 temporary wells. And I don't see where there was a
19 mix of the two. So, anyway, I was curious too
20 myself, and so there's the number, forty-one and
21 twenty-nine. Forty-one permanent.

22 MR. CONROY: Twenty-nine temporary.

23 MR. HOPPER: Pete, you had a

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1 question about the thirty years, that's probably a
2 CERCLA number. That's normal post-operative care
3 under a CERCLA managed --

4 MR. CONROY: And, Jerry, I joke
5 about it a little bit. I mean, I know that is a
6 standard number that is used in these formulas, but
7 you know as well as I do there is like nothing
8 really tangible that happens in thirty years,
9 that's just a good number.

10 MR. BRANCHFIELD: I thought they
11 just disappeared.

12 MR. CONROY: And had it been forty,
13 I think we're up to twenty-two million, I'm not
14 sure.

15 MR. STROUD: Now, that forty-one is
16 not including the ones they are drilling today and
17 yesterday. So there are quite a few more going
18 on--

19 MR. CONROY: Plus maybe four or
20 five, something like that?

21 MR. LEVY: Let me be on the record
22 about something that I don't think the mayor truly
23 understands is the landfill EE/CA looked at the

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1 fill areas, what's in those fill areas, there's two
2 different types of actions going on here. And
3 what's being addressed in the landfill is, landfill
4 EE/CA or the fill area EE/CA is just exactly that,
5 the fill area. There's a separate investigation
6 going on for the ground area.

7 And just so everybody understands, you
8 remove the fill area, you've still got the
9 groundwater issue. It doesn't go away. So we've
10 got two separate investigations. We still have to
11 address what we're going to do about the
12 groundwater contamination, irregardless of what
13 action is taken, whether it be cover or whether it
14 be a removal.

15 As I said, we've got two investigations,
16 I don't think everybody understands this. We're
17 not walking away from capping that landfill from
18 the groundwater issue. We've still got to get
19 through that groundwater issue. We're still
20 looking to characterize what that groundwater is
21 doing, which we have not finished doing yet, by
22 virtue of the additional wells. When we do
23 complete the investigation, and let's assume that

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1 the action for the groundwater is a long-term
2 monitoring requirement is what we're talking about,
3 the Army intends to leave, will have to leave
4 enough wells to continue monitoring that
5 groundwater.

6 There are temporary wells out there and
7 certainly we are talking about closing those. But
8 from a long-term objective, we've got groundwater
9 contamination and we have to continue monitoring as
10 part of a remedy. And we will be required to leave
11 those wells in. And I can't tell you what that
12 looks like right now because we haven't finished
13 the study. So, yes, some of them will be closed
14 because they are not needed from a monitoring
15 standpoint. But certainly there will be a number
16 of wells that the state is going to want us to
17 maintain from a monitoring standpoint. So the
18 temporary wells, because of their construction were
19 never meant from a long-term standpoint. And if
20 necessary we will have permanent wells in there.

21 MR. POPE: And let me clarify one
22 thing, Ron, you're speaking only of landfill three
23 at this point. And all of our landfill three

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1 wells are permanent wells. We don't have any
2 temporary wells at that site.

3 MR. LEVY: Now, if there was a
4 groundwater issue at the other wells, we would
5 obviously be doing something there. But if you
6 look through the document and you see that there
7 isn't. We are not addressing where there isn't
8 groundwater contamination. And we won't be further
9 addressing where there isn't groundwater
10 contamination, because we have established that in
11 the document.

12 And let's also be clear about another
13 thing. The purpose of the document is to look at
14 human health and the environment. It doesn't
15 necessarily address the reuse issues. Because the
16 community wants reuse of the property for purposes
17 of commercial development, doesn't mean that the
18 Army is not protecting human health and the
19 environment, which is the purpose also of this RAB
20 to look at human health and the environment. Now,
21 I understand there are concerns about costs and
22 whatnot. But, again, we are looking at determining
23 whether or not we are impacting human health and

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1 the environment. And you can do that through
2 several alternatives. Now, one may favor a reuse
3 standpoint, and I understand that. But from the
4 protection of human health, that's what we're
5 looking, and that's what that document tries to
6 address.

7 MS. FATHKE: Well, if I may comment.
8 I see no problem with the landfill causing any
9 serious human health risk as it is now. But it has
10 a potential of further contaminating the
11 groundwater, because we're not really sure what's
12 in that landfill and what's left to leak into the
13 groundwater. And I think that's where the
14 community concern is, is the contamination getting
15 worse if that landfill is not cleaned up.

16 MR. LEVY: We're talking about
17 landfill three, and we understand that landfill
18 three when it was closed, it was closed far before
19 RICRA (sp) standards really came into effect, was
20 never capped. In fact, the cover at landfill three
21 was essentially they pushed some soil over the top
22 of it. And then I don't know whether the Army
23 planted trees or whether those trees just grew up

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1 over there. But what we've got out there is a
2 non-cap with trees on it. And the trees and the
3 root system essentially give you an immediate
4 conduit into the groundwater. So there's a big
5 problem right there.

6 The purpose of the cap itself is to stop
7 the groundwater from leaching through the landfill
8 into the -- stop the rain from leaching through the
9 landfill into the groundwater. So again, if you
10 address a cap, you should stop whatever action is
11 happening from purpose of leaching and therefore
12 pushing whatever contaminants are going into the
13 groundwater.

14 Again, the cap is to stop the leach and
15 the continuation of the infiltration of
16 contaminants into the groundwater. Now, that may
17 not go back to reuse, we understand that. But it
18 does take up the action of stopping continued
19 groundwater contamination from leaching from the
20 roots and whatnot.

21 DR. COX: But what you are saying
22 obviously does limit the potential reuse of the
23 property.

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1 MR. LEVY: Again, what the Army did
2 is we looked at the document from a human health
3 and ecological risk standpoint.

4 MR. CONROY: Well, of course, we
5 would like to maximize the reuse potential and
6 maximize human health considerations and in doing
7 so, you know, again, capping makes great sense
8 especially in the short term. But, you know, the
9 better and the higher level of cleanup is something
10 that needs to be encouraged. And I'm not sure, but
11 I've never been convinced that we really know what
12 are in the other landfills. That means two and
13 that means one and the ones around Riley air strip.
14 And again, a consolidation approach would just lift
15 all of the burden from the community in answer of
16 the questions for once and for all.

17 And if the cost is the driver here, you
18 know, again by looking at the math that I was
19 describing earlier, it seems within the range of
20 feasibility.

21 MR. LEVY: I would tell you that we
22 did look at all the other landfills, we looked at
23 groundwater, we did actually take samples within

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1 the landfills. So we tried to determine whether
2 there was a human health impact in there. And we
3 determined based on what was there that in fact
4 there was not. And that's where our alternatives,
5 the alternative that we chose came into effect. In
6 fact, a lot of the fill areas are construction and
7 debris sites, you know, where the Army pushed over
8 buildings. You know, you see them all over the
9 Calhoun County.

10 MR. CONROY: Right, and of course, I
11 guess I have a nagging concern too that risk
12 assessment is to some extent an arbitrary science.
13 And when you change the risk assessment factors,
14 the big picture changes rapidly. And even when
15 your intentions are as good as y'all's are, on down
16 the road things seem to change.

17 MR. CLENDENIN: Pete, would you
18 clarify the consolidated -- is that the idea of
19 digging them all up and putting them in one central
20 area?

21 MR. CONROY: Yeah, and then in doing
22 that you are pretty much sifting through all the
23 stuff so you know exactly what you've got, and

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1 everything goes into a big hole that has a plastic
2 liner underneath it with leachate removal system,
3 that means a pump that takes like, you know in your
4 kitchen you have that really nasty stuff at the
5 bottom of the kitchen, kind of pumps that out and
6 keeps that out of your landfill and any gas,
7 methane-type problem, keeps that from becoming a
8 real problem. And then it would have a monitoring
9 program, pretty similar to what's already in place.
10 It's a higher level of environmental protection.

11 MR. CLENDENIN: Is that the idea
12 that Miki was getting at in her memo about another
13 group that's doing some alternative ideas?

14 MR. CONROY: Barry just passed me
15 it, and that's the first I've seen it. I really
16 haven't even read it.

17 DR. COX: I don't think they are
18 ready, I think they are not -- according to this,
19 they haven't finished their review. Looks like
20 they are asking for more time.

21 MR. LEVY: Yeah, they are still
22 looking at it.

23 MR. CLENDENIN: Well, I mean is the

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1 consolidation proposal coming from these folks who
2 are doing the review?

3 MR. LEVY: Well, I'm aware that
4 that's one of the things they are thinking of as
5 well based on discussions we've had with them, but
6 we have not gotten any final comments from it yet.

