

NOBLE & ASSOCIATES

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RESTORATION ADVISORY BOARD

FORT McCLELLAN, ALABAMA

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Taken before SAMANTHA E. NOBLE, a
Court Reporter and Commissioner for Alabama at Large, at
Building 215, Fort McClellan, Alabama, on the
19th day of April, 2004, commencing at approximately 6:30
p.m.

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1 MR. MONTY CLENDENIN: Glad you're
2 here. This is, I think, our second meeting on our
3 quarterly schedule. I'm going to call the roll right
4 quick. I am here. Gary Harvey?

5 MR. GARY HARVEY: Present.

6 MR. MONTY CLENDENIN: Cheryl Bragg
7 is excused. James Buford?

8 MR. JAMES BUFORD: Here.

9 MR. MONTY CLENDENIN: Phil Burgett?

10 MR. PHILLIP BURGETT: Burgett.

11 MR. MONTY CLENDENIN: Burgett, is a
12 new member of the RAB. So, if you haven't met Phil,
13 Phillip, introduce yourself to him today.

14 Pete Conroy? Barry Cox?
15 Jerome Else?

16 MR. JERRY ELSER: Here.

17 MR. MONTY CLENDENIN: Donna Facet
18 has an excuse. Curtis Franklin?

19 MR. CURTIS FRANKLIN: Here.

20 MR. MONTY CLENDENIN: James Hall?

21 MR. JAMES HALL: Here.

22 MR. MONTY CLENDENIN:

23 Dr. Harrington? Robert Jackson has asked for an

1 excuse. Mayor Kimbrough? Joe McCary?

2 MR. JOE McCARY: Here.

3 MR. MONTY CLENDENIN: Jim Miller?

4 MR. JIM MILLER: Here.

5 MR. MONTY CLENDENIN:

6 Dwight Mitchell?

7 MR. DWIGHT MITCHELL: Here.

8 MR. MONTY CLENDENIN: David Steffy?

9 DR. DAVID STEFFY: Here.

10 MR. MONTY CLENDENIN: JPA,

11 Miki Schneider?

12 MS. MIKI SCHNEIDER: Here.

13 MR. MONTY CLENDENIN: Doyle Brittain

14 from EPA?

15 MR. RON LEVY: He called me from the
16 road, he was heading down to Florida to look at
17 another base.

18 MR. MONTY CLENDENIN: Okay. Does
19 that constitute an excused absence or unexcused?

20 MR. RON LEVY: Well, I was notified,
21 anyways.

22 MR. MONTY CLENDENIN: Big E.

23 Ron Levy?

1 MR. RON LEVY: Here.

2 MR. MONTY CLENDENIN: And

3 Philip Stroud is not here but Shana Decker, is she
4 here?

5 MS. SHANA DECKER: Yes.

6 Shana Decker.

7 MR. MONTY CLENDENIN: Shana?

8 MS. SHANA DECKER: Yes.

9 MR. MONTY CLENDENIN: Okay. Good to
10 have you here. Let's start back here with Lisa and go
11 around the room and everybody introduce yourself and
12 name and stuff.

13 MS. LISA HOLSTEIN: Lisa Holstein,
14 Fort McClellan Transition Force, Environmental Office.

15 MS. BRENDA CUNNINGHAM:
16 Brenda Cunningham, Environmental Office,
17 Fort McClellan.

18 MR. RON GRANT: Ron Grant, TAP
19 contractor.

20 MR. PAUL JAMES: Paul James,
21 Environmental Office, Transition Force.

22 MR. BOB DAFFRON: Bob Daffron,
23 Fort McClellan Army National Guard.

1 MR. JIM GRASSIANO: Jim Grassiano,
2 ADEM.

3 MS. KAJUANA RICE: Kajuana Rice,
4 ADEM.

5 MR. MARK KELLER: Mark Keller,
6 Cane Creek.

7 MR. HERBERT BANKS (phonetic):
8 Herbert Banks.

9 MR. LABARRON RUDOLF:
10 Labarron Rudolf, ADEM.

11 MR. DAVID BUSH: David Bush, ADEM.

12 MR. BOB SCHMITTER: Bob Schmitter
13 with the TOSC program for Georgia Tech.

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

16 MR. ART HOLCOMB: Art Holcomb,
17 Tetra Tech.

18 MS. SUZANNE MURDOCK:
19 Suzanne Murdock, Corps of Engineers in Huntsville.

20 MR. TODD BIGGS: Todd Biggs,
21 Tetra Tech.

22 MR. MONTY CLENDENIN: Is that
23 everyone that's here? Okay.

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1 You have your minutes in front of
2 you, take just a moment to review those. And if there
3 are any changes or any additions or whatever, please,
4 call those to the committee's attention.

