

RESTORATION ADVISORY BOARD

FORT McCLELLAN, ALABAMA

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Taken before SAMANTHA E. NOBLE, a Court  
Reporter and Commissioner for Alabama at Large, at  
Building 215, Fort McClellan, Alabama, on the 10th day  
of February, 2003, commencing at approximately 6:30  
p.m.

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1 DR. MARY HARRINGTON: Good evening.  
2 At this time, we'll now call our meeting to order.  
3 And our first item will be our roll call.  
4 Mr. Scott Beckett?  
5 MR. SCOTT BECKETT: Here.  
6 DR. MARY HARRINGTON: Mr. Buford?  
7 MR. JAMES BUFORD: Here.  
8 DR. MARY HARRINGTON: Mr. Clendenin?  
9 Mr. Conroy? Dr. Cox is excused. Mr. Cunningham is  
10 excused. Mr. Elser?  
11 MR. JERRY ELSER: Here.  
12 DR. MARY HARRINGTON: Ms. Fathke?  
13 MS. DONNA FATHKE: Here.  
14 DR. MARY HARRINGTON: Mr. Franklin?  
15 Mr. Freeman? Mr. Branchfield?  
16 MR. CRAIG BRANCHFIELD: Here.  
17 DR. MARY HARRINGTON: Mr. Hood?  
18 MR. RON HOOD: Here.  
19 DR. MARY HARRINGTON:  
20 Mayor Kimbrough?  
21 MAYOR WILLIAM KIMBROUGH: Here.  
22 DR. MARY HARRINGTON: Ms. Bragg?  
23 MS. BRAGG: Here.

1 DR. MARY HARRINGTON: Mr. Mitchell?  
2 MR. DWIGHT MITCHELL: Here.  
3 DR. MARY HARRINGTON: Mr. Miller?  
4 MR. MILLER: Here.  
5 DR. MARY HARRINGTON: Mr. Grant?  
6 MR. RON GRANT: Here.  
7 DR. MARY HARRINGTON: We have  
8 Mr. Levy --  
9 MR. RON LEVY: Here.  
10 DR. MARY HARRINGTON: Brittain?  
11 MR. DOYLE BRITTAIN: Here.  
12 DR. MARY HARRINGTON: Stroud?  
13 MR. PHILIP STROUD: Here.  
14 DR. MARY HARRINGTON: Harrington and  
15 Ryan are here. In our excused absence, we do have  
16 Dr. Cox and Mr. Cunningham. I don't know if you all  
17 know, but Mr. Cunningham lost his wife on the  
18 7th of December, and she had been struggling some time  
19 with Leukemia. And he's going to join us as soon as  
20 he's able to.  
21 Of our introduction of our guests --  
22 I know we have Ms. Godfrey, the Chief of the  
23 Department of Defense.

1 MS. GODFREY: No, I'm with the EPA.

2 DR. MARY HARRINGTON: Okay. Is that  
3 incorrect? Okay. That's EPA.

4 MS. GODFREY: But I'm Chief of the  
5 Department of Defense A Section.

6 DR. MARY HARRINGTON: Okay. Section  
7 A of EPA.

8 (Whereupon, there was a discussion off the record.)

9 DR. MARY HARRINGTON: When I miss a  
10 meeting, you know, I have to get back in it. At this  
11 time, we'll ask the people present to introduce  
12 themselves. Beginning right past you.

13 MS. KAREN PINSON: I'm Karen Pinson,  
14 Transition Force, Environmental Office.

15 MR. BEN REEVES: I'm Ben Reeves, B&S  
16 Enterprises, here with the City of Weaver.

17 MR. JIM GRASSIANO: I'm  
18 Jim Grassiano with ADEM.

19 MS. SARAH CLEMENCE: Sarah Clemence,  
20 Anniston Star.

21 MR. MARK HARRISON: Mark Harrison,  
22 ADEM.

23 THE COURT REPORTER: Could you speak

1 up for me, please, sir? I couldn't hear you. Will  
2 you, please --

3 MR. MARK HARRISON: Mark Harrison,  
4 ADEM.

5 THE COURT REPORTER: Thank you.

6 MS. BETTY VICK: Betty Vick.

7 MR. HUGH VICK: Gannett-Fleming.

8 MR. ART HOLCOMB: Art Holcomb,  
9 Foster Wheeler.

10 MR. BOB DAFFRON: Bob Daffron,  
11 National Guard Training Center.

12 MR. PAUL JAMES: Paul James, Task  
13 Force, Environmental Office.

14 MR. DAN COPELAND: Dan Copeland,  
15 Huntsville Corps of Engineers.

16 MR. STEVE NEILL: Steve Neill,  
17 Foster Wheeler.

18 MR. LEE COKER: Corps of Engineers.

19 MR. JOSH JENKINS: Josh Jenkins  
20 Shaw, (inaudible).

21 MR. LEE JAYE: Lee Jaye, Transition  
22 Force, Environmental.

23 MR. DARYL STABILE: Daryl Stabile,

1 Corps or Engineers, Mobile District.

2 MR. PHILLIP BURGETT:

3 Phillip Burgett, Anniston Water.

4 MR. BILL GARLAND: Bill Garland,

5 U. S. Fish & Wildlife Service.

6 MR. BILL SHANKS: Bill Shanks,

7 Transition Force, Environmental Office.

8 MS. LISA HOLSTEIN: Lisa Holstein,

9 Transition Force, Environmental Office.

10 MS. MIKI SCHNEIDER: Miki Schneider,

11 JPA.

12 DR. MARY HARRINGTON: And I know

13 it's not on here, but let me acknowledge that we have

14 Mr. Dan Cleckler with us, Executive Director of JPA.

15 MR. RON LEVY: You might want to

16 mention Pete coming in for the record.

17 MR. GLYNN RYAN: Mr. Conroy came in.

18 DR. MARY HARRINGTON: Yes, he did --

19 MR. GLYNN RYAN: He's now present.

20 DR. MARY HARRINGTON: -- come in.

21 THE COURT REPORTER: If I could

22 interrupt just a minute. There was a gentleman in the

23 very back, maybe from Mobile, I couldn't hear you.

1 MR. DARYL STABILE: Daryl Stabile.

2 THE COURT REPORTER: I'm sorry?

3 MR. DARYL STABILE: Stabile.

4 THE COURT REPORTER: Stabile?

5 MR. DARYL STABILE: S-T-A-B-I-L-E.

6 THE COURT REPORTER: Thank you.

7 DR. MARY HARRINGTON: Okay. At this  
8 time, we'd like to have you look over the minutes so  
9 we can get them approved from the last meeting. And  
10 let me thank Mr. Clendenin for taking charge of the  
11 meeting. Second Mondays just -- I'm missing a meeting  
12 tonight to be with you all.

13 Have we had time to look at the  
14 minutes? Is this what took place? Can I hear some  
15 action?

16 MR. PETE CONROY: I'm afraid that  
17 there are a few things, in my estimation, that don't  
18 reflect what actually happened in the meeting. And  
19 I'd like to, with your permission, hold off on making  
20 a motion to accept these minutes just to do a  
21 side-by-side comparison of the verbatims.

22 Some of y'all got an E-mail from  
23 Barry Cox, and he was of the opinion it wasn't exactly



1        what had taken place. And I feel the same. And, Ed,  
2        you and I had a conversation. Your thoughts?

3                    MAYOR WILLIAM KIMBROUGH: If you  
4        make a motion, I'll put a second to the motion.

5                    MR. PETE CONROY: My motion would be  
6        to hold off on approving these minutes for now.

7                    DR. MARY HARRINGTON: Okay.  
8        Mr. Conroy has motioned that we hold off approving the  
9        minutes, and Mr. Kimbrough has seconded, if I  
10       understand.

11                   MAYOR WILLIAM KIMBROUGH: (Nods  
12       head.)

13                   DR. MARY HARRINGTON: It has been  
14       properly motioned and seconded that we do not approve  
15       the minutes at this time. Are you ready for the vote?  
16       All in favor of said motion, let it be known by I.  
17       Opposers, same opportunity? No opposes, we will not  
18       approve the minutes. Needless to say, I'm in the dark  
19       because I wasn't here.

20                   MR. GLYNN RYAN: Can we go ahead and  
21       go through them? Do you want to go ahead and go  
22       through them?

23                   DR. MARY HARRINGTON: I mean do we

1       --

2                   MR. GLYNN RYAN:  I don't --

3                   DR. MARY HARRINGTON:  No.  What he's  
4       saying is they want to go back and do a comparison,  
5       and maybe they'll come up -- Mr. Conroy, you were  
6       asking that you all be -- we be allowed to go through  
7       this.  And are we taking them to the next meeting or  
8       what are we doing?  Are we going to go through it now  
9       and hash out --

10                  MR. PETE CONROY:  Why don't we take  
11       it to the next meeting so as not to take up any of our  
12       time today.  Just hold off on this --

13                  MAYOR WILLIAM KIMBROUGH:  If you  
14       compare -- if you'll look at the transcript and  
15       compare it to the minutes, it does not reflect of lots  
16       of the questions and a lots of the --

17                  DR. MARY HARRINGTON:  Okay.  We can  
18       do that then.  Okay.  We can handle that.  All right.

19                  The old business, if I understand it  
20       correct, was the amendments to the bylaws.  And  
21       everyone has a copy with the changes marked, right?  
22       Now, let's review that.  Review accuracy of each item  
23       in red with numbers.  And the main note on there is we

1 must have nine members present for a quorum.

2 (Whereupon, there was a discussion off the record.)

3 DR. MARY HARRINGTON: I really don't  
4 think we have to do anything to this, since you all  
5 did approve it at the last meeting. So, if we are in  
6 agreement with it, we'll move it on to the program.

7 MR. GLYNN RYAN: Well, let me kind  
8 of go through, and what we'd like to do tonight, we  
9 have some slides. Dan Cleckler and I wanted to  
10 provide a briefing tonight to kind of give you an  
11 idea -- and I know we've talked about it in the  
12 past -- about early transfer and privatization.

13 The JPA and the Army met on the  
14 23rd of January to start this process, locally. The  
15 slides are a short piece of what was briefed on the  
16 23rd of January.

17 And this will just be an overview  
18 for my part. And then I'll ask Dan -- he has a few  
19 words and some handouts to provide you.

20 But this is a process -- and that's  
21 really what we're trying to show to you, the process  
22 we're going through. And then -- will you go to the  
23 next slide, please?

1                   This is a process that the objective  
2           is still to ensure human health and environment  
3           protection, enable the community, the JPA, to obtain  
4           title to the property and begin the redevelopment.