7 MR. CONROY: If I were to have to
8 guess in answer to that, JPA would prefer the
9 consolidated approach. Donna, is that your --

10 MS. FATHKE: That's the idea I get.

11 MR. STROUD: One of the hard
12 questions in landfill three that I constantly look
13 at is, that's where the water table is in relation
14 to landfill. Also thinking down the road, if you
15 are washing the landfill, you are still going to
16 get leachate no matter what. And that was one of
17 my big concerns a long time ago, that we are going
18 to be washing these landfills. And you can cap it,
19 but it's no good if it's being washed, so.

20 MS. FATHKE: What do you mean by
21 being washed?

22 MR. STROUD: In other words, a lot
23 of landfills in the past were buried in the water

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1 table. And it does no good, I mean you can cap it
2 and it's keeping more rain from filtering through
3 again, but you are still washing it. And that's a
4 big concern of mine. And when we get all of this
5 water level data, I want to look real hard at that
6 too. Because that would also entertain what he's
7 saying and maybe another reason down the road to
8 remove it. So this is uh -- the new information
9 coming out from JPA is very entertaining and there
10 are good questions. And I like to see the Army at
11 least looking at these things. And so ADEM is
12 going to see how these two entities react, the Army
13 and JPA.

14 You know, I want to make this work. I
15 want to make sure the community is safe. I'm
16 listening very closely to what the community is
17 saying now. ADEM has elected not to review this
18 thing, this EE/CA. We are reviewing it, but we've
19 kind of backed off to see kind of how the community
20 and the Army want to work this thing. We can do it
21 technically many different ways.

22 But I think that y'all are -- I commend
23 the community for coming out and asking very good

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1 questions, very good technical questions, hard
2 questions. And just to let y'all know we have lost
3 our best solid waste guy, his name was Bill Woods.
4 Larry Bryant now is the new technical fellow in
5 ADEM. I don't know if they are going to replace
6 him or not. But I'm going to rely a lot on Larry
7 Bryant for a lot of my answers and my seeking the
8 definitions of and whatever. So, bear with me,
9 please ask the questions. I'm really entertaining
10 it, and I'm real excited. This is good. I'm
11 seeing the community really ask the right
12 questions.

13 MR. CLENDENIN: Why have we drug our
14 feet on Mayor Kimbrough's suggestion of putting dye
15 in the wells? What's the problem with that?

16 MR. LEVY: Well, first off, Mayor
17 Kimbrough's, what Mayor Kimbrough is trying to do
18 is to meet a requirement for the City of Weaver
19 which is called the Well HUD Protection Act. He's
20 looking at protecting his groundwater. So all
21 sources in and around their area, that they have a
22 requirement by law to look at. And I don't think
23 the Army has ever said no. We do have some

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1 concerns. In fact, I know we didn't say that. We
2 do have some concerns, as Pete pointed out, about
3 the private property and the Mayor may want to look
4 at that. I don't also know whether dye trace has
5 any impact on our ongoing studies. Can we say
6 that, Jeanne?

7 MR. DOYLE: But the ball is in the
8 City of Weaver's court. We asked the Mayor, and I
9 think Mayor Kimbrough's representative, at the
10 Jacksonville RAB meeting to please give us your
11 proposals so we can take a look at it. Exactly
12 what do you want to do, how you want to do it,
13 where you want to do it. We are still waiting for
14 that. So we can't even pass it to our IT folks to
15 take a look at, our technical people, until we get
16 something in writing that's got hard data on it
17 exactly what you want to do.

18 MR. CONROY: I heard that the Mayor
19 of Weaver actually had some type of correspondence
20 coming y'all's way maybe today. Are you in receipt
21 of anything?

22 MR. LEVY: Yeah we are in receipt
23 of a letter as it relates to landfill three. But I

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1 don't think it said anything about a dye trace.

2 MR. DOYLE: It didn't say anything
3 in response to the public comment period EE/CAs.
4 It was not a request to utilize any of our wells,
5 so we are waiting for that. We are more than
6 willing to entertain it.

7 MR. LEVY: I think I've said in the
8 past RABs that I will be glad to share the data of
9 those wells. There is nothing, in fact, the data
10 is essentially in the EE/CA itself. Because he
11 asked about that. So, no, I mean, I don't want
12 anybody to imply that the Army is stopping any of
13 this. Because that's not what's happening.

14 MR. CLENDENIN: Are you afraid of
15 what the dye might show? I mean, in other words,
16 are you putting up roadblocks to this? Because it
17 seems like a couple of meetings ago there was a
18 legitimate question and it was answered --

19 MR. LEVY: No, sir, I don't know
20 that we ever said anything like that. In fact, as
21 Joe pointed out, we have not gotten an official
22 request on any of that yet to look at it. I mean,
23 what came out in a RAB meeting was one thing. And

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1 I'm not even sure it came out quite the same way
2 it's coming out right now.

3 MR. DOYLE: Well, if you review the
4 minutes, Mr. Ryan said we would be willing to
5 entertain such a request. We just haven't gotten a
6 request. We just need to know exactly what the
7 parameters of this dye test is and where they want
8 to do it and so on and so forth.

9 MR. LEVY: That's all we're asking.

10 MR. CONROY: This kind of clarity
11 is healthy. And I have a hunch that you'll be
12 hearing from Mayor Kimbrough.

13 MR. HOPPER: Ron, I recall in an
14 earlier meeting we were talking, and we might have
15 been talking with Mayor Kimbrough, about the flow
16 direction and velocity of the thing we are
17 specifically talking about, the wells in the median
18 of Highway 21. I recall we talked about a rock
19 formation that seemed to be somewhat of a retaining
20 wall or a blockage for any migration or pathway for
21 the hydraulic divide. How well is that documented
22 and to what extent have we studied that?

23 MR. LEVY: Jeanne is going to have

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1 to help me out. Jeanne would you tell us.

2 MS. YACOB: It is not documented
3 very well in the EE/CA because the work took place
4 after the EE/CA was prepared. Work is underway
5 right now to put in those wells and do the
6 definition. And as Ron explained before, there is
7 another independent investigation underway to look
8 at the groundwater at landfill three and that
9 document which is your remedial investigation will
10 address what you are calling the hydraulic divide,
11 we're hypothesizing. And that will be in that
12 document.

13 MR. LEVY: If I can summarize what
14 we've briefed the RAB in the past about the
15 groundwater issue. Certainly there are wells that
16 are running around landfill three. And we've got
17 some in the median, and we initially discovered
18 that we had groundwater contamination in the median
19 and some wells in this general vicinity. We also
20 went out in this investigation, we briefed this at
21 the RAB in the past, and we checked all the private
22 wells on the other side of Highway 21 and to take a
23 sample of what might be out there. And we did not

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1 discover any contaminants associated with that
2 groundwater issue.

3 We also went north. The one thing we did
4 not get was, we had five wells, was actual wells,
5 we wanted to dig in the area where Mr. Brown's
6 property is. Are you familiar with Mr. Brown's
7 property? We're actually putting wells in there,
8 so that we can say whether or not this
9 contamination or not contamination is actually
10 migrating beyond the highway. But Josh Jenkins is
11 the geologist from IT has briefed in the past what
12 he thought was occurring up here, there is a splay.
13 Did I catch that right, Jeanne?

14 MS. YACOB: Right about there,
15 right along the highway.

16 MR. LEVY: What may be happening is
17 in fact, is either, that's why we're putting
18 additional wells up in the north, a deep and a
19 shallow is to see whether it's actually migrating
20 north and south along this splay. Because it may
21 be going north and south or it may in fact be going
22 back up underneath the landfill as opposed to going
23 back towards the City of Weaver.

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1 The intent of those additional wells is
2 to be able to say yes it is or no it's not. We
3 believe it's not. And we know that the City of
4 Weaver's wells have not been impacted because we
5 have been sampling those and we're doing that on a
6 quarterly basis, now.

7 This study is far from being done. Until
8 we get all the data, we're not sure if the
9 groundwater contamination actually just isn't in
10 the median out there and hasn't gone any further.
11 So we just want to make sure we get this right
12 before we jump to any conclusions about what's
13 going on.

14 MR. BECKETT: One of my questions on
15 the landfill EE/CA, and maybe I can answer it just
16 when I see a copy of the EE/CA is I'm still curious
17 about specifically how the decision was reached in
18 the three landfills that showed ecological risks by
19 EPA thresholds, how the decision, the risk
20 management decision was made that there was no
21 risk. And I would just like that to be a little
22 more transparent in terms of in EPA's mind what the
23 stressors were, what the receptors were,

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1 specifically what roles those receptors played in
2 the ecological cyclings. For example, phosphorus
3 cycle, nitrogen cycle, because those are all
4 things that would impact the reuse of the land and
5 the appearance of the land around the landfills.
6 Is that explained in the EE/CA?