5 MR. JIM MILLER: Move that we
6 accept.

7 MR. MONTY CLENDENIN: Do I hear a
8 second?

9 MR. JAMES BUFORD: Second.

10 MR. MONTY CLENDENIN: Everybody in
11 favor say aye.
12 (Ayes were in favor of.)

13 MR. MONTY CLENDENIN: Any opposed,
14 no.

15 All right. Is there any old
16 business before the RAB that we need to act on? Any
17 old business? Anybody got something up their sleeve,
18 an old grudge, anything we wanted to pull out of the
19 closet? Okay. All right.

20 Let's move on to program then. I
21 guess I could say, Ron, if you want to say anything --
22 we, at the pre-RAB meeting, we did not discuss
23 anything and have nothing to bring to the group

1 tonight. Do you want to add anything to that?

2 MR. RON GRANT: No.

3 MR. MONTY CLENDENIN: UXO issue,
4 T-O-S-C, TOSC, whatever that means. Who is going to
5 make this presentation?

6 MR. BOB SCHMITTER: That's me.

7 Those of you on the RAB have a copy
8 of the OE UXO report that TOSC put together. We were
9 asked to put a report together by the RAB,
10 specifically, Pete Conroy and Barry Cox. The request
11 came, asking TOSC to cover some general UXO issues,
12 methods of assessment in the Bravo area and the
13 eastern bypass, and also to provide some input on some
14 issues of concern that may have arose as we took a
15 look at the report.

16 Those of you -- I apologize if you
17 don't have it, I didn't make enough copies of that,
18 but if you need a copy of that let me know, so we can
19 get you one, Brenda can get a copy for you at the next
20 (inaudible).

21 A couple of limitations on the
22 report, as we always need to do, put some disclaimers
23 in there, but for one, the TOSC is really set up as an

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1 environmental entity within an EPA grant, so, UXO is
2 not really our expertise. So, I'll admit at the front
3 end that there are a lot of things, UXO issues, that
4 we're still trying to understand. But hopefully, this
5 is the beginning for us to begin to provide some
6 information, additional information to the
7 Restoration Advisory Board and get some of your
8 questions answered as we go forward.

9 We looked at a couple of different
10 reports, a couple of different publications, if you
11 will, that were provided to us by ADEM, by Ron Levy,
12 and the Army, and other things that we have come
13 across in our library and our search for this. By no
14 means is the material that we looked at complete. We
15 don't have enough time, nor enough resources to do
16 that. But I think that what we looked at is fairly
17 representative of some of the issues that we needed to
18 take a look at.

19 Your back page on your report has a
20 list of the documents that we did review of this
21 particular report that we're presenting here. We
22 understand there is more information out there, and as
23 I said, we hope this could be a start to some

1 additional questions and answers and research as we go
2 forward.

3 And as we look at the Bravo area,
4 and we looked at the EE/CA conducted by
5 Foster Wheeler, dated October 2003, that, of course,
6 evaluates the presence of OE, and recommended the most
7 feasible and cost-effective approach to reduce the
8 risks. That EE/CA was performed in accordance with
9 CERCLA and the National Contingency Plan as the
10 standard procedure there.

11 Real generally, the ordnance fired
12 into, if you will, the Bravo area or used in the Bravo
13 area included grenades, rockets, mortars, small arms
14 fire and etcetera; so, that's what we're looking at in
15 terms of our investigation, other investigations
16 (inaudible) --

17 MR. PHILLIP BURGETT: Could you
18 define for those of us who is new what the Bravo area
19 is.

20 MR. BOB SCHMITTER: Bravo area,
21 let's see, it's exactly right there. (Demonstrating.)
22 Right there, the orange one.

23 MR. PHILLIP BURGETT: Okay.

1 MR. BOB SCHMITTER: From this, from
2 this investigation that Foster Wheeler conducted,
3 response actions were based on that. Also, the amount
4 of ordnance or explosives found -- we'll talk a little
5 about this later and how it fits into some of the
6 areas, the risk sector areas that were delineated by
7 the report, as well.

8 Assessment of the Bravo area was
9 conducted using geophysical methods, electromagnetic
10 induction in the EM61 process, if you will. There are
11 pros and cons of the EM61, those are listed in your
12 report. I don't feel the need to get into that right
13 now.

14 But for the most part, as with every
15 method that you're going to use for conducting the UXO
16 assessment, there will be some limitations to the
17 mechanics involved with it.

18 The sampling itself, based on field
19 reconnaissance, historical data, topography, transects
20 walked within the area, based on accessibility of the
21 areas, mountainous terrain, wooded areas, etcetera,
22 etcetera.

23 From this, areas of the Bravo area

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1 were delineated as high, medium or low, regarding the
2 potential for the likelihood of finding OE on the
3 site. Again, you can see page four how these are
4 listed, in terms of potential.

5 Just for clarification on that, you
6 see the list there, like A1 reconnaissance area, those
7 numbers, cap the last letter, if you will, in the
8 first four indicates that probability; H, high; M,
9 medium; L, Low, obviously.