5                   The benefits to the Army is the  
6           early transfer piece. We turn the property over to  
7           the community early. It benefits the community as  
8           they have ownership of property and start the  
9           redevelopment.

10                   We're looking at an early transfer  
11           possible option with the Army retained cleanup or an  
12           early transfer with ESCA. Where you see ESCA, that's  
13           a government grant program that's a funding mechanism  
14           to pay the JPA to do the cleanup. I'll use  
15           privatization instead of ESCA.

16                   ESCA means environmental services  
17           cooperative agreement. Privatization is much easier  
18           on me and on you, so, we'll just keep it in that text.  
19           Next slide, please.

20                   The important points in this slide  
21           really talks about two different things. One of them  
22           is the early transfer piece. That would mean  
23           transferring the property in its current condition to

1 the JPA, to the community, for them to use as it is,  
2 today, in that condition.

3 The privatization piece, the second  
4 piece, is really the cooperative agreement or  
5 privatization of the cleanup. Two separate issues.

6 There's one acronym you'll see here.  
7 It's the completion of the mutually agreed upon TSRS,  
8 and that's really the performance requirements of this  
9 ESCA or the privatization. TSRS is technical  
10 specifications requirement statement.

11 As we give you all these acronyms,  
12 we'll try to give you at least the verbiage to  
13 understand them.

14 There is two important parts to  
15 this. If you would look at the early transfer, it's  
16 an agreement on the use and condition of the property  
17 between the Army and the community.

18 The privatization, the piece of that  
19 that's very important is buy in on all parties that's  
20 involved in this, whether it's the community or the  
21 JPA, ADEM, EPA, the Army, those folks that are  
22 involved. Next slide, please.

23 This is the process, if you will,

1 the steps that we're going through. The first three  
2 you can see the check marks. We've done those. On  
3 the 18th of December, the JPA submitted a letter to  
4 the Assistant Secretary of the Army and asked for  
5 privatization and early transfer of property.

6 This meeting tonight will help take  
7 care of number two. It's already been briefed to the  
8 state regulators. It's been briefed to the community  
9 and the RAB in the different formats. We've talked  
10 about early transfer, this is one more piece of that.

11 And early transfer time line  
12 developments, that's something Army and JPA have been  
13 working since about the 18th of December and continue  
14 to work those. A long process, we see the steps  
15 within it. Next slide.

16 We'll show you -- this is the many  
17 steps where we hope to be on the fifth slide,  
18 number -- or topic number fifteen or bullet number  
19 fifteen, is actually to transfer the property with the  
20 deed. We hope that will happen. Expect and planning  
21 for the 26th of September of this year. So, that is  
22 an aggressive schedule. Next slide.

23 Well, a lot of things about this.

1       It talks about why transfer the environmental cleanup  
2       responsibilities. The Army and JPA look at this as a  
3       way for the JPA to control the program and the timing  
4       of it. It gives the Army an early transfer, which  
5       that's our goal, is to transfer the property to the  
6       community. And with this -- and some of the things  
7       that come in the early transfer and privatization,  
8       will be insurance, which gives some cost overrun  
9       protections. It gives the community and the public  
10      some benefits for early cleanup. And hopefully for  
11      use of the property that's early transfer that doesn't  
12      need cleanup, immediately. Next slide.

13                   This talks about the funding  
14      agreement, the ESCA, privatization piece. Lots of  
15      verbiage there, that really goes into how we pay the  
16      bills, how we agree to the cleanup, what we agree to.  
17      Next slide.

18                   Again, under the ESCA privatization  
19      piece, this is just a process. This process, as it  
20      steps through, we have the interest shown. There's  
21      some acronyms in this one that have -- E-R-O-A is the  
22      environmental response obligation addendum. It really  
23      specifies how the parties will remediate. It includes

1 a schedule. Land use controls, that's a piece of the  
2 documentation that will be included with the ESCA, the  
3 privatization. Next slide.

4 Funding facts. This will come  
5 through the government's grant office. There's  
6 probably a number of ways that can come out. And  
7 they're being looked at as to the amount of funding.  
8 It will depend on what remediation effort by the  
9 JPA -- that the important part is that these funds  
10 will be for environmental remediation purposes. Next  
11 slide.

12 The concerns that -- for explosive  
13 safety oversight, as you look at that, it is something  
14 that hasn't been done by the Department of Defense.  
15 We're looking at something that's fairly new. We have  
16 a concept plan that's been proposed, and it's being  
17 worked at many level, to try to reach an agreement  
18 whereby we will transfer the cleanup of the unexploded  
19 ordnance to the JPA, with Army oversight. That  
20 oversight will include the Department of Defense  
21 Explosive Safety Board.

22 So, there's a lot of protection in  
23 there for the community. There's protection for the



1       Army. And we think it's doable or obviously we  
2       wouldn't be trying to do it, because it's a big  
3       undertaking for both the JPA and the Army to put  
4       together this package. We don't expect to see this  
5       all at once. This is going to be a phased plan. Next  
6       slide.

7                       When we reach the deeds  
8       restrictions, explosive safety will -- everything will  
9       be complete. Land use controls, if there are any  
10      remaining, will be on it, and then any deed covenants  
11      will be provided.

12                     The Department of Defense approval  
13      required for planned reuse, different from the reuse  
14      described in the explosive safety submission. So,  
15      whatever the JPA tells us the reuse is -- it's in the  
16      explosive safety submission, that's the level we will  
17      clean up to. Next slide.

18                     As always, you start out with the  
19      assumptions, and the real common goal in this is  
20      transfer of property to the community. Secondly to  
21      that goal is to transfer responsibility for cleanup.  
22      The JPA asked for that.

23                     If the UXO causes this to get to be

1 too hard to do, we'll take those parcels out that are  
2 UXO contaminants. Those are the really hard ones that  
3 may cause us some time-consuming problems. If we  
4 can't get it through (phonetic) -- through the next  
5 slide, I'll show you why it's so important.

6 We started this process in  
7 December of '02, and we expect to be complete by the  
8 26th of September of '03. That is a very short time  
9 frame. Again, we believe it's doable, but it takes  
10 every one of us from the JPA team that's working this  
11 project from the Army, ADEM, EPA's comments, all the  
12 people involved just to make it happen. It's going to  
13 be tough to make that schedule, but we're committed to  
14 try.

15 I would like to say that if you look  
16 at the early transfer piece, this map represents the  
17 property that is at Fort McClellan. The yellow  
18 property is property that does not transfer to the  
19 JPA. The blue is property that is already transferred  
20 to the JPA. The light green goes to the JPA and is  
21 unencumbered property.

22 And the other color of green, which  
23 is really the light green with the cross-hatch over

1       it, shows that property that is going to be in the  
2       early transfer, that property that will not be clean  
3       when it is given to the JPA. You can see there is  
4       about four thousand plus acres there, quite a bit of  
5       property to manage, and a lot of environmental  
6       concerns to still be worked through.

7                       Lots of questions, I'm sure. But  
8       I'd like to wait until we let Dan talk about the JPA's  
9       perspective of this, and then I'll be happy to answer  
10      anything I can. I'm sure Dan will. And just let us  
11      know what you -- Dan come on up.

12                     MR. DAN CLECKLER: Thank you, Glynn.  
13      I'm not quite as high tech as Glynn, so I've got you a  
14      hand-out. You won't -- I don't have the slides. You  
15      got a hand-out there in your packet. If you want to  
16      follow me, fine.

17                     The main thing that I wanted to  
18      emphasize is that the JPA has been talking about this  
19      possibility of early transfer and privatization --

20                     THE COURT REPORTER: I'm sorry. I  
21      need you to speak up for me a little, please.

22                     MR. DAN CLECKLER: We've been  
23      talking about -- the JPA has been talking about this

1 process for a couple of years and trying to get to a  
2 position to where we can -- the Army would be willing  
3 to transfer this property. As time has gone by and as  
4 we've discussed it, it looks like now that we're to a  
5 point where we can move in that direction.

6 And I wanted you to understand that  
7 the RAB and as the community representatives, why we  
8 think this is good, what we think the advantages are,  
9 and to assure you that what -- that this is a win-win  
10 situation for the community. We've done a lot of work  
11 and talked to a lot of people about it, and we're  
12 convinced that it is.

13 In looking at what the advantages  
14 are, the first thing that everyone's interested in,  
15 what are the limits of the risk. You've got to  
16 realize that the Army is never off the hook. By law,  
17 they are liable for the cleanup. We're entering into  
18 an agreement with them. We will be negotiating the  
19 soil cleanups and the cost associated with those level  
20 of cleanups.

21 We reach an agreement. The JPA then  
22 will be hiring the contractors and subcontractors to  
23 complete the cleanup. And the funding will come from

1 the Army.

2 In addition to that -- I'll go over  
3 this a little bit -- there are insurance policies that  
4 we're funding to go on top of that in case there are  
5 cost overruns, and you run into something that you  
6 don't expect. And even then, if you get to that point  
7 and it's even -- if you run into something that's --  
8 that nobody ever thought of, that's even more  
9 expensive, the Army comes in. They're still out  
10 there. They're still on the hook for any cleanup.

11 So, the risks are not any greater  
12 than they are today because the Army is in the  
13 clean-up business now. The advantage is, that we  
14 think we can do it quicker and we think we can do it  
15 cheaper. Where it's been done before in every case,  
16 they've done it quicker and they've done it cheaper.

17 Talk about the insurance. The first  
18 thing we do is in the negotiations, we will get an  
19 insurance policy that covers cost overruns. Like I  
20 said, we negotiate the cost. The Army agrees to fund  
21 X number of dollars. When we get in and later, after  
22 the characterization, we get in and find things that  
23 we didn't realize were there or (inaudible) didn't

1 pick up in the characterization, and it runs over,  
2 there's an insurance policy to cover it.

3 Another thing that that does, is the  
4 insurance companies will send their underwriters in.  
5 So, while we're doing characterization, not only our  
6 team and the Army's team, we've got insurance  
7 underwriters, and they certainly don't want to insure  
8 something that they're not really sure about. So,  
9 we've got that other group of experts in there looking  
10 at it, as well.

11 Also, our program management team  
12 will have insurance. So, again, we've got another  
13 insurance policy to fall back on. All the  
14 subcontractors and the contractors that we hire will  
15 be bonded. There is an insurance factor there.

16 And then the Army retained  
17 conditions, as I mentioned before, that as we move  
18 forward, if all else fails, the Army is still out  
19 there and on the hook.

20 Funding. Glynn talked about the  
21 ESCA, an agreement that we will enter into with the  
22 Army. We will negotiate with the Army, along with our  
23 management team -- I'll talk to you in a minute about

1 the team -- our program management team, who are  
2 experts in this field. And the Army also has hired a  
3 contractor that will be working this.