7 MR. LEVY: I've got your question.
8 I can't answer at this point. I need some time to
9 talk with IT and risk assessors about it. But we
10 do intend to come back and try to address that.

11 MS. YACOURB: There is, if you read
12 the EE/CA when you get it, on every section of
13 every landfill there is what we're calling the
14 SLERA, which is the screening level ecological risk
15 assessment. And it addresses some of the issues
16 that you are talking about. Now, I don't know if
17 you are going to find that, you know, to the detail
18 that you require. But if you need more detail, if
19 we can answer the comment, we will do that. But
20 basically the BCT reviews that information, and by
21 the BCT I mean the Army, ADEM and EPA reviewed that
22 and came to a risk management conclusion that's
23 stated in the EE/CA.

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1 MR. LEVY: And I want to go back on
2 record about this. You know, the Army is not doing
3 this in a vacuum. Work plans and documents, before
4 they are even opened to the public are reviewed by
5 the regulatory community, and we come to an
6 agreement, as well as the draft documents, we're
7 looking at those up front during the meetings and
8 we're asking similar questions to make sure that we
9 know what we're going to tell the community.

10 MR. BECKETT: Yeah, I don't mean by
11 my question to imply that it hasn't been done.
12 I'm just curious about it.

13 MS. YACOB: There is information in
14 there, like I said, I don't know if it will be to
15 the detail that you are requesting, but there is
16 what we consider to be screening level ecological
17 risk assessment information in the document.

18 MR. LEVY: You haven't had a chance
19 to look at it, so I can see why those questions are
20 there. We need to get you the document.

21 MR. BRANCHFIELD: I was going to ask
22 that question. There's a lot of interest in this
23 landfill EE/CA, and certainly the members of the

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1 technical committee have received a copy of it. I
2 guess I would see is there anyone else that is
3 interested in receiving a copy of the document and
4 is that something we could provide for those who
5 are interested, Ron, since it seems to have some
6 widespread interest. Or at least perhaps just the,
7 I mean this thing, this is like what --

8 DR. COX: What about the text
9 without the maps. That would help a lot.

10 MR. LEVY: Do what?

11 DR. COX: If they could just have
12 the text without -- the maps are the expensive part
13 of doing the EE/CAs.

14 MR. LEVY: Yeah. One of the things
15 that the RAB decided as a group that the TRC would
16 do this so that we didn't produce documents to
17 everybody that would sit on somebody's shelf and go
18 to waste. Okay, and they are expensive to produce.
19 And we could do that if that's what the RAB wanted
20 to do. But the RAB had decided that this is the
21 way they were going to function and that's what
22 we've been doing. So if there's additional
23 document requirements, let us know. But we do need

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1 to know ahead of time prior to going out. I mean,
2 I don't know what the cost are per those documents,
3 but they are really expensive to produce one.

4 MR. BECKETT: Well, Ron, I work in
5 the basement of the library, so it's no trouble at
6 all for me to hop on the elevator and go upstairs.
7 I just need to know which floor to go to.

8 MR. LEVY: Brenda will get that.
9 Of course, electronic copies, generally we don't
10 finalize the electronic copies and get the final
11 electronic copies until the document is an actual
12 final document, because IT has it in pieces at
13 different places, to try to pull it altogether for
14 somebody would be difficult.

15 MR. BRANCHFIELD: Well, most of the
16 document is, you know, burdensome to review,
17 because it's tables and it's lab sheets and boring
18 logs and all kinds of stuff that unless you are
19 really, really board you probably don't want to
20 spend a whole lot of time.

21 MR. CONROY: Scott, you are
22 probably the first person that actually wanted to
23 go find this stuff in the library and it kills me

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1 that you couldn't find it.

2 MR. BRANCHFIELD: I think Barry
3 raised a good point. If there is anyone who would
4 just like to see the text, I mean, the test isn't
5 extremely extensive. I think it would be easy
6 enough to copy if anybody wanted to see it. I'm
7 just tossing it out on the table if anybody would
8 like to see that. Because it is a very large
9 document, to say the least.

10 MR. LEVY: Yeah, and a lot of times
11 the document itself is not the totality of what you
12 end up reviewing too, because there are reference
13 documents to that, like the installation wide work
14 plan that defines how we do, essentially our
15 sampling. And that's a huge voluminous monster as
16 well. But if you've got trouble sleeping at night,
17 that's a good document to read.

18 MR. CONROY: I tell you that's why
19 the CDG reviewing this for us, and for the JPA I
20 should say, and then Ron Grant reviewing this for
21 us, that's just, that's terrific.

22 I just now looked at Miki's memo here,
23 what's the prognosis, and I apologize for we're

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1 going backwards, but what's the prognosis of the
2 sixty-day extension?

3 MR. LEVY: We haven't seen the
4 letter yet, so as soon as we see the letter we'll
5 address it.

6 MR. DOYLE: I'm confident there
7 will be some extension of time, okay. Most likely,
8 a very minimum, absolute minimum of thirty days,
9 and perhaps, if what they ask is sixty, could be
10 forty-five all the way up to the full amount. But
11 we have not made that decision yet. As I was
12 saying earlier, we will publish that in the
13 Anniston Star as an amended notice that the public
14 comment period has been extended, and even though
15 the request is being made by JPA, that extension of
16 time to comment applies to everyone, not just JPA.

17 MR. CONROY: As a RAB, I'd just go
18 ahead and make a motion right now that we go ahead
19 and concur with the JPA in requesting a full
20 sixty-day extension.

21 MR. BRANCHFIELD: Any discussion on
22 that? All those in favor?

23 RAB BOARD: Aye.

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1 MR. BRANCHFIELD: Opposed? Okay,
2 carry the motion.

3 MS. FATHKE: I have an
4 administrative, the EE/CA is supposedly in its
5 draft form, correct?

6 MR. LEVY: Yes.

7 MS. FATHKE: Will it wait until the
8 results of the groundwater table study, et cetera
9 before it's finalized so that the results of those
10 could be included in it?

11 MR. LEVY: No, again, that's in a
12 separate study. The groundwater issue is being
13 addressed in a separate RI document.

14 MS. FATHKE: Wouldn't the results
15 of that study change the recommendations in the
16 EE/CA? I mean, for instance, if the landfill is
17 being washed as Philip postulated, then the cap
18 wouldn't do any good for landfill three.

19 MS. YACoub: Well, the cap does help
20 regardless of what your groundwater issues are, the
21 cap is compatible with any future groundwater
22 remedy. So, the cap you would want to put on no
23 matter what. Even if there is a washing issue.

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1 MR. CLENDENIN: How thick and deep
2 is the cap over the landfill?

3 MR. LEVY: It is based on a grade
4 requirement, it has to be a forty percent grade, I
5 think is the state requirement.

6 MR. CLENDENIN: Be a mound?

7 MS. YACoub: Well, yeah, and I think
8 we put in the EE/CA, I think we actually described,
9 there are various thicknesses of layers, and I
10 can't recall offhand, but it is described in the
11 recommendations for that fill area. But I just
12 want to make sure you understand that the cap
13 solves one issue which is the infiltration into the
14 land. The washing that Philip is talking about is
15 separate and would have to be addressed in another
16 manner. And you would address that as a
17 groundwater remedy independent of the cap.

18 MR. CONROY: In the short term at
19 least a cap can't hurt.

20 MS. YACoub: Even in the long term,
21 if the Army does implement some method of
22 groundwater remedial action, we're still going to
23 want that cap to limit any infiltration into that

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1 landfill.

2 DR. COX: But the other option, of
3 course, as we were talking earlier is remove the
4 landfill and therefore you wouldn't need a cap.

5 MS. YACOUB: That's true, that's a
6 totally different. That takes the thing away, and
7 therefore the cap is moot.

8 MR. CONROY: In that instance if
9 one was a replacement for the other, then there is
10 an impact.

11 MS. YACOUB: Right.

12 MR. LEVY: The one thing I want to
13 point out when you read the EE/CA we define
14 non-CERCLA actions in the EE/CA for a lot of the
15 other fill areas, which means CERCLA, there is no
16 CERCLA driver to do anything. But because of
17 safety or reuse issues, we are going to do some
18 things, like we're going to put monuments around
19 the -- we're going to do some grading on top and
20 remove any debris, but we are not restricting the
21 use of that property. Which, from that perspective
22 should be important. So if a developer really
23 wanted to come in and do something with that

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1 property, he could. He could essentially move it
2 without there being any restrictions to that. So,
3 you know, just be aware, if there was human health
4 or other risk approaches, then we would obviously
5 do some sort of restrictions. We have done that
6 for landfill two and for landfill three. But for
7 the other fill areas, there are no restrictions on
8 the fill areas based on our recommendation at this
9 point.