10 Also, on that listing there, you can
11 see at the end of each classification the grenade area
12 D, indicates that there will be some future type of
13 disturbance, most notably through development. PR,
14 which just means passive recreation, no intention of
15 disturbance expected in that area, which brings us to
16 a point I'll touch on later, as far as institutional
17 controls and making sure that those things will indeed
18 be enforced.

19 The Bravo area is divided into ten
20 sampling sectors based on, again the geographic
21 limitations, boundaries, topography, etcetera, and
22 also looking at what would be expected in this
23 particular area.

1 From that sampling area, sampling
2 sector, sector risk areas were identified. There are
3 eighteen of those, and those are also on page four and
4 you can see where those are listed in there.

5 The Corps of Engineers, ordnance and
6 explosive risk assessment impact analysis was used to
7 help identify those areas, categorize those into the
8 risk sectors.

9 Also, in that Corps of Engineers
10 publication, risk factor categories, looking at OE
11 type, (inaudible) sensitivity, how something might be
12 prone to going off or detonating, quantity of
13 material, density of material, where there is a lot of
14 fragments, a lot of UXO in there, and the depth that
15 the OE penetrated into the soil.

16 Also, have the site characterization
17 factors, accessibility of the area, how accessible is
18 the area to the general public, children, anybody who
19 may be living or working on the post, itself. The
20 stability of the area, likelihood of it being
21 disturbed through normal activity, or maybe future
22 construction type of work.

23 Also, human factors, baseline risk

1 assessments and assessment of response action
2 alternatives.

3 From that sampling plan and from the
4 other work that was done by Foster Wheeler in the
5 Bravo area, they went ahead and put -- they list four
6 recommended response action alternatives, and you can
7 see that on page five of the report. Looking again
8 at -- listed by the likelihood of finding the OE area,
9 itself, as it's categorized as a grenade area, a
10 rocket area, etcetera. And then your response
11 alternative, clearance to depth, clearance to one
12 foot. There were no further action in two areas, the
13 remainder areas being the Bravo area. Most of these
14 would be either clearance to depth or clearance to one
15 foot.

16 The eastern bypass area, the only
17 document we had to look at on that was the latest
18 final report, dated March of this year, being put
19 together by Foster Wheeler, and that indicates a lot
20 of the issues for sampling, assessing that area.
21 Focused on specifically ordnance and explosive site
22 two, OES2, which is basically the north south main
23 running area along that eastern bypass.

1 Within that particular OES2, there
2 were two areas that were found to be, I guess you
3 might say, fairly heavily impacted by OE. That would
4 be the rocket city area on the northern part and the
5 construction debris area, which had a lot of different
6 things in it, not only OE, but construction debris, as
7 well, metal, things like that, which tend to influence
8 the assessment of that area.

9 That area, the OES2 area, within the
10 eastern bypass, also, overlaps some of the firing
11 ranges within the Bravo area, which is why that
12 particular area of the eastern bypass received a
13 little bit more attention than some of the other areas
14 within the eastern bypass. Rocket City area,
15 construction debris area were both areas that had
16 mechanical removal of OE and UXO through the armored
17 bulldozer and that sort of thing, to make sure that if
18 anything did go off, those folks were properly
19 protected?

20 MR. BOB SCHMITTER: Finally, the
21 last -- not the last page, page seven, I believe it
22 is, of your report, lists some of the concerns that
23 the TOSC program has, regarding the OE issue within

1 the Bravo area and the eastern bypass. Again, these
2 are fairly general, but what we're trying to do --
3 hoping to do is give the RAB some information on maybe
4 some additional questions to ask the Army as they go
5 through and continue to take care of the OE in there.

6 One, which, looking at these in
7 order here, lack of a standard QA/QC protocol, if you
8 will, between the reports in the Bravo area and the
9 eastern bypass.

10 There are a lot of things referred
11 to in there; DOD 6055.9-STD, MIL-STD-1916, things like
12 that, all referred to in different parts of the
13 report. While they are helpful to the lay person, I
14 think what is needed is some sort of standardized
15 QA/QC procedure that can be taken and applied to each
16 area, whether it's on Fort McClellan or some other
17 post or base.

18 I don't know if there is one out
19 there. I may have missed it. Some of you guys from
20 the Corps or Foster Wheeler or Tetra Tech may know
21 more about that than I do. I did not see it in the
22 research that I did. I think that would be certainly
23 something that would be very helpful in understanding

1 the QA/QC process. I know between ADEM and the Army,
2 there have been some concern about making sure that
3 there is a good standardization as the QA/QC
4 procedures are done. I think that would be extremely
5 helpful for the RAB and others, as well, that are
6 concerned over the future development aspects within
7 these areas.