4 And between all of us, we'll come up  
5 to a figure that we think it will take to finish the  
6 cleanup. We'll get that agreement signed. That's got  
7 to be approved by ADEM, who is the lead regulator, and  
8 by the Governor (phonetic).

9 And we will get the funding up front.  
10 Now, let me back up. When I say, "up front," I don't  
11 mean they give us all the money. But we get the  
12 money -- we're in line because it's a contractual  
13 agreement now.

14 BRAC funds are very competitive.  
15 All the closed bases out there are trying to get  
16 funding. Every time there is a new budget process,  
17 there are X number of dollars out there.

18 The difference in us being a  
19 contractual -- having a contractual agreement with the  
20 Army is we get priority. They'll fund those contracts  
21 before they'll fund anything else. So, it means that  
22 the funding is going to come to us quicker and more  
23 sure.

1                   Then we also have Economic  
2       Development Associate -- Administration out there for  
3       other funding, and we're working on some grants with  
4       them now for other funding for development.

5                   We think the time for cleanup will  
6       be expedited because the Department of Defense  
7       bureaucracy will be eliminated. Again, ADEM is our  
8       regulatory agency, and we will -- we'll be cleaned up  
9       to their standards or more.

10                  It also allows us to take our  
11       reduced plan and finalize it. You know we've got a  
12       group now doing a final plan for us, master plan. We  
13       will be -- in the negotiations, we will be dealing  
14       with the Army as to what the reduced will be in the  
15       different sectors of property.

16                  And this will be the final plan. At  
17       that point, we'll decide what are recreation areas,  
18       what are residential, what are industrial. And those  
19       will be the clean-up levels that we'll be negotiating  
20       (inaudible) the Army.

21                  And our cleanup team, our contractors,  
22       the management team, will be just dedicated to this  
23       one site. They're not going to be working several



1 sites around. They will be contractors for just this  
2 site. So, that gives us a little more control and a  
3 little more (inaudible), little bit more flexibility  
4 when it comes to cleanup.

5 ADEM, again, has the lead agency  
6 status, and we will meet or exceed their demands.

7 Project team, Joint Powers Authority  
8 and the City of Anniston will be members of that team.  
9 The City will be receiving some of the property in the  
10 cleanup, and will probably transfer it when they  
11 transfer it to us.

12 Matrix Design Group out of  
13 Denver, Colorado have done several of these early  
14 transfers and cleanups. We've worked with them for  
15 the last few months. We've got a lot of confidence in  
16 them, and they will be our engineering firm that will  
17 be dealing with the Army's contractor on the  
18 negotiations.

19 ADEM, of course, will be a part of  
20 this team, because they will be working with us and  
21 kept informed as we go along. And our attorney,  
22 David Nisley (phonetic), out of Boston, who has done,  
23 I guess, six or seven of these early transfers and is

1 very knowledgeable from the legal field.

2 So, that's our team. That's the  
3 team that will be working with the Army. Let me  
4 assure you of one thing (inaudible), it is our  
5 intention (inaudible) -- I can't speak for the  
6 (inaudible) -- it is our intention to keep the RAB as  
7 a part of this clean-up effort as we go forward. The  
8 RAB will still be -- will still be in existence and  
9 will still be making -- having input into the cleanup.

10 So, I'll (inaudible) like you,  
11 Glynn, questions?

12 MS. DONNA FATHKE: You mentioned  
13 something in here on the funding page about the  
14 Economic Development Administration. How does that  
15 fall in with the environmental cleanup?

16 MR. DAN CLECKLER: Well, we can use  
17 EDA funding for that, as well, and we can also  
18 (inaudible) with funding from other sources, EDA  
19 funds.

20 MS. DONNA FATHKE: For --

21 MR. DAN CLECKLER: For cleanup.

22 MS. DONNA FATHKE: For environmental  
23 cleanup?

1 MR. DAN CLECKLER: Uh-huh.

2 MS. DONNA FATHKE: Okay.

3 MR. PETE CONROY: Dan, you had  
4 mentioned that the RAB might continue on in the case  
5 of an early transfer. How would we arrange funding  
6 for the RAB in that scenario?

7 MR. DAN CLECKLER: That would be  
8 negotiated in the process. That would be something we  
9 would (inaudible).

10 THE COURT REPORTER: Something --  
11 I'm sorry. You're -- that would be something we  
12 would --

13 MR. DAN CLECKLER: We would  
14 negotiate in the ESCA agreement.

15 THE COURT REPORTER: Okay. Thank  
16 you.

17 MS. DONNA FATHKE: Dan, when you do  
18 run into a situation where there is a cost overrun,  
19 who decides that it's a true blue cost overrun that  
20 needs to be paid for out of the insurance or whatever?

21 MR. DAN CLECKLER: Well, there will  
22 be -- of course, the first thing we see, we've got X  
23 number of dollars to clean -- put it aside. When we

1 find out that -- if we determine that we need more  
2 money, we go back to the Army and the insurance  
3 company and say, this is what we think. And, of  
4 course, they'll have to look at it and investigate it,  
5 too.

6 One of two things can happen, the  
7 Army can say, look, we'll fund it, let's don't go  
8 after the insurance policy, or they can say, take it  
9 and have -- make the insurance company pay it. So, it  
10 would be the first person -- the first group to notice  
11 cost overrun would be our contractor. And then we  
12 would --

13 MS. DONNA FATHKE: But who makes the  
14 decision that it's going to be funded one way or the  
15 other? Or what if they say that's unnecessary --  
16 "they," being I don't know who -- that's unnecessary,  
17 so we're not going to fund that overrun?

18 MR. DAN CLECKLER: Well, you know,  
19 we would just -- we would have to negotiate that. We  
20 would be -- it would be cleaned up to a level -- ADEM,  
21 for instance, would have said, this is the level it's  
22 got to be cleaned up to, the contractor says, we can't  
23 do it for this amount of money, then we get with the

1       Army and the insurance company and say, okay, who is  
2       going to pay for the difference?

3                   MR. GLYNN RYAN: Part of that is  
4       looked at now -- we're looking at the ESCA would be  
5       the negotiation between what levels of cleanup. ADEM  
6       would sign up, too and say, this is an acceptable  
7       level of closure for one of these sites. Pick one. I  
8       don't want to, but any of them. And that would be the  
9       money that the negotiations, how much we pay to  
10      have -- to reach that level of closure. Anything that  
11      you do, JPA does above that, would be up to them.

12                   If they found something that we had  
13      not clearly identified, then it becomes the  
14      responsibility of the Army to come back and take a  
15      look at it and say, this might have been something we  
16      didn't know was there. It is an Army responsibility  
17      to clean up.

18                   It might also be that we said, you  
19      know, this is from that same site, we didn't ac- --  
20      you didn't accurately characterize it, meaning we let  
21      the JPA characterize it. There is a lot of scenarios  
22      in there. It's a lot of negotiations in it. But  
23      that's one of the reasons for the insurance.

1                   MAYOR WILLIAM KIMBROUGH: The Army  
2                   will still be doing the cost analysis, right, still be  
3                   doing the EE/CAs?

4                   MR. GLYNN RYAN: No.

5                   MR. RON LEVY: No.

6                   MAYOR WILLIAM KIMBROUGH: Y'all go  
7                   on away?

8                   MR. RON LEVY: Pretty much.

9                   MR. GLYNN RYAN: The EE/CA is a  
10                  characterization document. It characterizes what's on  
11                  the site --

12                  MAYOR WILLIAM KIMBROUGH: Right.

13                  MR. GLYNN RYAN: -- what needs to be  
14                  done. Without that, we can't negotiate any level of  
15                  cleanup. And that's what -- we're going to use the  
16                  EE/CAs that we've developed to date to show what we  
17                  believe to be factually on the site -- not the  
18                  decisions made, but what's actually on the site. And  
19                  that's what we put into the model that helps figure  
20                  out what the negotiated price --

21                  MAYOR WILLIAM KIMBROUGH: Then it  
22                  would be negotiated?

23                  MR. GLYNN RYAN: Exactly.

1                   MAYOR WILLIAM KIMBROUGH: But you'll  
2 still be present, as far as characterizing and all,  
3 right?

4                   MR. GLYNN RYAN: If we have  
5 characterized the property, it will go under this ESCA  
6 process and to the JPA. But there may be some of this  
7 that we would agree to the JPA characterizing. There  
8 could be some that we stay and characterize.

9                   The Army will still have a presence  
10 in cleaning up the Fish & Wildlife property and who  
11 knows what pieces. I mean, there are -- it's going to  
12 take awhile -- we're looking at this as -- we've  
13 discussed -- that's the big piece of property. But if  
14 you start looking at it as a phased approach in the  
15 ESCA -- because we just can't get through all of it at  
16 once.

17                  MS. MIKI SCHNEIDER: Mayor? Part of  
18 one of the negotiations in the ESCA is retained  
19 conditions. And there may be some retained conditions  
20 that we, the JPA and the Army, agree we're going to  
21 leave with the Army, because either the  
22 characterization --

23                  MAYOR WILLIAM KIMBROUGH: Well, that

1 was my understanding.

2 MS. MIKI SCHNEIDER: Right.

3 MR. DAN CLECKLER: Right. Because  
4 we don't know -- we're not sure what's out there, we  
5 haven't done a characterization, and that's still  
6 yours until the characterization is done --

7 MAYOR WILLIAM KIMBROUGH: Right.

8 MR. DAN CLECKLER: -- and then we  
9 will agree on a cost and -- so, retained conditions is  
10 one element of the agreement.

11 MR. RON LEVY: I --

12 MS. MIKI SCHNEIDER: There's some  
13 things that can be retained that just have not ever  
14 been found here before. That there's some -- a  
15 standard list that our attorney uses in other bases of  
16 just conditions that might not have been thought about  
17 that he puts in there.

18 MR. RON LEVY: If I could add  
19 something. This cost study that's done by the  
20 contractor is a critical piece to it. They will get  
21 all the information we've got to date on the  
22 characterization. So, where a site is not fully  
23 characterized, then obviously, you got some data gaps,



1       and negotiation becomes a little bit more critical,  
2       difficult. I mean, the cost may vary quite widely.  
3       And then it becomes what are you going to negotiate to  
4       where that cost is going to actually be. So, the more  
5       characterization we got, the better it is a cost study  
6       for the Army and for the JPA.

7                   MAYOR WILLIAM KIMBROUGH: I guess my  
8       thought was going back to -- if I remember correctly,  
9       that there was one piece of property that we had, and  
10      there were about four or five options that had been  
11      discussed about the cleanup. And there were costs  
12      also attached to those. It's been a year or so ago, I  
13      think, that we did that. These are what will be  
14      negotiated?