10 MS. YACOB: And the stump dump.

11 MR. LEVY: Yeah, and the stump dump
12 too, excuse me. Which is inside the National
13 Wildlife Refuge area.

14 MR. BRANCHFIELD: Well, I guess I
15 have been scribbling here, if I can kind of
16 summarize where we're at. A, we all agree we would
17 like to see a little more time to review this
18 document and that we're interested in what the
19 JPA's reviewer has to say as well as what, assuming
20 our technical assistance application goes through,
21 what -- I apologize, I forget his name.

22 DR. COX: Ron Grant.

23 MR. BRANCHFIELD: Any comments he

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1 may have. And there appears, I've been listening
2 and there appears to be three common themes. One,
3 there is the theme that Ron mentioned which is we
4 need to keep in mind to separate groundwater issues
5 from the landfill issue, because they are being
6 addressed through a separate process. Did I phrase
7 that right, Ron?

8 MR. LEVY: Yeah.

9 MR. BRANCHFIELD: The second thing,
10 of course, we're interested in knowing what happens
11 with the mayor's proposal for the dye tracing.
12 That appears to have a level of interest. I think
13 there's also, Pete's comment regarding potential
14 for consolidation of the landfills because, and
15 correct me if I'm wrong, Pete, but what I heard you
16 say is based on your math and your understanding,
17 there didn't appear to be as large a financial
18 consideration as seemed to be presented in the
19 document for capping versus, or the other
20 alternatives, versus consolidating the landfills.
21 And so we're looking for a little more information
22 regarding that particular issue. I think those are
23 the three major points that I picked up from the

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1 discussion.

2 MR. STROUD: I just want to add to
3 Pete, a comment, just to be aware, it may be
4 something else added to it we're not thinking
5 about. He said even though you dig them up, you
6 are still going to have to monitor because the
7 leachate that's already in there, there will
8 probably be additional cost in long-term monitoring
9 even if you remove the landfills. That's still a
10 separate study. And so you have to consider that
11 cost also.

12 MR. CONROY: Absolutely, and that
13 would distort my math a little bit.

14 MR. STROUD: Yeah, but it's a good
15 thought.

16 MR. LEVY: I do, just as a point of
17 concern for Ron Grant. I think it's a good idea,
18 but you are going to put a lot of pressure on him.
19 JPA has had that document now for three months and
20 they still haven't gotten their comments in. You
21 are going to expect Ron Grant to go through all
22 this stuff in a matter of a month and a half, that
23 puts a lot on him. I just want you to know that.

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1 MR. BRANCHFIELD: We'll ask him to
2 do the best he can with the time that's allotted.
3 And if we have some particular issues, which I
4 think we've listed a couple of issues right here
5 that we may want him to focus on as opposed to --
6 or if we want him to look at one particular
7 landfill, we can direct him or focus his efforts to
8 avoid him being, you know, swamped I guess is the
9 right word.

10 Okay, is there any, and of course, the
11 technical review committee of the RAB will also
12 want to -- I apologize Barry, I didn't know if
13 you had any comments from your review of the
14 documents so far, beyond what we've discussed.

15 DR. COX: Nothing except the
16 obvious one, it does appear that landfills one,
17 two, and three is problematic. Certainly do that.
18 I know there are some interesting things you can
19 find from reading the EE/CAs. I wasn't aware that
20 the Army was using goats as grass control back in
21 the early days. No, I think more time is a good
22 thing. The documents are quite long and I
23 certainly look forward to Ron Grant coming on

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1 board.

2 MR. BRANCHFIELD: And I guess
3 depending on when the comment period is up, Ron,
4 we'll obviously want to set an agenda item, if not
5 for next month's meeting, perhaps even next month's
6 meeting, depending on whether we get thirty or
7 sixty days extension on this to allow for more
8 discussion on more specific comments, I guess, that
9 are developed here over the course of the next
10 however long is provided both the JPA and
11 ourselves, as well as everybody else for that
12 matter.

13 MR. LEVY: From a point of
14 discussion, really what we would like to see is to
15 be able to have comments in hand, have a chance to,
16 you know, go through the comments, generate a
17 response and then be able to come to the RAB
18 meeting, you know, being able to discuss in depth
19 those comments. So timing is real important to us
20 as well. We do need time to look at your comments.

21 MR. BRANCHFIELD: That's certainly a
22 fair request I think. Allow you guys at least a
23 week before the meeting to at least see the

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1 comments and think about them, if not more if we
2 can accomplish that. That ties into, once again,
3 how quickly we can get this TAPP application
4 processed and figure out where we stand on that.

5 MR. LEVY: Hopefully a little bit
6 more than a week. You know, we want to bring the
7 right folks in, the experts in to talk about it as
8 well and be there to address it, so you know, that
9 might take a little longer to coordinate.

10 MR. BECKETT: Ron, when I sent you
11 the e-mail this morning, was that not enough time?

12 MR. BRANCHFIELD: You know, Glynn
13 told us you knew the answers to everything.

14 MR. LEVY: He lied.

15 MR. BRANCHFIELD: Are we ready to
16 move on to new business?

17 MR. HOPPER: Did the public meeting
18 take place on April 1st on the EE/CA, and how did
19 it go?

20 MR. LEVY: We had three visitors,
21 as my Anniston Star representative pointed out. So
22 there really wasn't any questions. I mean, we
23 waited around.

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1 MR. CONROY: Did that include you,
2 Liz?

3 MS. BLUEMINK: No, it didn't. I
4 didn't count myself.

5 MR. LEVY: It was kind of
6 discouraging even from our standpoint. Because we
7 like to see the people come in and ask the right
8 questions. We didn't even have a RAB member
9 present. So that, we need to generate some --

10 MR. CONROY: In such low level of
11 participation, though, it identifies a deeper
12 problem in that the community may or may not know
13 how important this is.

14 MR. LEVY: This has always been, we
15 have known it would be a sharp issue for the
16 community. Apparently --

17 MR. STROUD: I personally encourage
18 y'all to be heavily involved in these things when
19 they do show up, and make a greater effort to be
20 sure we have good RAB representation.

21 MR. LEVY: We do have the display
22 posters, and, if you wish, we could probably bring
23 them back out, the ones we did for the public

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1 meeting. Maybe at the next RAB meeting we can put
2 them out if people want to see them. We kept
3 those.

4 MR. POPE: I think the posters are
5 the briefing that Jeanne gave.

6 MR. LEVY: Yeah, it's the same
7 thing as her briefing, but we can put them back
8 out. Maybe it will generate some more interest at
9 least among the RAB members.

10 MR. BRANCHFIELD: Okay, new
11 business. Agency reports.

12 MR. STROUD: I can't speak for
13 ADEM, I mean, EPA I'm sorry, that's the first thing
14 I read. EPA is still having monetary issues
15 getting here. I don't understand all the reasons
16 why. I have talked with Doyle off and on on a
17 variety of issues we're dealing with, and also my
18 list of reports. As y'all know, EPA now at this
19 time sends me their review comments and I
20 incorporate them into ADEM's review comments. They
21 are only involved secondarily I think is the word I
22 want to use.

23 I'm going to pass around these, if I

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1 don't have enough I think we can get some copies
2 here. These are our reports. There's a few things
3 I want to point out here. Pending means that we're
4 still waiting. It's been a rough last couple or
5 three months, plus the landfills, and we're getting
6 some big, very big complicated reports coming in.
7 But I can tell you any time you see a final site
8 investigation report or a sampling plan, they are
9 all done and now they are just waiting signature
10 from my boss, two bosses up Steve, Steve Cobb.
11 He's been tied up in litigation, so he's the one
12 that needs to sign these things, so they'll be
13 coming down pretty soon.

14 On the other issues, along with the
15 unexploded ordnance we're in the midst of obtaining
16 a UXO subcontractor. As a matter of fact, last
17 week we did select them. But it has to go through
18 a legislation process. My guess is mid to late May
19 is when we'll get our answer back. And a letter
20 has been sent from ADEM to the Army explaining our
21 reasons why we're not going to review the UXO.
22 We'd rather have experts, the best experts out
23 there in the field looking at this along with us

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1 side by side. EPA has withdrawn from the UXO
2 region four. It's kind of left in my lap. I don't
3 personally feel very comfortable taking on the
4 whole UXO arena, so that's why we're asking, and
5 the Army has graciously funded us to have a UXO
6 subcontractor come on board. I'm working
7 feverishly to get them here. And, so, bear with me
8 again.