8 Also, we had a concern over
9 clearance criteria regarding clearance to depth. One
10 of the questions I had, I didn't see an answer, I
11 thought, very well within the report that I saw, is
12 the controlling factor, in clearance to depth, the
13 capability of the instrument, the EM61 or is it the
14 depth of the buried object. If there is only -- is
15 the EM61 or some other type of instrument goes only to
16 six or ten feet, depending on background noise,
17 etcetera, is there a possibility that some UXO could
18 be buried deeper than that? I know some small-arm
19 fire and that sort of thing may not go that deep, but
20 again, for some other portions of the site or some
21 other bases, that's something, I think that would be
22 necessary to be answered. Is it the instrument or is
23 it the depth of the actual buried object, itself?

1 Lastly on there, institutional
2 controls, that's one of the response actions that was
3 put forth in the EE/CA. And the problem is, we've
4 always found with an institutional control is making
5 sure that those things are enforced over time. It's
6 great to put something in the deed saying you can't
7 disturb this property without proper authority or
8 permission or a permit and that sort of thing, but how
9 many people really look at a deed when they're going
10 to buy property? Maybe somebody does, but the actual
11 property purchaser does not. They may be stuck
12 somewhere down the road with an unknown problem on
13 their land and they may not know it until it's too
14 late.

15 Essentially, these institutional
16 controls, whether it's through the Army and ADEM and
17 the Transition Force, or whatever, JPA working
18 together, to make sure that twenty years down the
19 road, these institutional controls aren't forgotten,
20 if somebody goes in and builds a house or digs a
21 foundation or puts in a swimming pool and finds
22 something -- the unexpected surprises that could
23 possibly be in there.

1 Those are the specific issues that
2 we have. We're happy to take any questions on the
3 report, itself.

4 MR. MONTY CLENDENIN: Thank you.
5 Any questions?

6 MR. DAVID STEFFY: I've got one. In
7 your review of the literature, did the Army or -- I'm
8 sorry, did the contractors assess the effectiveness of
9 their surveying technique?

10 MR. BOB SCHMITTER: Their QA/QC or
11 in anything?

12 MR. DAVID STEFFY: I mean, how
13 effective was this surveying technique, in their eyes?

14 MR. BOB SCHMITTER: In their eyes,
15 I'm sure it's fine.

16 MR. DAVID STEFFY: Was it 95 percent
17 effective at finding material or 50 percent effective?

18 MR. BOB SCHMITTER: I didn't get a
19 feel for that, to be honest with you. I know that in
20 some of the pre-work they did, I mean, they looked at
21 95 percent confidence in what they found, you know,
22 going through some of the testing.

23 I don't have a feel for whether or

1 not they got 95 percent of all that was there or 50
2 percent or 5 percent. And I don't know if they could
3 answer that. They would probably be better to ask
4 than I would, because I don't have an idea on that.

5 MR. MONTY CLENDENIN: Okay. Any
6 other questions? Thank you very much.

7 Okay. JPA update, Miki, is that
8 you?

9 MS. MIKI SCHNEIDER: That's me.

10 MR. MONTY CLENDENIN: All right.

11 MS. MIKI SCHNEIDER: You have an
12 information sheet. Matrix has been on the ground for
13 the last about month, six weeks. They are the company
14 that's doing the clean-up work for us from
15 Denver, Colorado. And they have been working in the
16 areas that you see on the sheet. They've been in
17 landfill one, two, and four. And then they have done
18 some work on the fill area that is east of Reilly --
19 east of Reilly Lake, out by the old air field.

20 They worked -- collected some
21 samples in the chemical laundry area. Small weapons
22 repair, which is over by Hunjin, and then T-6, which
23 is on old Naylor Field, which is over by Auburn.

1 We are hoping to have a project
2 manager. We're interviewing three potential
3 candidates this week, and hope to have a project
4 manager on the ground next month, that's here working
5 for Matrix, full-time, at McClellan. Currently, their
6 office, they have one person in each division of the
7 office that is here.

8 And to that end, I'm going to pass
9 out the JPA's latest news letter. And on the inside
10 of that, you will see pictures and bios on all of the
11 staff from Matrix that we have here, working on a
12 daily basis or a weekly basis, whatever the case might
13 be.

14 The project management committee,
15 which was established by the Board, is also operating
16 now. That group is overseeing the clean-up on behalf
17 of the JPA Board. The members of that are
18 Major Chip Howell, Mayor Ed Kimbrough, Ken Joiner and
19 Craig Branchfield, and we will be appointing one
20 additional person from the City of Anniston, hopefully
21 next month at the JPA Board meeting. There will be a
22 total of five people that will be on a daily basis --
23 meeting on a weekly basis with the staff, as we need

1 it, overseeing the clean-up.