15                  MR. RON LEVY: As I understand the  
16      cost study, they're going to come up with a high  
17      number, a low number, and then --

18                  MAYOR WILLIAM KIMBROUGH: Right --

19                  MR. RON LEVY: -- what they consider  
20      to be an average. And it should be inclusive of those  
21      remedies.

22                  MAYOR WILLIAM KIMBROUGH: But the  
23      characterization and the cleanup has been done by

1 y'all on most property is what you're saying?

2 MR. RON LEVY: Well --

3 MAYOR WILLIAM KIMBROUGH: And then  
4 there might be some that you would remain on, that  
5 would be negotiated, also?

6 MR. RON LEVY: That actually is not  
7 completely true.

8 MR. GLYNN RYAN: No, there's a lot  
9 of these properties that we have not fully  
10 characterized.

11 MR. RON LEVY: If y'all remember,  
12 the way we do CERCLA, there's a preliminary  
13 assessment, which says, okay, you might have a problem  
14 there, go forth and look at it. There's an SI that's  
15 established whether there's contamination or not  
16 contamination; and all that is, it says there might be  
17 something there.

18 And then there's the RI, the  
19 remedial investigation and feasibility study. It's at  
20 that level where you really have the full  
21 characterization, assuming everybody has agreed to it.

22 At the SI level, I'm telling you,  
23 yes, there's a problem there, as opposed to being able

1 to tell you what the nature and extent is. It's at  
2 the RI level that you get the nature and extent. And  
3 that particular information is easy then to define  
4 what the costs are.

5 But when I'm not in an SI level,  
6 where there's still a lot of our sites at the SI, we  
7 can either say, ye, there's something there or, no,  
8 there isn't something there. But you don't know what  
9 nature and extent is, and therefore it becomes more  
10 difficult to define what the cost is of cleaning it  
11 up. Without nature and extent, you really don't know  
12 where it's at and how to clean it up, yet.

13 So, that's why everything goes into  
14 this cost study, but not everything is fully  
15 characterized. The less data, the more difficult it  
16 is to negotiate on cost. Somebody will eventually  
17 have to finish up the characterization.

18 MAYOR WILLIAM KIMBROUGH: Okay.  
19 That's my question.

20 MR. GLYNN RYAN: Whether it's Army  
21 or JPA, there could be a negotiation --

22 MAYOR WILLIAM KIMBROUGH:  
23 Negotiation.

1 MR. GLYNN RYAN: -- there. Yeah,  
2 exactly.

3 MS. MIKI SCHNEIDER: And there may  
4 be some sites where we're not comfortable with the  
5 characterization, and we will build that into the  
6 ESCA.

7 MR. PETE CONROY: If the pressure  
8 wasn't on ADEM, all along, the pressure is definitely  
9 going to be on ADEM after an early transfer -- or  
10 arrangement, however the folks -- I know we met  
11 recently with Jim more and some of y'all's folks down  
12 in Montgomery. Would you or Jim want to kind of give  
13 us a sense of what ADEM thinks about all this?

14 MR. PHILIP STROUD: I can go ahead  
15 and take a shot at this, Jim. Right now, me being at  
16 more of, you know, the staff project manager level,  
17 technical, I'm trying to keep myself pretty much at  
18 that level. However, seeing what's coming down the  
19 turnpike -- and I was going to actually take a shot at  
20 this when we were talking about ADEM -- the reports,  
21 agency reports.

22 But he's kind of nailed it right on  
23 the head, that -- just that -- this can act as an

1       agency report kind of status, but to show you kind of  
2       where we are. We have this privatization coming on to  
3       us. We are now looking at the ECOP for Fish &  
4       Wildlife. We're trying to get the Forestry Commission  
5       up to speed on several projects over in the  
6       Choccolocco corridor. We're still working on many,  
7       many RIs and SIs and also in Pelham Range. And so --  
8       and countless other issues with UXO.

9                       But what's happening is because of  
10       the speeding up process and rearrangement of what's  
11       going on, the ESCA and, plus, ramping up and really  
12       getting up to speed with that information, it looks  
13       like ADEM's going to need more help is the bottom  
14       line. I think that's where you're heading.

15                      And so, ADEM is looking at that and  
16       negotiating with the Army now and JPA on how we're  
17       going to make this happen. I don't know the answer to  
18       that right now. But we do have a contractor right now  
19       that is on board. We're going to hopefully use him  
20       more. And again, I don't know how the funding is  
21       going to work but -- does that answer your question?

22                      MR. PETE CONROY: (Nods head.)

23                      MR. PHILIP STROUD: Jim, anything

1 else to add to that?

2 MR. JIM GRASSIANO: Overall, ADEM is  
3 supportive of the concept of privatization, and we're  
4 going to find a way to make it work. There's a lot of  
5 unknowns right now that are being worked out. We had  
6 our first meeting to discuss privatization a year and  
7 a half ago, and then we didn't have another meeting  
8 until last week. So, right now things are very much  
9 in the state of forming and details are being worked  
10 out.

11 So, as those details are being  
12 worked out, ADEM is in parallel working out staffing  
13 and how we can work this out. We have probably four  
14 people, full to part-time, working on McClellan right  
15 now, and we can see that expanding out further to meet  
16 the time frame of an early transfer. So, it is being  
17 looked at very closely.

18 MS. MIKI SCHNEIDER: And on behalf  
19 of the JPA, we thank you.

20 DR. MARY HARRINGTON: We missed  
21 that.

22 THE COURT REPORTER: What was that,  
23 Miki?

1 MS. MIKI SCHNEIDER: I said, on  
2 behalf of the JPA, we thank you.

3 MR. CRAIG BRANCHFIELD: I have a  
4 couple of questions. First of all, what regulatory  
5 authority would the JPA be working under?

6 MR. GLYNN RYAN: For the early  
7 transfer?

8 MR. CRAIG BRANCHFIELD: For the  
9 cleanup? I mean, there's got to be some regulatory  
10 oversight of this. What is the specific regulatory  
11 oversight? Now, that's the agency. What is the law?

12 MS. MIKI SCHNEIDER: RCRA.

13 MR. CRAIG BRANCHFIELD: It's going  
14 to be under RCRA?

15 MS. MIKI SCHNEIDER: Yes.

16 MR. CRAIG BRANCHFIELD: That answers  
17 my second question. So, EPA would essentially no  
18 longer participate in anything to do with  
19 Fort McClellan.

20 And ADEM has what experience --  
21 well, what experience do they have with the other UXO  
22 sites in The State of Alabama?

23 MR. JIM GRASSIANO: What experience

1 do we have --

2 MR. CRAIG BRANCHFIELD: Yeah, has  
3 ADEM taken the lead on other UXO sites in the state?

4 MR. JIM GRASSIANO: We have quite a  
5 number of UXO sites around the state. And it's an  
6 active component of a lot of military installations  
7 that we work on. It happens to be more of a higher  
8 priority for a site that's undergoing this kind of  
9 property transfer.

10 But, yeah, we've got our own  
11 internal experience that we're developing. We have  
12 the ability to retain contractors. And, of course, we  
13 have a contractor on board on this particular project.

14 MR. CRAIG BRANCHFIELD: Uh --

15 MR. PETE CONROY: Craig, I think it  
16 would be safe to say that this is the most extensive  
17 UXO site that y'all have worked with. Is that fair?  
18 I'd love for you to say no.

19 MR. JIM GRASSIANO: I'm not saying  
20 the most significant one in the state, but it's  
21 certainly up there, and it's probably the most  
22 important because of the property being transferred.

23 MR. CRAIG BRANCHFIELD: You see the



1 root of my question then. And I don't know that EPA  
2 has a whole lot of internal regulatory expertise on  
3 UXO sites, either, quite honestly. But my question  
4 gets towards does ADEM have the qualified people to  
5 oversee what JPA will be doing?

6 This specific JPA doesn't have a lot  
7 of experience cleaning up UXO sites, whereas the Army  
8 does have a lot of experience cleaning up UXO sites.  
9 So, to me it's important, whoever is overseeing the  
10 JPA and their activity, to know what they're looking  
11 at.

12 MR. JIM GRASSIANO: On this  
13 particular site -- and I'm assuming that that's going  
14 to carry over on to -- at least initially, to the  
15 early transfer agreement that the JPA and ADEM will  
16 have. ADEM is the lead agency, from a regulatory  
17 standpoint, on UXO matters. And --

18 MR. CRAIG BRANCHFIELD: And I'm not  
19 debating that or that you have the authority. My  
20 simple question is: Is people who have experience  
21 managing and overseeing work at UXO sites? It's just  
22 flat out a skill-set issue, as much as anything.

23 MR. JIM GRASSIANO: Yes. And there

1       are a limited number of people within the state that  
2       have that experience, but right now you can be sure  
3       that there are quite a number of them on the  
4       Fort McClellan project.

5                       MR. CRAIG BRANCHFIELD: Well, that  
6       kind of jumps into my next question. I was kind of  
7       interested in -- and maybe Dan can answer this one --  
8       but the bullet that says that the project team  
9       contractors will be dedicated to only this cleanup,  
10      does that mean specific people you're actually going  
11      to hire -- you think you're going to hire a company  
12      that's going to do nothing but work on Fort McClellan?

13                     MR. DAN CLECKLER: Specific people  
14      from the company, from Matrix.

15                     MR. CRAIG BRANCHFIELD: Okay. I  
16      thought that was -- I wish I could hire a contractor  
17      who worked on nothing but my sites, but it doesn't  
18      work out that way. So, I was kind of curious about  
19      that.

20                     My only other question was: How is  
21      the JPA going to be organized to implement the  
22      cleanup? Is there going to be people who are -- I  
23      mean, my understanding of the JPA is that it's a group

1 of people who get together and talk about, you know,  
2 the privatization and development of the Fort. But  
3 how is the JPA going to manage the cleanup from an  
4 organizational prospective? Is there going to be a  
5 sub-committee that's responsible for nothing but the  
6 cleanup or how does that work?

7 MR. DAN CLECKLER: There is a  
8 sub-committee formed that (inaudible) but the  
9 day-to-day management by (phonetic) the project, and  
10 they'll have people on the ground, particularly  
11 Matrix. They'll have (inaudible) --

12 MR. CRAIG BRANCHFIELD: So, you'll  
13 hire like a prime management contractor to over-see  
14 the whole thing?

15 MR. DAN CLECKLER: Yeah, correct.

16 MR. CRAIG BRANCHFIELD: I got you.

17 I thought I had one more question.  
18 And maybe you don't want to answer this question, and  
19 I don't understand if you don't want to answer it.  
20 But are you going to try and maintain continuity  
21 between the contractors that are currently working on  
22 the site and have the tribal knowledge of the site or  
23 are you going to go out and hire separate contractors

1 and use that tribal knowledge?