9 MR. LEVY: The Army has got grave
10 concerns about it too because essentially it's
11 going to hold up work, and based on a letter that
12 ADEM sent us saying that we're in the process of
13 trying to select and put somebody in place, we
14 essentially can't do any review of these documents.
15 We are real concerned because it conceivably could
16 hold up property. We intend to write a letter back
17 to ADEM expressing those grave concerns about
18 reviews and documents and the potential property
19 hold up.

20 MR. STROUD: So if we can push the
21 legislative committee as quick as we can, we can
22 get this resolved very quickly. We will be
23 expediting it, the subcontractor of choice, they

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1 are very aware of speeding this up, and they will
2 be putting quite a few people on this for us.
3 We'll be able to answer some real hard questions
4 coming down the road, guys. Especially on a lot of
5 these EE/CAs, remedial investigations, action
6 memorandums and records of decision coming down the
7 way.

8 I went out, I spent a lot of the day, I
9 spent times with the drillers for IT on the road,
10 they are very visible out there. That's
11 interesting work. I wouldn't suggest y'all stop on
12 that busy road. This is what I used to do in the
13 past, and I was very pleased to see what I saw. I
14 know it's very visible and they are probably
15 up-scale a little bit, but I watched them develop a
16 well, and they were using a submersible pump, two
17 inch diameter in a four-inch well.

18 These wells are real deep and I asked
19 them all the appropriate questions about their plan
20 and they answered every one of them appropriately.
21 I feel very confident what they are doing. And
22 also the drilling rig that was set up, the set up
23 on -- I can't remember what well number that is,

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1 I'll give it to you, so when you are riding down
2 the road that's going to be OLF36. Well, that's a
3 high number, that shows a lot of wells have been
4 put out there. And the highest number I've got I
5 think is thirty-seven. That's a lot of wells, so
6 we're higher than the eighteen wells.

7 MR. CONROY: How deep?

8 MR. STROUD: This one, I think this
9 one is going to be at two hundred sixty feet TD
10 when they hit it.

11 MR. HOPPER: Is that bedrock or
12 close to it?

13 MR. STROUD: Oh, they are in
14 bedrock. But what I wanted to do when I was there,
15 I was going to ask them kind of the questions, what
16 does a rock look like. They are actually doing
17 what they call rock quality data, and that's real
18 important. And I don't have a good grasp on this
19 one. But I did get a real good grasp on the one on
20 Mr. Brown's property. I did go over and see those
21 wells being put in. And I had a good conversation
22 with the geologist over there. And I was listening
23 to things like this: Um, you know, okay, "How deep

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1 is this going to go?" "Three hundred feet. They
2 are plus or minus forty feet today penetration with
3 their coring." "How is the coring going?" "Well,
4 okay, we're running into flowing mud somewhere
5 around a hundred feet. Layers of, you know, rock
6 all brachiated, or it's very poor quality rock
7 going up and down." That says a lot. I mean, it's
8 not like a giant solid rock with a fracture running
9 through it and it's taking a preferential path,
10 it's telling me a lot of stories out there. This
11 is in between the Weaver wells and the landfill. I
12 don't know if that's encouraging or not. I don't
13 know what to make of it.

14 But from a hundred to two hundred feet,
15 he said it's real broken up and I got to see those
16 cores. It's interesting. That's not a solid
17 fracture, so it's an interesting story developing
18 between I guess the Weaver wells. In a sense of
19 the word, it's probably very good because it is not
20 going to be a direct conduit to them, it may be
21 something totally different. But, anyway, just let
22 y'all know that. That's something I get excited
23 about. And I think that's all I have to add about

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1 that. That's all I have to say.

2 MR. BRANCHFIELD: Any questions for
3 Philip?

4 MR. STROUD: Also I'd like to thank
5 Mr. Brown for letting me in. If y'all ever have a
6 chance, y'all need to see what they are doing out
7 there, it's well worth seeing. That road they put
8 in, they put, what do you call those, a wooden path
9 all the way out there. And they have taken great
10 care not to hurt the property, great care.

11 DR. HARRINGTON: What did you call
12 them?

13 MS. YACOURB: Mats, wooden mats.

14 MR. STROUD: But they have taken
15 great care. And I've asked them are you going to
16 repair the property, and they said yeah they were
17 going to resod it. And they are doing a great job
18 out there, and that's from my eyes. Thumbs up.

19 MR. BRANCHFIELD: Well, JPA, Miki
20 left a letter, which I think we've already talked
21 about. And EPA, I have a note here that at the
22 last meeting, Pete you had taken an action item to
23 write a letter to EPA expressing concern about

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1 their --

2 MR. CONROY: Yeah, I have a copy
3 for everyone. This letter is to Jimmy Palmer who
4 is the regional administrator of EPA, and you can
5 read it yourself. If there are any left over, I
6 would appreciate you passing it back behind y'all.
7 Curtis, if you want to just pass those behind you.
8 Thank you.

9 MR. BRANCHFIELD: Good, Pete, we
10 appreciate you taking the action item for this.
11 Hopefully it will be helpful.

12 MR. CONROY: There was another
13 letter that I also had committed to write, and I
14 did not do that, and that was the concern relative
15 to EPA's pulling out of the UXO business. And I
16 wanted to get this one off. And I'll do this
17 tomorrow.

18 MR. STROUD: ADEM is also working
19 on a letter and we are encouraging him to get back
20 on line with us. In fact, the hazardous waste, we
21 call it the HTRW, toxic and radiological waste we
22 are dealing with and UXO. So, we have the same
23 concerns. We would like them back on board.

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1 MR. CONROY: One other quick one if
2 you don't mind, I commit as a RAB member to kind of
3 track contract review process that will assist
4 hopefully ADEM in getting someone on board as soon
5 as possible.

6 MR. BRANCHFIELD: Good, thanks,
7 Pete. Action summary sheet.

8 MR. LEVY: That's me. As I said at
9 the last meeting, instead of me reading through
10 this action summary sheet, since we passed it out
11 earlier, what I'll instead do is take questions or
12 comments as it relates to it.

13 I will point out that we also had the
14 public meeting on the CWM EE/CA. That also did not
15 have much participation. But we essentially didn't
16 find anything out there, and that's what we were
17 trying to tell the public. There really was a good
18 news story. It only addressed chemical warfare
19 material, CWM, and not any other underlying issues
20 that may be associated with those sites, which we're
21 still investigating. We're in the process of
22 investigating Pelham Range, sites out there,
23 Parsons Engineering is doing that. Appears to be

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1 going very well. Fact is at this point, I think
2 they have finished all your field work, Joe?

3 MR. Kudney: Yes, tomorrow will be.

4 MR. LEVY: And I think there is
5 some good news coming out of that as well about any
6 finds. So, I did want to point that out.

7 Also mention the Alpha area EE/CA, the
8 red area on the map up there is in a draft, at the
9 present moment is going through internal reviews.
10 Can't give you a date yet on when it will go out
11 for public view or be able to get it before the
12 RAB. But that's winding its way internally both
13 the Army and the regulatory agencies are looking at
14 it. So sometime here in the future we should be
15 able to present to you what's coming out of that as
16 well.

17 Ongoing work in the Bravo and the Charlie
18 area, Bravo, essentially field work is complete.
19 EE/CA is being written as we speak. And Charlie we
20 are essentially kicking off the field work.
21 Anything to add to that. No? As Philip pointed
22 out, we have got him swamped with work. He's one
23 man and we have just overloaded him with documents,

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1 and I've got to admit that ADEM is doing their
2 best, doing their damn best to turn documents
3 around. Philip has really been working extra time,
4 especially with all that's been going on in his
5 family life, I've got to commend you for that.

6 MR. Kudney: One thing, we've
7 started the M101 removal action since the last RAB
8 meeting.

9 MR. LEVY: Yeah, the M101 piece I
10 think is that magenta color up on that last map on
11 the left-hand side. We've started the removal
12 actions. We did have a public meeting on that, if
13 you'll remember. I've briefed it to the RAB in the
14 past. I think, like I said, I do know Fern had
15 expressed a concern that ALDOT had said something
16 to the effect that they were saying the eastern
17 bypass was being held up by the Army. We did talk
18 with ALDOT, and in fact that's not what they said
19 they were saying, and if anything was being put out
20 to that effect, he would talk to the people about
21 it. So we did try to address Fern's concern about
22 ALDOT. Though we do expect additional time because
23 of the additional forty acres that I briefed in the

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1 past. We don't know of any issues between us and
2 ALDOT about the eastern bypass at this point. Can
3 I answer any questions? Anymore questions.

4 MR. BRANCHFIELD: Okay. Thanks Ron.
5 Before we move to audience comments, are there any
6 other topics anyone would like to toss out for
7 discussion?

8 DR. COX: One I would like to
9 suggest now that we're in the electronic age, it
10 would help us in reviewing the minutes if you could
11 send us an electronic copy of the verbatim
12 transcript.