2 Probably, the biggest news going on
3 with us right now -- and I'll pass this out -- is
4 Music at McClellan. If you have not seen about it,
5 heard about it, we are working on that, be two -- the
6 last two Saturdays in May and the first two Saturdays
7 in June. It's going to be up on Buchner Circle, and
8 this is with the Alabama Symphony Orchestra, and we
9 are very excited about the opportunity. Mr. Conroy
10 has been instrumental in making this happen, and we
11 appreciate all Pete's work on that project.

12 I'll be glad to answer any
13 questions.

14 MR. MONTY CLENDENIN: Any questions
15 for Ms. Miki?

16 MR. JIM MILLER: Have the Matrix
17 people that you provide bios, have they ever worked
18 together before or has that team just been recently
19 assembled?

20 MS. MIKI SCHNEIDER: No, they have
21 worked together before.

22 MR. JIM MILLER: What size company
23 is Matrix?

1 MS. MIKI SCHNEIDER: Matrix has
2 about thirty-eight or thirty-nine employees. They
3 have two offices, one in Colorado Springs and one in
4 Denver.

5 MR. DAVID STEFFY: Why was Matrix
6 chosen?

7 MS. MIKI SCHNEIDER: Because of
8 their expertise with working on closed military bases
9 with environmental work. They have successfully
10 negotiated at least two other ESCAs across the
11 United States on closed bases, and they were the best
12 team to do this work for us.

13 MR. MONTY CLENDENIN: Are they
14 organized and actually doing some removal or are they
15 just assessing?

16 MS. MIKI SCHNEIDER: They're a
17 characterization that was agreed to as part of the
18 ESCA funding in the first phase, and that's what
19 they're working on right now.

20 MR. DAVID STEFFY: I notice on your
21 sheet there is no information about landfill three, no
22 work's been occurring at --

23 MS. MIKI SCHNEIDER: Right now,

1 we're not -- the Army is still doing some work on
2 landfill three. We are, too, but this is what has
3 happened in the first month. We're -- in fact,
4 this -- maybe this week, it may actually be next week
5 we actually do it. We're negotiating with some land
6 owners along Highway 21 to put in some additional
7 wells for landfill three. We were writing letters
8 today on that.

9 MR. DWIGHT MITCHELL: Speaking of
10 landfill three, the contamination plume that's headed
11 north toward Jacksonville, as I understood it, the
12 outer limits of that contamination have been defined
13 already, or has been defined; is that correct?

14 MS. MIKI SCHNEIDER: The northern
15 boundary of that plume has not been completely
16 defined, and that's one of the reasons we are putting
17 these wells in.

18 MR. JIM MILLER: Okay. Assume that
19 at some point in time the northern boundary is
20 determined, I know the characterization is going on
21 and what remediation would take place. I understand
22 that, you know, some of the remediation efforts on the
23 depo, are we looking at cleaning up the groundwater or

1 are we going to wait until it gets into someone's -- I
2 don't know. I would like to know where they stand.
3 How far back --

4 MS. MIKI SCHNEIDER: I don't have
5 that answer for you, yet.

6 MR. RON LEVY: Let me add something
7 in there.

8 MS. MIKI SCHNEIDER: Okay.

9 MR. RON LEVY: First off, the Army
10 does believe that it defined the most northern
11 boundary of that plume. However, we did provide JPA
12 some additional money, because they had some issues
13 with completing the characterizations, they wanted to
14 complete the character- -- they felt that they needed
15 to complete the characterization, and there were some
16 additional wells that they were going to put in to do
17 that. And we did provide them dollars.

18 But before they can make a
19 determination on the remedy, in terms of what they're
20 going to do, this characterization, on their part, has
21 to be completed.

22 MS. MIKI SCHNEIDER: That's right.

23 MR. RON LEVY: So, that's down the

1 road.

2 MS. MIKI SCHNEIDER: And we are
3 putting those wells in -- that's what we were looking
4 at doing today, was deciding where those go.

5 MR. DWIGHT MITCHELL: Back to you,
6 Ron, though, you said that the characterization, as
7 far as the Army was concerned, was completed, you
8 thought --

9 MR. RON LEVY: Well, we believe we
10 bounded the plume, at least to the northern extent.

11 MR. DWIGHT MITCHELL: What were the
12 Army's actions, had they determined that that was the
13 end -- I mean, was the --

14 MR. RON LEVY: We saw decreasing
15 values -- in the last set of wells we put in, we saw
16 such decreasing values that we believe we had hit the
17 end of the plume. And, you know, off the top of my
18 head, I can't tell you what the values were, at the
19 time. They were presented, I think.

20 MS. MIKI SCHNEIDER: They were.

21 MR. DWIGHT MITCHELL: Yes, they
22 were. But my point was: What action would be taken,
23 if it -- if the Army had defined that that was the end

1 of it and JPA had not -- the privatization had not
2 taken place, what had the Army proposed to do?