2 MS. MIKI SCHNEIDER: We don't know  
3 the answer to that, yet.

4 MR. CRAIG BRANCHFIELD: Okay.  
5 That's all my questions. Thanks.

6 MR. PETE CONROY: One follow-up, is  
7 that in referencing -- and, Doyle, of course, you  
8 might want to say a word or two about this,  
9 yourself -- but in referencing EPA's involvement  
10 relative to UXO, EPA has kind of taken themselves out  
11 of the UXO business. And so, in light of that, we're  
12 not losing much.

13 MR. CRAIG BRANCHFIELD: Okay.

14 MR. DOYLE BRITTAIN: That's correct.

15 MR. PETE CONROY: Is that fair  
16 enough?

17 MR. DOYLE BRITTAIN: That's --

18 MR. PETE CONROY: With all due  
19 respect.

20 MS. DONNA FATHKE: Where is the  
21 source of funding for ADEM to hire all the extra  
22 people they're going to have to hire?

23 MS. MIKI SCHNEIDER: It will be

1       worked into the ESCA.

2                       THE COURT REPORTER: I'm sorry,  
3       Miki?

4                       MS. MIKI SCHNEIDER: It will be  
5       worked into the ESCA.

6                       THE COURT REPORTER: Thank you.

7                       MR. DAN CLECKLER: Funding for ADEM  
8       to hire extra people.

9                       THE COURT REPORTER: Say that one  
10      more time, Mr. Cleckler.

11                      MR. DAN CLECKLER: Funding for ADEM  
12      to hire extra people.

13                      THE COURT REPORTER: Thank you.  
14      (Whereupon, there was a discussion off the record.)

15                      DR. MARY HARRINGTON: Does that  
16      conclude the questions? Thank you board members for  
17      the questions. They were all very good. Being the  
18      chair, I was wondering about them, but I try not to  
19      abuse my authority by participating in the meeting.  
20      Yes, Conroy. I'm sorry, Miki.

21                      MS. MIKI SCHNEIDER: I just wanted  
22      to state that that's the JPA's report for our agency  
23      report tonight.

1                   MR. GLYNN RYAN: Everybody is trying  
2                   to get out early.

3                   DR. MARY HARRINGTON: Okay. Now, I  
4                   think we're down -- we're still with you. Did we  
5                   completely wrap up our early transfer and  
6                   privatization report?

7                   MR. GLYNN RYAN: At the request of  
8                   Mayor Kimbrough, we have a report from Mr. Reeves, a  
9                   geologist, on the source water assessment, please.

10                  MR. BEN REEVES: Good evening. My  
11                  name is Ben Reeves. I'm here on behalf of the  
12                  City of Weaver to present the results of our source  
13                  water assessment.

14                  First, we want to talk about exactly  
15                  what a source water assessment is; it's a regulatory  
16                  driven program. It's developed for all public water  
17                  supply systems in The State of Alabama, and it's also  
18                  federally driven so all states have some type of  
19                  well-head protection or source water assessment  
20                  programs. They're just implemented a little bit  
21                  different between state to state.

22                  Just kind of a general overview on  
23                  what a source water assessment is; it's a defined area

1       around a well, particularly around a surface water  
2       facility or a spring. So, all the water systems are  
3       covered regardless of whether it's groundwater or  
4       surface water in this program.

5                       I have included -- there is an  
6       outline that is put into the program. Basically, this  
7       outline is what was presented at a public meeting that  
8       was held earlier this month at the city hall.

9                       And what I kind of wanted to do is  
10      run down what the requirements are for source water  
11      assessment and how some of those tie in to what's  
12      actually being done here at the base. I've broken it  
13      into five major components to actually complete a  
14      source water.

15                      The first part is you actually  
16      conduct a geologic survey. You define the geologic  
17      stratus or rock type, You know, the boundaries, what  
18      kind of contacts, structural features like faults,  
19      things of that nature. Then you actually have to  
20      define an area around those wells.

21                      Now, each well -- and the reason I  
22      keep saying wells, because the City of Weaver has two  
23      wells -- so, on a public water supply well, they'll

1       have two areas defined around those wells. And  
2       dependant upon where those are in the state or what  
3       kind of rock type they're developed in, dictates what  
4       those areas are going to look like and how they're  
5       actually defined.

6                       But once you define those areas,  
7       then you identify potential contaminant sources within  
8       those areas. In other words, anything that might  
9       present a contaminant to the groundwater that could  
10      ultimately end up in the water system.

11                     The fourth part is what they call an  
12      susceptibility analysis. And this part is actually  
13      conducted between individuals with the  
14      state regulators and the city. They take the  
15      information, they look at the sites, their relative  
16      locations, what its potential sources are, and then  
17      they rank low, moderate, or high. And, of course,  
18      high being there is a real potential that -- and if  
19      something impacted the water, then it's highly likely  
20      that the well will be impacted from a release or -- of  
21      contaminant.

22                     The last part is actually presenting  
23      that data to the public. Like I said, earlier this



1 month, we held a public meeting at city hall which  
2 technically fulfilled that obligation that The City  
3 had to do. The City also wanted to present that  
4 information at this meeting for several reasons; one,  
5 it carried on -- it increased the public awareness,  
6 one more step in the public meeting and education  
7 process, and it also, because of environmental  
8 concerns at the base, close proximity to the City's  
9 wells, there's become a lot of concern of where the  
10 contamination from these sites on the base, do they  
11 potentially impact The City's wells and the water  
12 quality. And that's some of the things that we looked  
13 at. And it also based -- the reason we based part of  
14 our study the way we did.

15 Now, The City actually has three  
16 wells. But one of the wells is out of service and no  
17 longer in use. The other two wells are what I would  
18 consider moderate production wells. They range in  
19 depth from a hundred and twenty-five to four hundred  
20 feet deep, which is a relatively shallow well. And  
21 they range in capacity -- these are actually  
22 permitting capacities from three to five hundred  
23 gallons a minute.

1                   Now, the first part, and one of the  
2           most complex parts, of this study is actually trying  
3           to define the geology of this area. Many in the room  
4           has actually been doing geology work on the  
5           Fort McClellan area and surrounding area and finding  
6           that it's very complex, especially from a structural  
7           standpoint.

8                   There's still a lot of debate on  
9           what the actual geology is, how the formations and  
10          geologic faults relates to one another. And frankly,  
11          that will be years going on, the debate, the research,  
12          and finding. And the geology that you see on maps  
13          today, most likely, ten or fifteen years from now,  
14          will be a little bit different, as more and more  
15          information and data is gathered.

16                   But the primary rock type that we  
17          were interested in in the City of Weaver area is  
18          Conasauga formation, which is a carbonate rock.  
19          That's what the wells are cased in and enveloped in.

20                   Many of you know limestone rock,  
21          there's different type of flow patterns. And in  
22          limestone, you actually get caverns that form. And  
23          it's called solution cavities that the water flows in.

1                   It's not like in a sand trap of  
2                   where you basically have a mass of water that's slowly  
3                   creeping down. You can actually have water go from  
4                   one side -- from one area to another. It doesn't go  
5                   necessarily straight from point A to point B. Which  
6                   makes investigating these type terrains more  
7                   difficult.

8                   You collect groundwater elevation  
9                   data, you can see where the driving force is, you can  
10                  tell which way the overall trend and flow is, but it  
11                  doesn't necessarily tell you that a water particle at  
12                  point A is going to end up in point B. It may go  
13                  through C and D before it actually gets there.

14                 But this is the geologic map that we  
15                 generated from our study. And just to kind of give  
16                 you an idea, this is the Fort McClellan area down  
17                 here, City of Weaver area here. The two active  
18                 wells -- (pointing) -- The City has located in this  
19                 kind of an orange tint here, which is this limestone  
20                 carbonated rock.

21                 And you can see, it's kind of  
22                 bordered by this darker orange material here, which is  
23                 the Rome formation, although we have grouped this

1 shaded in part of that, we didn't actually  
2 differentiate that.

3 So, in addressing some of the  
4 questions, which way is groundwater flowing in this  
5 region? Can we go to the next slide?

6 This is probably easier to look at  
7 here, but basically what we found when we looked at  
8 elevations -- in other words, measuring groundwater in  
9 the wells -- is we've seen in this region here --  
10 (demonstrating) -- we generally had a southwest flow,  
11 as it moves south of Weaver, and then it turns in more  
12 of a westerly direction, which has actually been the  
13 way our formation here lies in this unit here --  
14 region here. (Demonstrating.)

15 A couple of the key questions is:  
16 Is this Rome, which is basically a sandstone unit,  
17 what interaction does it have on the groundwater?  
18 Does it actually act as a boundary or are those units  
19 connected?

20 Now, the Army's done a lot of work  
21 in this region -- (demonstrating) -- over here, a lot  
22 of groundwater elevation data, and they said the  
23 general flow in this region is back to the northeast.

1                   So, when we designed our dye trace,  
2           which is a requirement because we're in a conduit flow  
3           situation, the State actually requires us to put dye  
4           out to try to trace to see where the water's  
5           flowing -- we actually selected three locations to  
6           introduce dye. And we introduced a different dye at  
7           each location.

8                   One location, which is basically on  
9           the east side of this ridge, which is held up by the  
10          sandstone. Another location was north of the City of  
11          Weaver, actually in a cave, in the same rock type that  
12          the City's well's located. And then the third  
13          location, basically, northwest of The City.

14                  And those -- what we were trying to  
15          determine, one, is there a cross-connection in this  
16          region? Does this southern groundwater flow in region  
17          continue on down through The City?

18                  What we've basically determined in  
19          our investigation was, it indeed looks like the Rome  
20          formation acts as a boundary. So, when we drew our  
21          delineations around it, we used those rock types,  
22          those contacts, as our boundary on the east, west --  
23          or north and basically along this line here --

1 (demonstrating) -- because we also have the Rome  
2 formation coming up through this region here.

3 As far as how far we extended our  
4 delineations south, we basically went down to a point  
5 that we felt like the cone of depression that was  
6 formed around these wells from pumping, that we would  
7 move far enough outside of that region that any cone  
8 formed around these wells would not draw water back to  
9 that from this point out -- (demonstrating).

10 So, what we ended up with -- and  
11 this dark red line is actually called our source-water  
12 protectionary, two -- we ended up with -- I believe it  
13 was just over fifteen hundred acres.