13 MR. LEVY: Is that --

14 MS. CUNNINGHAM: I don't know, I get
15 a hard copy of it. I can ask.

16 MR. DOYLE: I guess the question is
17 what do you type your text up in? Is it a word
18 document or Word Perfect?

19 MR. LEVY: We usually get it in a
20 word document, don't we, Brenda?

21 MS. CUNNINGHAM: No, we had this
22 trouble before. She tried to give it to me, it was
23 in a file that we didn't have the software to open.

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1 I can try to get that.

2 DR. COX: Okay. I was thinking it
3 was ASCII was the --

4 COURT REPORTER: We can make ASCII
5 disks.

6 DR. COX: So they could do it in
7 ASCII, you know, it wouldn't be formatted but at
8 least you would have all the information.

9 MR. LEVY: See, we use them too to
10 write the minutes off of, we go through the hard
11 copy. If there's a way to do that, I don't see why
12 we couldn't. We'll look into it, Barry.

13 DR. COX: Okay, appreciate it.

14 MR. CONROY: I've got one more.
15 And it relates to the Charlie area, also known as
16 the future proposed National Wildlife Refuge. And
17 I know that a lot of us at times come to think that
18 the National Wildlife Refuge is going to happen.
19 And I continue to kind of let folks know that it's
20 not a done deal. The National Wildlife Refuge is
21 not a done deal. We are moving forward in many
22 ways, but recently, the Fish and Wildlife Service
23 has made it very, very clear that, you know, they

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1 are concerned about accepting contaminated land.

2 This is a seven thousand five hundred
3 acre proposed national wildlife refuge. And
4 hypothetically and potentially one hundred percent
5 of it is contaminated. And that does not make the
6 administration with the Fish and Wildlife Service
7 excited about taking on this responsibility. And
8 thank goodness for the momentum created by Senator
9 Sessions. But of recent, there has been land
10 identified by Fish and Wildlife Service, and Bill
11 Garland might want to mention or describe this in
12 greater detail in a minute, but they have
13 prioritized this as an additional acquisition area
14 outside of the minimum boundary of seven thousand
15 four hundred. And it is the area, let me --

16 MR. LEVY: It's essentially the
17 green piece.

18 MR. CONROY: Yeah, this is it right
19 here.

20 MR. LEVY: Oh, you mean the
21 additional acreage.

22 MR. CONROY: Yeah, this is
23 additional acreage. It's about one thousand three

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1 hundred acres, and it is extremely steep. Forty
2 degrees, forty-five degree slopes and steeper. It
3 is not contaminated. And it is priority one
4 acquisition area if it could be made available.

5 And I've recently just learned that it's
6 the Army's interest to take that land, and they are
7 encouraging the JPA to accept it as soon as
8 possible, they would like to transfer that land
9 over to the JPA just as soon as possible. And
10 knowing what I know about land transfers and the
11 federal government, once that land leaves federal
12 hands and goes into the JPA's hands, the likelihood
13 that it would later then be transferred back to the
14 US Fish and Wildlife Service is diminished to
15 Herculean extent. I mean, fed to fed transfers are
16 the only way to go. That makes it easy, from one
17 federal agency to another federal agency. And I
18 know that it might make a report somehow or other
19 look better if there were an extra two thousand
20 acres transferred, but it would cause a very
21 serious problem in terms of the eventual transfer
22 of that land over to the Fish and Wildlife Service.

23 The Fish and Wildlife Service really

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1 would like to have that piece. And I've talked to
2 Senator Sessions' office, they are concerned about
3 this. I've talked with our old friend Ray Clark,
4 formerly with the Pentagon, he considers this
5 potentially a huge problem. And so I would like to
6 make an appeal to the Army to hold onto that
7 property for as long as it takes until the Fish and
8 Wildlife Service is ready to accept it within
9 reason. I would love to hear a response.

10 MR. DOYLE: I can address part of
11 that. That parcel of property has been found
12 suitable to transfer. It's also been identified,
13 it was identified by the JPA in their economic --

14 MR. LEVY: Development plan.

15 MR. DOYLE: Yes, thank you,
16 development request that that be transferred to
17 them.

18 MR. CONROY: I've talked to the JPA
19 today, and the JPA also is concerned about that
20 transfer. And they too would rather the Army hang
21 onto it for as long as it takes up until the point
22 where the Fish and Wildlife Service are ready to
23 accept it.

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1 MR. DOYLE: I can just tell you in
2 our discussions with the JPA, the executive
3 director, and their attorney as of last Wednesday,
4 help me out, Ron.

5 MR. LEVY: Wednesday.

6 MR. DOYLE: That they told me that
7 they are ready, willing to accept the deed for that
8 property. If something has changed since then,
9 we're not aware of it.

10 MR. CONROY: Even if that were the
11 case and despite my conversation with JPA earlier
12 today, I would like to make it very clear that that
13 is intensively problematic to transfer that federal
14 land over to the JPA with the expectation that
15 later on down the road it would then be transferred
16 over to the US Fish and Wildlife Service, when it's
17 everyone's intention that ultimately that land, if
18 it becomes available, is to be a part of the US
19 Fish and Wildlife Service.

20 MR. DOYLE: I can suggest courses
21 of action open to you. Number one is, I mean you
22 can address that formally in terms of a resolution
23 or whatever right here before the RAB this

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1 evening. But I think it's also an issue that you
2 as the RAB need to bring to the attention of the
3 JPA board. Not the executive director, but the
4 board itself. Whether it be getting on their
5 agenda, I mean, I don't have a date certain for
6 that deed, but it's not long off.

7 MR. CONROY: They meet at 7:30 in
8 the morning. Joe, I think that's reasonable. I
9 had not intended to do so, but, I guess, let me
10 make a motion.

11 MR. DOYLE: I mean, that's within
12 your prerogative. And obviously as private
13 citizens or as, you know, your board members have
14 been selected by the different representatives both
15 in the state and county as well as at the federal
16 level. So certainly you are free to address it
17 with them. And obviously any concerns as you
18 choose to address it this evening, we can transfer
19 those concerns.

20 MR. CONROY: And I'm in constant
21 contact, of course, with the JPA, and have an
22 avenue for conversation there. But I will make a
23 motion and relative to that motion, you understand

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1 my concern? In which case, let me make a motion
2 that this RAB convey its concerns regarding
3 anything other than a fed to fed transfer of that
4 property relative to the establishment of a
5 National Wildlife Refuge.

6 MS. FATHKE: I second that motion.

7 MR. BRANCHFIELD: Any discussion?

8 MR. HOPPER: You made a statement,
9 Pete, whenever the Wildlife would be in a position
10 to accept it. What kind of time frame are we
11 talking about here?

12 MR. DOYLE: If I may interject for
13 a moment here, let me give you an update on the
14 status that I'm personally aware of, that is our
15 discussions, and in fact, beyond discussions,
16 negotiations of the National Wildlife Overlay
17 Refuge which would be the vehicle pending any
18 enabling legislation that sets up the wildlife
19 refuge, that's the vehicle by which the National
20 Wildlife Service can take possession of the
21 property. Now, in fact the negotiations were some
22 three, four weeks ago where we at least at the
23 worker bee level between ourselves and the Wildlife

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1 Service, Bill, help me out, your boss is the
2 regional director?

3 MR. CONROY: Sam Hamilton.

4 MR. DOYLE: But his representative.
5 So at least at our level we came up with a document
6 at the working level which we could live with. In
7 fact, it's met with the approval of our higher
8 headquarters, intermediary, TRADOC, at least from
9 that perspective. But we have heard nothing from
10 the Wildlife Service with regard to where it is,
11 and they've got their own bureaucracy, and so do
12 we.

13 MR. CONROY: Please know that I am
14 looking into that as well.

15 MR. DOYLE: Okay, but be aware that
16 at least from the standpoint of Garland and Ryan at
17 this level, we have a document -- and of course
18 there are other associated issues, and funding
19 being one of them even if we had a document that
20 was signed by all parties. But there is a document
21 out there which is the vehicle by which if it was
22 approved and there was funding for the Wildlife
23 Service to operate the refuge tomorrow, I mean,

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1 there is a vehicle by which property, of course,
2 there are a lot of other hurdles with regard to
3 this particular parcel, but by which parcels can be
4 transferred to them. So it is out there. And I
5 wanted to make everybody else aware of that. And I
6 knew you were aware of it because you have been
7 personally involved in it. But I wanted to make
8 all the other RAB members aware of where we are in
9 that process.

10 MR. CONROY: My motion stands.

11 MS. FATHKE: In taking all that
12 information in, it's still going to be easier to do
13 a fed to fed than a fed to JPA to fed.