3 MR. RON LEVY: Well, we didn't
4 propose anything. We did not go any further.

5 MR. DWIGHT MITCHELL: Well, let's
6 speculate, what would you think? I don't know.

7 MR. RON LEVY: You know, I really
8 don't know. Again, if you're talking about
9 speculation, we may have proposed some sort of in-situ
10 remediation, and I don't know what the JPA's proposal
11 is going to look like, either, but we may have gone in
12 that direction, but I don't know.

13 The JPA really needs to complete
14 their characterization before they can get to that
15 point, too.

16 MR. DWIGHT MITCHELL: I understand.

17 MR. RON LEVY: And that's where
18 they're going.

19 MS. MIKI SCHNEIDER: That's what
20 we're doing.

21 MR. MONTY CLENDENIN: Any other
22 questions for Miki? Miki, anything else for us?

23 MS. MIKI SCHNEIDER: That's all.

1 MR. MONTY CLENDENIN: Okay. Very
2 good, thank you.

3 MR. RON LEVY: Can I point -- one of
4 the things that --
5 (Whereupon, there was discussion off the record.)

6 MR. RON LEVY: I just want to point
7 out that the RAB had asked what the JPA's involvement
8 was with the RAB, in terms of what their requirements
9 were. There was a specific tasking.

10 We did take out the exact language
11 that was in the TSRS, which is part of the agreement
12 we had with the JPA that defines what the JPA's
13 involvement is, or at least to the extent that it
14 could, what the JPA's involvement -- and it's in one
15 of your hand-outs. It's entitled "Environmental
16 Services Cooperative Agreement" at the top.

17 And under the second paragraph,
18 "TSRS, public involvement", if you'll look down in the
19 middle of that big paragraph, it says that, "JPA will
20 provide and brief the RAB with information pertaining
21 to environmental services being conducted on the
22 ACES," which is the environmental --

23 MR. GARY HARVEY: Area covered by --

1 MR. RON LEVY: -- area covered --

2 MR. GARY HARVEY: Area covered by
3 environmental services.

4 MR. RON LEVY: -- by environmental
5 services maybe necessary. And that's essentially what
6 Miki is doing tonight.

7 There is other information in there,
8 in terms of their public involvement requirements.
9 But these were all questions asked by the RAB.

10 MR. MONTY CLENDENIN: Any other
11 questions about that? Is that clear to everybody?
12 All right, you wanted to --

13 MR. GARY HARVEY: On this next one,
14 I had a couple of questions before. In fact, it was
15 from our staff, we put down an adjourning RAB,
16 adjourning -- terminating the RAB. And they thought
17 maybe I was trying to suggest something. We were
18 asked this question, you were provided it.

19 I don't do subtle things. Everybody
20 who knows me, knows subtle is not my strong point.
21 This was put here for information only. I'm not
22 suggesting we terminate the RAB, any of that stuff.

23 The question was asked, I think

1 Monty asked it -- I think it was you, but it doesn't
2 matter. Whoever asked it, it's there, and that's all
3 it is is for information. We are not terminating the
4 RAB or trying to.

5 MR. MONTY CLENDENIN: Is there
6 anymore information on that about this? Is this
7 something that's on somebody else's docket about
8 closure of the RAB? Okay.

9 Let's do the agency reports then.
10 ADEM and EPA, we got anybody for that?

11 MS. SHANA DECKER: I guess that's
12 me.

13 MR. MONTY CLENDENIN: Okay.

14 MS. SHANA DECKER: ADEM's been doing
15 a lot of work in the past few months. We've staffed
16 up, we've added two new employees to work on
17 Fort McClellan, including Labarron Rudolf and
18 Kajuana Rice, who are in the back. And we would like
19 to welcome them to the project.

20 In the past, we've been backed up
21 with some documents reviewing. And we are slowly but
22 surely catching up. I think we have reviewed several
23 documents, you'll see in the handout coming around,

1 that -- this is a three-month long list, since our
2 last RAB. We have a lot on there that we have
3 reviewed. We also have a lot on there that we have
4 received correspondence from EPA, from the Army and
5 also documents to review.

6 So, I want to point out that we have
7 been making a lot of progress reviewing documents that
8 we had backlogged. And we are speeding up, with the
9 addition of personnel, reviewing documents, as they
10 come in more readily. So, we're actually making a lot
11 more progress now than we have been.

12 We also have on that list the
13 documents that we have received, and we'll be getting
14 to those as quickly as we can. We've had several
15 meetings since the last time, regarding UXO issues in
16 with the Bravo area, trying to clear up our issues
17 between ADEM and the Army. I think we're coming to a
18 point where we've sort of made progress in that area.

19 We've also had to do some more
20 workshops since then. I was unable to attend because
21 of maternity issues.

22 But I think everything is going well
23 with ADEM. We've also started working with the JPA.

1 We're planning on coming up here a lot more often and
2 kind of keep an eye on the work that's being done
3 around here so that we can work in conjunction with
4 them and get their documents processed through a lot
5 more quickly like we should probably be doing all
6 along, and I think that's going to work out really
7 well. So, basically, that's it for now.