14 Now, you'll see a shaded area around  
15 each well. And that area is our source-water area  
16 one. And it's a defined area, simply by a thousand  
17 feet around each well.

18 So then the last part was, we  
19 conducted our contaminant source inventory in both the  
20 area one and area two. State came up, performed their  
21 susceptibility analysis. And ultimately, the results  
22 of it, they ranked all the sources that we identified  
23 in here, which included gas stations, large septic

1 tanks, automotive shops, things of that nature, was  
2 all ranked as a relatively low risk.

3 All the wells that were identified  
4 in this region were given a rank of a high risk  
5 because that gave a direct conduit of contaminants  
6 into the water system.

7 Now, like I said, as geology  
8 knowledge increases in the future, more data is  
9 collected, this area is subject to change. One of the  
10 main reasons that's in question is exactly what's  
11 going on in this region. If it's later determined  
12 that these -- that this Rome formation does not  
13 actually come in, but peaches (phonetic) out and this  
14 Conasauga is continuous through here, then it's only  
15 reasonable to believe that the water flow would  
16 continue on down. In that case, our area would extend  
17 farther north.

18 At this time, as far as what we've  
19 looked at, what potential does the environmental  
20 concerns have on our well, it seems like a relatively  
21 low risk. The methods of actually getting  
22 contaminants to the well, as far as we can determine,  
23 they would have to basically come through surface

1 water patterns such as Cave Creek. But Cave Creek,  
2 you basically see it coming down, and it turns into  
3 Cane Creek, is a fair distance out from the well and  
4 probably outside its capture zone.

5 The other surface water body is  
6 Tallasahatchee Creek. But it lies north of the Rome  
7 formation in this area here -- (demonstrating). Right  
8 now it appears that there probably is not a  
9 cross-connection between those units.

10 That, basically, is the  
11 presentation. If there is any questions.

12 MR. RON HOOD: Yeah, I've got a  
13 couple of them. You've shown the -- basically, the  
14 horizontal layout of the different types of rock  
15 formations. Within the, let's say, what you've seen  
16 with the depth of wells, both the Army's and yours, is  
17 there much variation in the location of those as you  
18 look vertical? In other words, as you drill deeper,  
19 do you find different types of formation of rocks  
20 within the depth of wells that you've got?

21 MR. BEN REEVES: Not in the City's  
22 wells. Theirs goes down -- their deepest one is four  
23 hundred and nine feet, and the only variation that you



1       have there is above the Conasauga, you have a  
2       residuum, which is basically weathered bedrock. But  
3       once you hit solid rock, you stay in that rock  
4       throughout the depth of the well.

5                       MR. RON HOOD: Okay. So, the Army  
6       has basically seen the same thing, it's not varying in  
7       the depth very much?

8                       MR. BEN REEVES: If I remember right  
9       from their logs, I think -- you know, the geology over  
10      here, we have -- they have slightly different geology.  
11      They do have some of the rock -- same rock type over  
12      here, the Conasauga, which we have over here. They  
13      also have some other carbonates in this window here,  
14      but they're an older, basically deeper carbonate rock,  
15      basically, been uplifted and it's -- material above it  
16      has been eroded away.

17                      So, there are some different things  
18      going on, especially in this region right here --  
19      (pointing) -- that makes it even a little more  
20      complex.

21                      MR. RON HOOD: Well, I like looking  
22      at the pictures, and I was just wondering if a three  
23      dimensional layout, computer generated, might be

1 helpful to see some of that, but if there is no  
2 variation with depth, then it would be worthless,  
3 really.

4 MR. BEN REEVES: Well, one of the  
5 things, too, the way -- at least in this region  
6 here -- (demonstrating) -- right here, the way these  
7 rocks are lying in, if you just look at it in 3-D,  
8 these thrust sheets are basically coming in and out of  
9 the picture like that. So, ultimately, if you did  
10 take one of these wells -- (demonstrating) -- keep  
11 drilling down, you would end up back in this Rome  
12 formation there.

13 MR. RON HOOD: Okay. But that was  
14 what I was saying, within the limit of the depth of  
15 the wells that we've drilled so far it's -- there's  
16 really no variation, is there?

17 MR. BEN REEVES: Right. In the  
18 City's wells.

19 MR. RON HOOD: And the Army, you're  
20 not that familiar with?

21 MR. BEN REEVES: I've looked at some  
22 of their boring logs and all, but --

23 MR. RON HOOD: Because I've been

1       thinking about asking the Army to show us a  
2       three-dimensional layout based on their well logs so  
3       we could actually see that.

4                   MR. RON LEVY:   We've done that in  
5       previous RAB meetings, Ron.

6                   MR. RON HOOD:   Have you?

7                   MR. RON LEVY:   Yes, we have.

8                   MR. RON HOOD:   I haven't seen one  
9       recently for the -- all the new wells you've drilled.

10                  MR. RON LEVY:   Well, we briefed it  
11       in -- what month was that, Josh?

12                  MR. JOSH JENKINS:   August RAB.

13                  MR. RON LEVY:   September RAB?

14                  MR. JOSH JENKINS:   August RAB.

15                  MR. RON HOOD:   I might have missed  
16       that one.   And, of course, the other thing I would  
17       want to see on that is a projection of how you would  
18       think that it would flow, based on the --

19                  MR. RON LEVY:   We got that --

20                  MR. RON HOOD:   -- I guess,  
21       permeability of the different layers.   But again, as  
22       given how much variation, that sort of --

23                  MR. BEN REEVES:   Well, that was one

1 of the things that had concerned us. The Rome  
2 formation is a general sandstone unit that doesn't  
3 generally transmit a lot of water, but there are some  
4 features in that unit, such as Lady's Cave (phonetic),  
5 a rather large cavern within that unit -- and that was  
6 one of our concerns is, are those developed continuous  
7 through the unit and could those transmit water.  
8 Basically, a cross -- a cross strike and basically tie  
9 back into our system.

10 And one of the things of interest we  
11 did note is Cave Creek is a losing stream below -- at  
12 least below twenty-one during the dry part, July,  
13 August, I think maybe August time period. Water was  
14 actually flowing at twenty-one on the back side of  
15 Cave Creek or on the cave -- Weaver Cave on the back  
16 side for, I don't know, a thousand feet, fifteen  
17 hundred feet, something like that. It was bone dry,  
18 but water was flowing in the upper end of the creek.  
19 And that's one of the reasons we picked the location  
20 twenty-one to introduce dye, because we knew that  
21 water was going back into the ground, getting into the  
22 groundwater system.

23 Now, exactly where that water goes

1       at that point, I'm not 100 percent sure. We did have  
2       some monitoring stations at some relatively large  
3       streams just north of that, but we never picked up any  
4       of that dye in that location.

5                       MR. PHILIP STROUD: Where did you  
6       pick up the dye?

7                       MR. BEN REEVES: We did not pick up  
8       any of the dyes in the wells. Most of the dye we  
9       picked up -- the dye we introduced into Cave Creek, of  
10      course, we -- one of the things kind of interesting  
11      is, we picked that up all the way to the end of the  
12      period, which went into December from the time we  
13      introduced (phonetic) -- so, we were still picking  
14      that dye up almost two months later after introducing  
15      it into surface water streams. It was kind of  
16      interesting. The other dye --

17                      MAYOR WILLIAM KIMBROUGH: What does  
18      that (inaudible)?

19                      MR. RON HOOD: We don't know where  
20      it's going.

21                      MR. BEN REEVES: One of the things  
22      that I would speculate on that is, some of that dye,  
23      some of the water that's going into the ground, took

1       some of the dye in, and it is later -- a very slow  
2       process coming back up in the creek bed, whether it's  
3       coming back up in the creek, in the caves or where --  
4       that would be the likely source, I would think.

5                       That area there is just one of the  
6       things which -- if it is coming back up in the creek,  
7       it may mean that there is a little bit of  
8       interconnection between the Conasauga and the Rome,  
9       simply because where the creek comes out at the cave,  
10      the rock there that it's coming out of is the  
11      Conasauga. So, there is -- if that water is coming  
12      back up then there is a little -- some interconnection  
13      apparently there.

14                    MAYOR WILLIAM KIMBROUGH: Let me --  
15      and, Josh, you might help on this -- if our water  
16      source is coming from -- what did you say -- is coming  
17      from north -- north -- up around the Chief Ladiga  
18      Trail, basically, that's where it's coming from --

19                    MR. BEN REEVES: Yeah.

20                    MAYOR WILLIAM KIMBROUGH: -- and if  
21      the contamination is moving north off of the post, is  
22      there any possibility that somewhere above that --  
23      which you haven't really done lots of research in

1       yet -- is there any possibility that that could cross  
2       over and maybe come down into that?

3                   MR. JOSH JENKINS:   Right now we  
4       don't have enough data to tell us if it's a  
5       possibility or not.   It appears that the water flow  
6       directions are kind of parallel, but moving in  
7       opposite directions --

8                   MAYOR WILLIAM KIMBROUGH:   Right.

9                   MR. JOSH JENKINS:   -- at this point  
10       in time, based upon what the (inaudible) show and  
11       based upon the data we have to the east of --

12                   MAYOR WILLIAM KIMBROUGH:   Ours is  
13       coming down --

14                   DR. MARY HARRINGTON:  
15       Mayor Kimbrough --

16                   MAYOR WILLIAM KIMBROUGH:   Ours is  
17       coming down, and this is going up.   So, is there any  
18       possibility there?

19                   MR. JOSH JENKINS:   If there is --

20                   DR. MARY HARRINGTON:   I think that  
21       we need to move on with our agenda because I think  
22       we're getting a little bit in a lot of what ifs, that  
23       Josh obviously isn't prepared to answer, and we do

1       have some other things on our agenda that we really  
2       need to cover. Because if I'm understanding, you're  
3       telling me that the water did -- the dye did come  
4       through, but at the same time you're still saying none  
5       of it showed up in the wells; is that correct?

6                       MR. BEN REEVES: Yes, ma'am, that's  
7       correct.

8                       DR. MARY HARRINGTON: And I do  
9       believe we had -- we went through the last whatever in  
10      August, with the same thing. Is there something  
11      significantly different from that or is there  
12      something that the RAB thinks that we need to know  
13      about this?

14                      I don't really understand why we're  
15      discussing this tonight, as chair. Y'all can help me  
16      out if I'm missing something.

17                      MAYOR WILLIAM KIMBROUGH: Well, the  
18      main thing -- if I may speak as mayor -- the main  
19      thing is that we had requested, and we involved the  
20      RAB in requesting dye tests and some of the research  
21      that we had done. Therefore, we felt like it was our  
22      obligation to come back and say what we had found as  
23      result of that, ma'am.