14 MR. CONROY: Ray Clark said it
15 would be almost impossible to transfer back to Fish
16 and Wildlife Service.

17 MR. FRANKLIN: What was JPA's
18 interest in that land?

19 MR. CONROY: They too, and I
20 understand there is someone who has an option on
21 that property now, and of course they honor that
22 option. If that option were to expire, they too
23 are most interested clearly in that land being

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1 added to the proposed boundary of a Long Leaf
2 National Wildlife Refuge.

3 MR. FRANKLIN: I was just wondering
4 because it takes about not quite half of the
5 eastern bypass property. And I just wondered what
6 JPA's plans were for development of that land for
7 commercial use.

8 MR. CONROY: Forty-five degree
9 slopes. Again, as of a few hours ago, JPA was
10 telling me they would love to see that added to the
11 refuge. The proposed refuge. I need to say that,
12 because it's not a done deal.

13 MR. LEVY: There are some quizzical
14 looks from people. I'm not sure they still
15 understand what property we are talking about. Do
16 you understand it's the additional piece up on --

17 DR. COX: Yes.

18 MR. FRANKLIN: Yes.

19 MR. CONROY: Topo lines would do it
20 a greater level of justice, but you can kind of see
21 the contours down here in the kind of super green.

22 MR. LEVY: I know the JPA has got a
23 resolution already saying that they are willing to

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1 agree to, that essentially that green Charlie area,
2 transfer that or allow it to be transferred fed to
3 fed.

4 MR. CONROY: Bill, is there anything
5 you would want to add?

6 MR. GARLAND: Well, we've looked at
7 a lot of these areas and JPA has asked us to submit
8 a letter on what areas were critically important
9 for us if we added to the refuge area. That area
10 down to about the eastern half of what you are
11 looking at there between the bypass basically seals
12 off that corner. Without that you would have
13 tremendous trouble controlling who gets in and
14 what's going on down there. It seals off people
15 coming in from that side up there and also from the
16 south into the refuge. It just makes it a much
17 more manageable unit of land that we don't have to
18 have security and enforcement people running
19 around, you can lock it up.

20 MR. CONROY: And of course there
21 are some technical issues relative to some of this
22 area, may require burning in the future, and there
23 is a fire break already in place around it. This

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1 area would not require the level of burning that
2 the rest of it would because it's not a long leaf
3 habitat. This has not been actively burned in the
4 past. So it wouldn't require the burn regimen the
5 rest of the area would. So there are a lot of
6 other considerations that this whole thing --

7 MR. GARLAND: One of the wildest
8 parts of the environment. That's where the
9 commercial airliner went in a number of years ago,
10 and it took the people a half a day to walk out of
11 it. It's pretty remote and difficult to get into.

12 MR. CONROY: Bottom line is I just
13 don't want to do anything to mess up one of the
14 most attractive potential additions to this refuge.

15 MR. FRANKLIN: Would you say it had
16 no commercial value?

17 MR. GARLAND: Basically no. The
18 ridges run this way and the bypass is over here,
19 I'm not even sure, unless somebody asked to get a
20 road through the refuge, how you would even get in
21 to do anything.

22 MR. BECKETT: I think one aspect of
23 the commercial value we need to be aware of is the

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1 commercial impact of having as large a National
2 Wildlife Refuge as possible in this area. With the
3 hook up to the Appalachian Trail, pretty soon
4 people will be able to hike from Maine all the way
5 a half hour east of here, and if we can keep enough
6 of that area wild, for one thing it's a feather in
7 our cap and puts us up as a forward thinking state.
8 We're one of the few states left that has wild
9 areas like this. And in some respects that's
10 because Alabama is quote rural. And in other
11 respects, we're one of the few rural states in this
12 section of the country, and also I think it raises
13 the value of the rest of the area around it. It's
14 one of the beautiful things about the fort to me,
15 the fact there are places like this still there.
16 Places that are accessible and wild and untouched.

17 MR. CLENDENIN: I call for the
18 question. We've got a motion and a second, I
19 think.

20 MR. BRANCHFIELD: Yes, that's
21 correct. All those favor in favor?

22 RAB BOARD: Aye.

23 MR. BRANCHFIELD: Opposed? Okay,

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1 carry the motion. To build on that a little bit,
2 would there be any merit, Pete, and I would offer
3 you up as our, as taking the action item, but
4 perhaps writing a letter as a representative of the
5 RAB voicing our support, I guess that letter would
6 go to the JPA and perhaps copy the Army. Or should
7 it go to the Army and copy the JPA? What would be
8 the best, maybe you know, Pete, what the best route
9 for that letter might be.

10 MR. CONROY: Sure. I tend to use
11 the shotgun approach. But I would be delighted to
12 write such a letter.

13 MR. CLENDENIN: Is there a contract
14 pending on that you say now, an option at least?

15 MR. CONROY: Yeah, there is an
16 option pending.

17 MR. CLENDENIN: Is it appropriate to
18 make recommendations for the property until that
19 option is up?

20 MR. CONROY: Anything that I would
21 write would include that qualified condition. With
22 all respect to the individual that holds the option
23 with total sincerity. I'll write the letter, thank

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1 you.

2 MR. BRANCHFIELD: Good. Great.

3 Thanks, Pete. Any other topics that anyone would
4 like to discuss before we turn it over for any
5 audience comments. No? Any comments from the
6 audience?

7 MR. ALLEN: Is this our question and
8 answer section?

9 MR. BRANCHFIELD: It can be,
10 certainly.

11 MR. STROUD: I would like to
12 introduce Gail Allen, she called me the other day,
13 and I thought had some very good questions, and
14 Gail.

15 MRS. ALLEN: Well, actually I came
16 in with one question and now I have a second
17 question. Because I purchased a piece of land in
18 Weaver in 1977 which is directly across the street
19 from Mr. Brown's farm, and they started digging a
20 well there, we moved into a new home six months
21 ago, but my daughter and her family now live in
22 that well. So I have talked to Mayor Kimbrough
23 casually about this. I will be more serious about

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1 talking to Mayor Kimbrough about this now, because
2 my grandchildren and the other residents of Weaver
3 deserve clean safe water. And maybe a lot of them
4 aren't aware that there is a question about capping
5 or building an entirely new landfill and protecting
6 that water. To me twenty-two million dollars is
7 nothing compared to the safety of my grandchildren
8 and the rest of the people of the town.

9 So now I do have another concern that I'm
10 going to look into. But our initial concern was,
11 my husband and I bought a piece of property on
12 Weaver Road that borders Cane Creek. It's our
13 property line, about two thousand foot of creek.
14 And I thought a really simple question that I asked
15 several weeks ago, I have been sent all over the
16 country trying to get an answer. My grandson wants
17 to wade in the creek, my dog drinks from the creek,
18 and we want to plant some corn on the property
19 which is designated as a possible flood area. So
20 my question was is the water clean enough for my
21 kids to wade in and for the corn to possibly flood
22 in that we could sell it or eat it or whatever.

23 And I was originally told I could go to

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1 the library and look through thousands of pages for
2 something that I really wasn't quite sure what I
3 was looking for anyway. And I went from this
4 agency to that agency and finally wound up with
5 someone who returned phone calls, Mr. Stroud, and
6 said he thought the water was probably okay. But,
7 you know, I want to know has there been a study
8 made in this water that goes through Fort
9 McClellan, not groundwater now, through the creek
10 and out into Anniston and eventually through all
11 these residential communities to the Coosa. So
12 what I really wanted to know was a really simple
13 question is what's in that water and is it safe for
14 my grandkids to wade in and for my dog to drink
15 from.

16 MR. CONROY: A real quick simple
17 question back at you is have you had it tested?

18 MRS. ALLEN: Well, now, see, I
19 thought, well surely this water has been tested.
20 Is there a test somewhere. I was told fourteen
21 hundred dollars.

22 MR. CONROY: Let me offer one
23 thing. We have a terrific service at Jacksonville

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1 State University, Dr. Blake Otwell will test it for
2 you for free, if you bring the bottle tomorrow we
3 will do it tomorrow.

4 MR. ALLEN: Will you do radiological
5 testing on that water also?

6 MR. CONROY: Now, I'm not sure
7 that's one of his parameters. 782-5681 is me and
8 we'll put you on him, okay?

9 MRS. ALLEN: 782-5681?

10 MR. JAMES: If I might, a number of
11 years ago when I was enrolled up at JSU, I took a
12 course from Dr. Romano. And they have done a lot
13 of projects on this whole, the creek systems in
14 this whole area. She may want to contact Dr.
15 Romano. He may be able to provide her with at
16 least some preliminary information with regards to
17 the stretch of Cane Creek that she is concerned
18 about.