8 Do we have any questions?

9 MR. MONTY CLENDENIN: Any questions?

10 MR. DAVID STEFFY: Do you have
11 personnel on-site here to handle issues?

12 MS. SHANA DECKER: No, we don't have
13 any personnel on-site, we have to travel here. I'm
14 sure you've probably heard that ADEM has travel
15 restrictions between -- I think Governor Riley has
16 proposed a hundred-mile radius restriction; if we have
17 to travel within a hundred-mile radius, we can't stay
18 overnight. And Fort McClellan falls within a
19 hundred-mile radius, so, we can't stay overnight,
20 unless we stay for three days. It's really kind of
21 weird. But we don't have an office on-site --

22 MR. JAMES HALL: It's a hundred
23 miles from Montgomery?

1 MS. SHANA DECKER: As the crow
2 flies, it's a hundred miles, but it takes two and a
3 half hours to get here. But it's a hundred-mile
4 radius, it's not the way you drive. If y'all could
5 fix that, that would be great.

6 So, to answer that question, no, we
7 don't have an office up here. We were talking today
8 about maybe having a little spot up here that we could
9 have between us and Matrix and whoever, just it was a
10 little small office in this little abandoned building
11 that we maybe could have to sit in it, have a little
12 base station back there, a phone, but that was just an
13 off-the-cuff kind of suggestion, I think. But, no.

14 MR. PETE CONROY: Kind of weird is
15 one way to put it, an absolute injustice would be the
16 other way to put it. The hundred-mile radius thing, I
17 understand clearly this is something that you all
18 would love to correct. But, Monty, I would recommend
19 from your chair, why not draft a letter for our local
20 delegation, Dale Marsh, and just remind them of this
21 issue. And it's not just Anniston, it's anyone beyond
22 them -- I mean anyone beyond. And it really is the
23 Alabama Department of Environmental Management, it

1 shouldn't be, the
2 Department of Environmental Management within a one
3 hundred-mile range of Montgomery. Could we work on
4 drafting a letter that would help with that?

5 MR. MONTY CLENDENIN: Do I do that?

6 MS. MIKI SCHNEIDER: That's what you
7 get paid the big bucks for, darling.

8 MR. MONTY CLENDENIN: And do I have
9 stationery?

10 MS. MIKI SCHNEIDER: I bet Ron could
11 create you some.

12 MR. MONTY CLENDENIN: Okay, I'll try
13 to work with that.

14 MR. PETE CONROY: I'll help you.

15 MR. MONTY CLENDENIN: Okay. All
16 right. Help is on the way.

17 MS. SHANA DECKER: Excellent. Thank
18 you.

19 MR. JIM MILLER: Don't hold your
20 breath, though.

21 MR. PETE CONROY: Don't hold your
22 breath.

23 MR. MONTY CLENDENIN: All right.

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1 Anything else for this group?

2 JPA report, we had that?

3 MS. MIKI SCHNEIDER: Had that.

4 MR. MONTY CLENDENIN: So, that's
5 your report there, too. Okay.

6 Action summary sheets, we have
7 those. Who is going to talk to us about those?

8 MR. RON LEVY: Yeah, that will be
9 me. I know that a lot of you -- well, let's see, at
10 least one of you have never seen any of this stuff
11 before, so it's probably -- what we just explained is
12 probably really confusing.

13 I can tell you that the work has
14 really wound down at McClellan quite a bit. Most of
15 it's a function of the funding that we've got, and
16 plus the fact that we gave forty-eight point five
17 million to the JPA to do the phase one clean-up. So,
18 when you pay Peter, you take away from Paul.

19 In any event, there is still some
20 work going on, both with Tetra Tech and Shaw. So,
21 I'll give you a little bit. Most of the work right
22 now is going on on the UXO side. And I'll point out
23 again, for those of you who don't remember or are not

1 aware, the areas that we're working in from the UXO
2 side, which the Army is working in, are the Bravo area
3 and the Charlie area.

4 The Alpha area is part of the area
5 that's now -- clean-up is now under the control of the
6 JPA, it includes also the fill areas and some other
7 sites that are inside the Garrison, the old Garrison
8 area here. (Pointing.) And as you all recall, the
9 agreement under the Environmental Services Cooperative
10 Agreement, the ESCA, was for them to pick up that part
11 of the cleanup. So, essentially, they've got it,
12 they're working with ADEM, and they're moving ahead as
13 best they can, given the difficulties of putting a
14 cleanup together.