1 DR. MARY HARRINGTON: Okay. I thank  
2 you. But the RAB authorized this that you're doing --  
3 because we had a presentation here in August.

4 MAYOR WILLIAM KIMBROUGH: You had  
5 one on this. This is different, a presentation.

6 DR. MARY HARRINGTON: Well, I just  
7 wasn't familiar with it. Is there any other questions  
8 from the board members?

9 MR. DWIGHT MITCHELL: Excuse me, but  
10 I asked Ben to come here and make this presentation,  
11 because we did receive that presentation in August.  
12 And this was to make some kind of comparisons with  
13 what the Army's geologists had come up with and  
14 what -- maybe could make some comparison and let the  
15 R-A-B know that there's more than one train of thought  
16 on this.

17 DR. MARY HARRINGTON: That's fine.  
18 I mean, I don't have a problem with it, but you left  
19 your chair out of the process. So, I'm in the dark,  
20 wondering why we're on two different pages.

21 MR. DWIGHT MITCHELL: Mr. Ryan was  
22 aware of it, I believe.

23 MR. PHILIP STROUD: May I ask one

1 question? And, Ben, I just -- I'm looking at the age  
2 of these wells, and you said they were constructed and  
3 developed in certain Conasauga formation. My question  
4 is: Were they constructed with screens? Were they  
5 put down in the -- or is it still open hole?

6 MR. BEN REEVES: They're open bores.

7 MR. PHILIP STROUD: Okay.

8 DR. MARY HARRINGTON: We definitely  
9 thank Mr. Reeves for the presentation. I was just in  
10 the dark about it.

11 Did that satisfy the questions --  
12 and I'm sure it didn't, but if you have questions that  
13 we can answer, we'll go through and get them, then we  
14 can just have a session that deals with that.

15 Now, we're down to our new business.

16 MR. GLYNN RYAN: Let me just mention  
17 that we had some questions last meeting, reference the  
18 Alpha area EE/CA. Mr. Conroy provided some responses  
19 from ADEM on the Alpha area EE/CA. And we wanted to  
20 talk with EPA and ADEM and have done so. We're going  
21 to provide to the RAB TRC committee some documents  
22 that will be in a draft format.

23 Please, be aware that we're still

1       working responses with ADEM and EPA, which will change  
2       before they go to public comment. During that period  
3       of time, any comments you make will be held off until  
4       the public comment period.

5                       They may not be the same documents.  
6       You have to be aware of that. When the final draft  
7       goes for public comment, that's the one we'll accept  
8       comments on.

9                       At your request, we're going to  
10      provide those to the TRC committee. Along with that,  
11      there's a couple of documents. There will be the  
12      draft Alpha area EE/CA, the final eastern bypass FOST  
13      for tract two and three, which is comments from ADEM  
14      and our responses. We'll have our responses to the  
15      Alpha area EE/CA. You'll have some responses we  
16      provided to ADEM on the M-101 draft final removal.

17                      And we also, because of -- we're  
18      preparing documents to give you, we are going to hand  
19      out tonight a spreadsheet that you have in front of  
20      you. And I'll let Ron talk about what this is. This  
21      will give you some information in the future. And --

22                      MR. RON LEVY: Because of the  
23      question that came up at the last RAB meeting about

1       wanting to see draft documents, and the Army stating  
2       that it would open that up to members of the RAB,  
3       particularly TRC, what you got in front of you is a  
4       full listing of all the draft documents that are out  
5       there, between us and the regulatory agencies. The  
6       chart goes into sites both on main post and  
7       Pelham Range that we're looking at. Gives you where  
8       the documents are at, in terms of the reviews, whether  
9       they be at ADEM or whether they be at EPA. But it's a  
10      full listing.

11                   What we attempted -- what we're  
12      going to attempt to do here is allow you to take a  
13      look at it, because we said we would open up all draft  
14      documents to the RAB, and then come back to us and  
15      tell us what it is you want to see.

16                   Now, understand that this is a lot  
17      of documents. To put this many documents into the  
18      repository that are in a draft format so that  
19      everybody could see is extremely difficult and costly.

20                   What we'd like you to do is choose  
21      what you want to see so that we can provide that to  
22      you, as opposed to trying to put it all in a  
23      repository and let you look at it. Plus, it would

1       probably fill up another six or seven shelves at both  
2       libraries, which they don't have the space for,  
3       either.

4                       So, what we're showing you here is  
5       all the draft documents that are out there and the  
6       phase that they're in. And, you know, what comments  
7       we've got, we'll provide those, as well, on the  
8       documents. Just something for you to take a look at  
9       and decide what you want.

10                      Also, in your notes there is a list  
11       of everything that's in the repository, a handout.  
12       There's a handout that says Fort McClellan information  
13       repository locations, and then it lists all the  
14       documents and even the -- some of the correspondence  
15       that's in those repositories.

16                      MR. GLYNN RYAN: It's a separate  
17       handout from this one, I believe it's in the --

18                      MR. RON LEVY: In the remark  
19       section, it just kind of gives an update in terms of  
20       where we're at.

21                      MR. GLYNN RYAN: We will make sure  
22       that you have a newer version of this each meeting.  
23       We would ask that any requests for those documents,

1 the TRC committee provide this to the co-chair so that  
2 we can work those and try to get them to you.

3 Unfortunately, they won't be fast. I mean, we'll try  
4 to get them as soon as we can. Some of them are large  
5 documents and will take some time to pull together.

6 MR. RON LEVY: I'd ask you to be  
7 understanding in the fact that it's very expensive to  
8 reproduce these. So, if you really want them, ask for  
9 them, but if you're just going to take a document for  
10 the sake of taking a document, I mean, just remember  
11 it's costly.

12 MR. GLYNN RYAN: And the TRC will  
13 have those -- Brenda has those right now. We'll make  
14 sure you have those right after this meeting and start  
15 your reviews.

16 MR. PETE CONROY: Thank you. We're  
17 all delighted to have more stuff to read.

18 MR. GLYNN RYAN: I thought you would  
19 want it. I mean, you asked for it, you got it. What  
20 can I say.

21 MR. SCOTT BECKETT: So, Ron, can we  
22 get autographed copies?

23 MR. RON LEVY: Yeah, I'll be glad to

1 autograph them for you.

2 DR. MARY HARRINGTON: Okay. Are we  
3 down to our agency reports? And a couple of them have  
4 been made. So, if yours have not been made, this is  
5 the time to make it.

6 MR. PHILIP STROUD: A couple more  
7 things for ADEM. I've listed several things earlier.  
8 We are in the legal review of the Super FOST Number  
9 Three, we're working over issues with that. And I  
10 mentioned about the ECOP, that's a real high priority  
11 with the Fish & Wildlife. I think by the end of this  
12 month we're supposed to be pretty close to having that  
13 finished. And the numerous meetings we've been having  
14 about privatization, I've mentioned that. That's it.

15 DR. MARY HARRINGTON: Mr. Brittain.

16 MR. DOYLE BRITTAIN: I'll pass out a  
17 copy of a report of documents that we've reviewed.  
18 The document that you got here, this spreadsheet that  
19 Ron talked about a minute ago is last updated  
20 January the 10th. So, basically, what you're looking  
21 at here, as far as EPA's report, is the documents that  
22 we have reviewed since then, which will be included in  
23 the next update of this. And I've listed seven

1 documents here that we've reviewed this last month.

2 Then if you notice here, down at the  
3 bottom, there's ongoing activities. You know, there's  
4 more to doing work than just reviewing documents.  
5 There's a lot of communication and coordination  
6 between EPA and the State and the Army, as far as  
7 trying to reach agreement on different things, how  
8 many wells, where do we put them, what parameters are  
9 we looking for, things like this.

10 So, communication and coordination  
11 is a very timely effort. And that's something that  
12 it's kind of hard to put a number on, but I just  
13 mentioned those as ongoing activities down there at  
14 the bottom. So, that's basically our report.

15 DR. MARY HARRINGTON: And you all  
16 don't have anything for us, yet, on TRC or do you --

17 MR. PETE CONROY: No, ma'am.

18 DR. MARY HARRINGTON: -- since you  
19 were just given your package?

20 MR. PETE CONROY: Yes, ma'am.

21 DR. MARY HARRINGTON: Your action  
22 summary sheet, have we gone over that?

23 MR. RON LEVY: No.



1 (Whereupon, there was a discussion off the record.)

2 MR. RON LEVY: Before we get into  
3 the action summary sheet, there is a short update that  
4 I wanted to give -- have Josh give on landfill three  
5 and some of the quarterly groundwater sampling, if  
6 that's all right.

7 Josh Jenkins, the geologist from  
8 Shaw, is going to give us a short update on the  
9 quarterly groundwater sampling that was done for  
10 landfill three. There's a handout, also, in your  
11 packet that talks to it that he's going to talk off  
12 of. Josh, do you want to stand up and go through  
13 that.

14 MR. JOSH JENKINS: The presentation  
15 is the handout. We just wanted to give you an update  
16 of work that's been going on on landfill three. Most  
17 recent information report is groundwater sampling that  
18 was completed back in October -- September and  
19 October. And at that time, nineteen monitoring  
20 wells -- got an attached figure that shows highlight  
21 where those monitoring wells are located around  
22 landfill three.

23 Now, those wells were sampled along

1 with the two City of Weaver wells that Ben showed you  
2 earlier. And this work is being conducted quarterly  
3 by the Army to determine if there's any changes in the  
4 plume configuration, the size, the shape, where it is,  
5 or concentrations within the monitoring wells.

6 So, what we did is we sampled these  
7 nineteen wells, the two City of Weaver potable water  
8 supply wells. We also took a round of water levels of  
9 all the wells, not only these nineteen, but all the  
10 wells at landfill three. Those are in gray on this  
11 attached figure.

12 And what we found is the groundwater  
13 flow directions are consistent. We've got residuum  
14 groundwater flow and shallow groundwater flows, which  
15 appears to be to the west, northwest, with the  
16 groundwater flow in the bedrock to the northeast.

17 The wells we selected to monitor,  
18 wells for public concern, that was the City of Weaver.  
19 The Brown property wells, which on your figure are  
20 OLFG-31 and 32, 29 and 30 and 37, and then wells on  
21 Blarney Drive, which on your figure are OLFG-28 and 27  
22 out to the northwest.

23 We tracked (inaudible) VOC plume --

1 THE COURT REPORTER: I'm sorry,  
2 Josh. Could you start that sentence again, please.  
3 I'm sorry. That last sentence. We tracked --

4 MR. JOSH JENKINS: Tracked the  
5 chlorinated VOC --

6 THE COURT REPORTER: Thank you.

7 MR. JOSH JENKINS: -- groundwater  
8 plume geometry or the extent, shape, and the  
9 concentrations. And most of those wells you see on  
10 the figure on Highway 21.