19 MR. CONROY: He'll probably do
20 micro-invertebrate mal-part deformities. But, you
21 need to know that too, so.

22 MRS. ALLEN: See, really I went to
23 the health department to, all around. Like I said,

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1 I wound up in Atlanta and different places being
2 sent from one place to the other, and I thought
3 well gosh I thought it was a simple question, now I
4 am concerned about what's in that water. No one
5 suggested JSU in all of these phone calls.

6 MR. LEVY: Are you after the waste
7 water treatment plant?

8 MRS. ALLEN: Yes.

9 MR. LEVY: I know the waste water
10 treatment plant also takes samples to the water
11 board City of Anniston.

12 MRS. ALLEN: Well, I talked to them.
13 But everyone I talked to said well there is a
14 private company in Leeds and they said oh, for
15 fourteen hundred dollars we'll check the water for
16 you.

17 MR. CONROY: We can beat that.

18 MR. ALLEN: In other words,
19 everybody was scared to answer her question, or
20 they were ignorant of the fact. That's the reason
21 we're here. Let me ask all of you a simple
22 question. If I raise two acres of corn, will y'all
23 eat it?

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1 DR. HARRINGTON: We eat whatever
2 else they sell around here.

3 MR. ALLEN: I as a child played in
4 Choccolocco Creek. I right now suffer from an
5 intestinal disease called Crohn's Disease. I have
6 a doctor, Charles Elston, an imminent researcher in
7 this field telling me it's a genetic damage. Now,
8 then, is this genetic going to be genetic damage
9 coming out of this place thirty, forty years down
10 the road?

11 MS. FATHKE: Well, that's something
12 else that you need to take into consideration.
13 Because you can do water sample testing now, but
14 McClellan is going to develop and a lot of industry
15 is going to be coming into the area. So what's
16 going into that creek, so what's goes into that
17 waste water treatment plant and then out to the
18 creek is going to change.

19 MR. ALLEN: It was a simple question
20 that she asked, and everybody gives us the run
21 around.

22 MRS. ALLEN: But you think I can
23 find the answer at JSU?

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1 MR. CONROY: I think you will find
2 a lot of the answers. Now, he will test for X
3 number of parameters. You know what I'm saying?
4 He won't test for absolutely every potential
5 problem that there is. But it should raise your
6 comfort level to the point, or distract from your
7 comfort level to the point where you would
8 determine whether or not you are going to plant
9 corn or go swimming or wade in it.

10 MR. LEVY: Sir, I certainly do
11 understand your concern. And part of your concern
12 is whether McClellan as an active duty installation
13 ever generated anything that went downstream that
14 could affect human health. And I understand that
15 question. And we've done numerous studies on
16 various sites. But I don't know that we looked at
17 the watershed as an entirety, you know, because it
18 really wasn't a requirement. But we have taken
19 water samples from various sites. I don't know if
20 it would ever answer your question.

21 You think it's a simple question, but
22 actually it's not. Because I can't give you a
23 simple answer that says yes. It depends on what

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1 you are looking at. And I can give you the data, I
2 can certainly give you all the data we've taken on
3 samples from that creek, and I'm not aware of
4 anything from our SI reports, which are site
5 specific and there may have been a site that was
6 next to the creek, that showed any impacts to
7 water. And I tell you that because, you know, just
8 going through all the stuff, I think Philip
9 probably gave you the same type of answer based on
10 what he knows of the investigations. We're not
11 aware of anything.

12 But, you know there's other things also
13 down the creek that's not just McClellan, the
14 plants there and I can't tell you what their
15 discharge limitations are, because we don't own
16 that plant anymore. We don't own the waste water
17 treatment, it is operated by the water board. And
18 I don't know, I've got to tell you, you know there
19 are people who also can dump things in the creek,
20 which it's not necessarily an Army thing, that you
21 don't know about. You know, pesticides, and other
22 things that are associated with lawn care up and
23 down the creek. You just don't know. And it's not

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1 necessarily an Army issue, it's a nationwide issue.
2 I think the best thing you can do, as Pete said,
3 take a sample from your perspective, your location,
4 and I can share with you all the data we've got on
5 wherever we have taken samples out of Cane Creek
6 and show you that. But those were generally site
7 related. I don't know if they would actually help
8 you make a statement, yes this water is clean. I
9 mean, that's not really going to help you.

10 MR. STROUD: A lot of times I know
11 we have done right before it gets off the base, and
12 that's a good question. And we have done a lot of
13 parameters, the SBOCs, BOCs, a variety of things
14 that he's not going to do. I think the combination
15 of this will help you. And also the waste water
16 treatment facility, to get their data which is
17 dumped out to and then it's kind of a combination
18 of those three. And I will get you in contact now,
19 with the right people at ADEM and make sure you get
20 your answer.

21 MR. CONROY: And we'll make sure
22 they return your calls. At the very least, we'll
23 make sure.

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1 MR. LEVY: Those are all public
2 record, yeah.

3 MR. DOYLE: I think the problem is
4 going to be you are going to get more data than you
5 probably ever wanted. If your question is, sir,
6 are you going to get a definitive statement --

7 MR. ALLEN: What I take from this
8 whole group is that y'all have generated so much
9 data that you cannot determine what is what.
10 That's what I've got from y'all's meeting. There
11 is volumes of data that's been generated, and what
12 does it prove?

13 MR. DOYLE: Well, the net result is
14 going to be that you are going to see whether it be
15 generated by the waste treatment plant, the Army,
16 the testing, I presume, tomorrow from Jacksonville,
17 I think you are going to find that they are
18 probably within acceptable safe limits. But if
19 you are asking for a definitive answer from any
20 politic body or any bureaucratic body, gee, is it
21 safe enough to swim in or is it safe enough to use
22 on my commercially grown corn, I don't think you
23 are going to find anyone that's going to go out on

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1 a limb to answer that question.

2 MR. CONROY: I'll tell you whether
3 or not I would swim there.

4 MR. ALLEN: I swam in Choccolocco
5 Creek also. And I may be paying for it today. I
6 hope not. It can't be proven.

7 MR. DOYLE: But you notice he's
8 saying that from a personal perspective, and I
9 would probably give you the same answer from my
10 personal perspective. But if you ask me to speak
11 on behalf of the Army or Mr. Conroy speak on behalf
12 of JSU, or Philip here on behalf of ADEM, and
13 nobody is going to --

14 MR. STROUD: And I personally hike
15 those creeks myself regularly.

16 MR. CONROY: Yeah, but you ain't
17 right.

18 MR. ELSER: The person he is talking
19 about at JSU is the one that tested my water at
20 Ohatchee Creek, Dr. Otwell. I brought it for him
21 to look at. This has nothing to do with Fort
22 McClellan. This is a creek in northern Calhoun
23 County.

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1 MR. CONROY: Let them see that.

2 MR. HOPPER: Pete, might you need
3 to make arrangements with him to provide them with
4 containers that they need, preservatives?

5 MR. CONROY: Whatever standards he
6 has, he will pass them along, yeah. I was going to
7 give them this.

8 MR. ALLEN: That bottle is
9 contaminated.

10 MR. HOPPER: For metals and some
11 other parameters and constituents that he might
12 look at it would require some type preservatives
13 in the sample. So he will probably provide the
14 containers for you.

15 MR. BRANCHFIELD: We appreciate the
16 question, that's why we have these meetings, allow
17 the public to come ask questions like that. Thank
18 you.

19 MR. ALLEN: But I think y'all did
20 make a real good selection on Mr. Ronald Grant. I
21 retired from the depot four years ago. He's an
22 extremely intelligent person.

23 MR. BRANCHFIELD: Are there any

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1 other comments or questions from the audience?

2 MR. CONROY: I move to terminate
3 the marathon.

4 DR. HARRINGTON: I second.

5 MR. BRANCHFIELD: All those in
6 favor?

7 RAB BOARD: Aye.

8 MR. BRANCHFIELD: Any opposed?
9 That's everybody.

10 (Whereupon this RAB meeting was
11 adjourned.)

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C E R T I F I C A T E

STATE OF ALABAMA)

CALHOUN COUNTY)

I, DONNA D. GALLAHAR, a Court
Reporter and a Notary Public in and for the State
of Alabama at Large, duly commissioned and
qualified, hereby certify that above styled meeting
was by me reduced to shorthand in the presence of
said witnesses, afterwards transcribed upon a
computer; and that the foregoing, to the best of my
ability, is a true and correct transcript of the
meeting.

I FURTHER CERTIFY that this
meeting was taken at the time and place in the
foregoing caption specified, and was completed
without adjournment.

I FURTHER CERTIFY that I am not a
relative, counsel, or attorney for any party, or
otherwise interested in the outcome of this action.

IN WITNESS WHEREOF, I have

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My commission expires May 20, 2005.

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