11 And briefly, the results, the public  
12 concern wells, we didn't find anything that we found  
13 in landfill three in the public concern wells. There  
14 was some methylene chloride and acetone at very low  
15 concentrations, less than a part per billion of  
16 methylene chloride, and I think seven parts per  
17 billion of acetone. These are common laboratory  
18 contaminants, we see those. These constituents pop up  
19 occasionally in a lot of the sampling that we do. We  
20 don't necessarily attribute that to the site.

21 We also saw some chloroform at a  
22 very low estimated concentration in one of the  
23 Blarney Drive wells. Again, none of the constituents

1 found in these wells appear to be related to landfill  
2 three.

3 Plume geometry, the wells we  
4 sampled, we -- continuing to show chlorinated VOCs.  
5 Concentrations appear to be very close to, slightly  
6 above or slightly below. The fluctuations are really  
7 not significant. They don't appear significant.

8 And we do have some acetone that we  
9 did see on-site. And the concentration of acetone  
10 that we're seeing on-site is decreasing.

11 So, since this time period, since  
12 September and October, we're scheduled to collect  
13 another round of groundwater samples. We're looking  
14 at getting started, hopefully later this month. We  
15 have initiated installing ten monitoring wells. And  
16 this was discussed, I think, last month or the  
17 previous -- there is ten wells. We've completed one,  
18 it's on the south side of landfill three. We're in  
19 the process of installing the rest of those.

20 And then also the Army has been  
21 performing an off-post well, spring-user survey just  
22 to get an idea of the remaining wells out there, the  
23 people at one time or may still be using. What we're

1 finding, generally, just a preliminary phase, that  
2 almost everyone is on public water supply. A few  
3 people have wells and springs, and they're giving us  
4 the information. We're going to look at it and see  
5 how they relate to where landfill three is.

6 And once we get our monitoring wells  
7 in, we're assess all this data in one big pack and  
8 have to take a look at the big picture.

9 MR. RON LEVY: Okay, going back to  
10 the action summary sheet from here. First item on  
11 there was landfill three and the off-site groundwater  
12 monitoring, which you just heard -- you heard Josh  
13 talk about. So, I won't go into anything new there.

14 Under the UXO program, the OE  
15 investigations, in terms of the Alpha area, we're  
16 still working -- well, at the time this was prepared,  
17 we were still working on the responses to ADEM to  
18 their comments. You will -- the TRC will see those --  
19 will see those responses to their comments in the  
20 books that we're going to give you all. The Bravo  
21 area southwest of the Alpha area -- this is -- you  
22 know, we still haven't completed our investigation of  
23 the Bravo area -- we haven't published a report, but

1 as part of an ongoing action to expedite construction  
2 of the eastern bypass, in this (inaudible) so that we  
3 can gain access to -- so that the JPA can gain access  
4 to the rest of the post here for development  
5 purposes -- we're working on cleanup in this little  
6 triangle here -- we call it the Y area, this being the  
7 Y here -- as a removal action.

8 In fact, tomorrow the BCT is going  
9 to get a rundown from the -- from our contractor about  
10 the action. So, we're moving to do that. There's was  
11 already a notice put in the newspaper about it. But  
12 they're really, because this (inaudible) into this  
13 road and this road here, from a development  
14 standpoint, is to get in there, complete the removal  
15 because we're nearing completion of the removal for  
16 the actual eastern bypass. And you talk about  
17 (inaudible) mechanical (inaudible), the entire area  
18 will be clear here so that there isn't any impediments  
19 to ongoing development and construction up in that  
20 area, in the allowance for access into the post  
21 through Summerall Gate or what was once  
22 Summerall Gate.

23 The Charlie area EE/CA, we're still

1       working the draft EE/CA, and we're also working --  
2       still working comments and resolution to comments with  
3       ADEM as a result of ongoing discussions with ADEM on  
4       the work plan.

5                       M-101, we did conduct a clearance to  
6       depth at M-101. We published a report. You've  
7       received ADEM comments. One of the things that you  
8       will also get, the TRC, is the M-101 report on a disk,  
9       ADEM's comments and our reply to those comments. So,  
10      that's still an ongoing action that we're working with  
11      ADEM.

12                     Eastern bypass, we're still -- as  
13      of -- we did that before -- we're still in this area  
14      right here, continuing to do mechanical removal work.  
15      We're kind of impeded by the weather. All this rain  
16      has not helped us. Because it is a mechanical removal  
17      and for the most part done remotely, it's very  
18      difficult, the soils are very difficult to move  
19      through and screen, which is essentially what we're  
20      doing, we're screening them. So, it's ongoing. We're  
21      hoping to complete that before the end of the month,  
22      the actual field work. But more to follow.

23                     Landfill EE/CA investigation. Of

1 course, we're still processing comments. I think  
2 we've told you that we expect to be able to release  
3 those comments by 1 March. That's still our plan, to  
4 show you where we've completed those comments. That's  
5 really fairly close, so -- and then we'll work with  
6 EPA and ADEM as a result of those comments and  
7 continue working through the issues.

8 As far as findings of suitability to  
9 transfer are concerned, the FOSTs for eastern bypass  
10 tract two and tract three, that's another document  
11 that the TRC has got. ADEM and EPA provided comments  
12 to that. Response to those comments are in the  
13 package. It's attachment three to that document which  
14 is also being handed out.

15 Super FOST Three, we're still --  
16 we've got EPA comments on that. We're still awaiting  
17 ADEM comments. So, that's in the works.

18 We're preparing a FOST for the GSA  
19 warehouse area. So, that's essentially in the works.

20 You've heard about the Fish &  
21 Wildlife area, and that we're doing an ECOP. It's  
22 really a FOST, but because it's fed-to-fed transfer,  
23 and there isn't anything in the law that talks about a



1 finding of suitability transfer, we do an  
2 environmental condition of the property. It's  
3 essentially a FOST. It's the same thing, it's just a  
4 different name. That's at both regulatory agencies.  
5 That received it towards the end of January. And I  
6 know that both Doyle and Philip are heavily focused on  
7 trying to get it out, because it really is significant  
8 in terms of getting to a 1 June transfer of the Fish &  
9 Wildlife property to Fish & Wildlife for the refuge  
10 area.

11 Other property transfers are listed  
12 there. And, of course, you heard about the early  
13 transfer initiative that's going on. And the Army  
14 fully supports that and is moving towards getting the  
15 early transfer and the privatization or cooperative  
16 agreement done.

17 Numbers there, activities on-site.  
18 And, of course, we're always concerned about safety  
19 and people walking around in areas that have been  
20 gated off. Any questions?

21 Concerning the TAPP contract, to  
22 date, we've used four hundred and forty -- it was a  
23 total of five hundred hours when we started. There

1        was four hundred and forty-four -- four hundred  
2        forty-four point seven five hours are left. Mr. Grant  
3        has billed us from December through January for three  
4        point five hours.

5                                Point it out that the contract does  
6        expire in May. Consideration for renewal, which I  
7        believe is allowable under the Army's policies  
8        because -- and by the way, the money that's in there  
9        now just essentially goes away. We have to renew it.  
10       We want can't modify it and continue on with those  
11       dollars. Maybe some discussion in terms of documents  
12       that are out there now for Ron to take a look at and  
13       interpret for the RAB, as well, something that TRC may  
14       want to explore.

15                               That's all I've got.

16                               DR. MARY HARRINGTON: We're now down  
17       to the audience comments. But let me make this  
18       announcement: I've been asked to ask all guests and  
19       contractors to be sure to sign in so that your  
20       attendance will be noted.

21                               Our next RAB board meeting is  
22       scheduled for March 17th at the Jacksonville Community  
23       Center. And the program will be done by Fish &

1 Wildlife.

2 MR. GLYNN RYAN: It will be the  
3 Fish & Wildlife.

4 DR. MARY HARRINGTON: It will be the  
5 Fish & Wildlife. Comments from the audience?  
6 Nothing? Anything from the RAB members?

7 MR. CRAIG BRANCHFIELD: I just have  
8 a quick thing real quick. When you guys are sending  
9 us these reports to review, if you want to burn mine  
10 to a CD ROM, so you don't have to make a copy of the  
11 big documents, if that's possible --

12 MR. GLYNN RYAN: We don't  
13 necessarily have those available here.

14 MR. CRAIG BRANCHFIELD: Well --

15 MR. GLYNN RYAN: But we will  
16 certainly try to do that. I understand.

17 MR. CRAIG BRANCHFIELD: It will save  
18 you a lot of money, I'm sure.

19 MR. GLYNN RYAN: Yeah, we much  
20 prefer that.

21 MR. CRAIG BRANCHFIELD: Just leave  
22 that alternative open.

23 MR. GLYNN RYAN: We appreciate that.

1 DR. MARY HARRINGTON: And it  
2 definitely doesn't take as much space.

3 MR. GLYNN RYAN: Yes. And these are  
4 yours to keep. We have the official copies at the  
5 repository.

6 DR. MARY HARRINGTON: Okay --

7 MR. PETE CONROY: And they are  
8 certainly available for all those who would like to  
9 take them home and study them on their own time.

10 MR. GLYNN RYAN: I would like to  
11 make one request, that if we have RAB members who have  
12 something they want to present at the RAB meeting in  
13 the program, please, get in touch with the co-chair,  
14 so we know it. We had a request for the presentation  
15 for tonight. And we certainly will take all of those  
16 requests, but we just need to know them ahead of time.

17 DR. MARY HARRINGTON: If there is  
18 nothing else, we are officially adjourned. Thank you  
19 all for coming.

20 (Whereupon, the meeting was concluded.)

21  
22  
23

1 C E R T I F I C A T E

2 STATE OF ALABAMA)

3 CALHOUN COUNTY )

4

5 I, SAMANTHA E. NOBLE, a Court

6 Reporter and Notary Public in and for The State of

7 Alabama at Large, duly commissioned and qualified,

8 HEREBY CERTIFY that this proceeding was taken before

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

10 transcribed upon a computer, and that the foregoing is

11 a true and correct transcript of the proceeding to the

12 best of my ability.

13 I FURTHER CERTIFY this proceeding

14 was taken at the time and place and was concluded

15 without adjournment.

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IN WITNESS WHEREOF, I have hereunto  
set my hand and affixed my seal at Anniston, Alabama,  
on this the 13th day of February, 2003.

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

MY COMMISSION EXPIRES: 11-19-2005.