15 But, within the Bravo area, one of
16 the things that we're still focusing on is the tank
17 sites. And there is no map up here that shows them,
18 but there's a series of sites that are within the
19 Bravo -- and actually, I think some of them go up into
20 the Alpha area, right on the Alpha area border.
21 They're not on there. I can't show them to you
22 because I don't have them. But there are sites that
23 are designated for the water board for future tank

1 sites, and there is -- we're clearing -- at the
2 present moment, we're in the process of clearing them
3 for UXO.

4 So, we're still moving through those
5 sites. We're also working with ADEM. They just
6 recently reviewed a work plan of ours concerning that.
7 And we'll be addressing their comments to that work
8 plan, shortly.

9 Within the Charlie area -- and
10 again, that's the Fish & Wildlife area, that's the
11 light green area over here -- what we've been
12 essentially doing in there is clearing roads and fire
13 breaks so that they could operate off the roads and
14 fire breaks. That's in the areas where we know we've
15 got ordnance from the draft document that we've got
16 out now.

17 And I'll tell you, the State has not
18 seen that document. We're still working it,
19 internally. We're also working it with
20 Fish & Wildlife.

21 But we are clearing the roads and
22 fire breaks so that they can operate, particularly
23 since they need to do prescribed burning. And the way

1 that they do that in those areas is to work off those
2 roads that they know are clear. So, that's still
3 ongoing.

4 Within the eastern bypass -- and
5 I'll point out, this particular map here -- this is
6 the eastern bypass, there is three sections
7 essentially to it, and they're identified in different
8 means. This is called tract one, tract --
9 (demonstrating) -- three and tract two, tract two
10 being the flying J., we've already transferred that.
11 We have some ongoing issues with ADEM on -- actually,
12 on a lot of the UXO stuff, but we're working through
13 them as best we can.

14 But the area that we have completed
15 clearance on is this portion -- (demonstrating) -- of
16 tract three, this piece has been cleared together up
17 here, part of the tract two and the tract three. We
18 have submitted a removal report to the State, to ADEM.
19 I know it's still in review. Shana, right?

20 MS. SHANA DECKER: Which one?

21 MR. RON LEVY: For the eastern
22 bypass, tract three or OE area two?

23 MS. SHANA DECKER: It's --

1 MR. JIM GRASSIANO: That's correct.
2 Yeah, it should be coming pretty soon, as far as I
3 understand, very shortly.

4 MS. SHANA DECKER: Yeah.

5 MR. RON LEVY: The Army did
6 internally conclude its clearance and has signed a
7 statement of clearance. Since the time of this, we
8 have signed a statement of clearance on it, and I
9 think we're going to be working for right of entry to
10 ALDOT.

11 There are some pieces in there that
12 are not clear, that are cut-outs along the eastern --
13 (demonstrating) -- boundary, there is about four acres
14 in there that are -- there is some lead issues, some
15 ranges, we're working to try to address that, maybe in
16 a separate cleanup. Haven't really gotten there, but
17 it's not part of a planned (inaudible), working on it
18 right now.

19 Training area, T-38, on this map --
20 (pointing) -- I don't think it points it out,
21 directly, but T-38 is right here. (Demonstrating.)
22 T-38 is an area that we were removing what was known
23 as 3X material. 3X material is that material that was

1 once used for chemical agent training, may have been
2 contaminated with agent, and was subsequently
3 decontaminated with agent.

4 The Army's view of that material is
5 that it needs to be disposed of, properly. So, we
6 were in the process of digging up that 3X material.
7 During that process, we came across a vial of diluted
8 mustard used in what they called case kits. We had to
9 go into an emergency role, and we destroyed that vial.

10 In the process, we went back and
11 looked at whether -- you know, what internally we
12 intended to do with the site, whether we wanted to
13 handle it internally as a CWM site, based on the vial
14 we found, or whether, because of safety requirements,
15 we were able to continue on in the role we're in,
16 whether -- but increasing our safety standards -- in
17 the event that we might hit another one.

18 Right now, it's still in internal
19 discussion with the Army, so that the work at T-38 is
20 essentially stopped. As soon as we can work out the
21 action that we need to take, to increase the safety
22 posture, we will -- we're in a hold pattern right now.
23 We're waiting on the Department of the Army level

1 decision, in which direction it will go.

2 T-24 Alpha, we've completed the
3 fieldwork out there. We've removed the 3X scrap,
4 disposed of all of it, all of that 3X scrap off-site,
5 so, it's pretty much a success story. 24 Alpha is in
6 the Fish & Wildlife area. This is 24 Alpha right
7 here. (Pointing.)

8 It had -- it was also a CWM site,
9 with a history of chemical agent training. And we dug
10 into pits out there, where the chem school or those
11 people were trained out there, after they
12 decontaminated their items, disposed of these 3X
13 items, that could be anywhere from containers to a
14 used munition of some sort.

15 MR. DWIGHT MITCHELL: Ron, can you
16 explain 3X a little better? These were items that
17 were contaminated once, but decontaminated and then
18 disposed of in the ground?

19 MR. RON LEVY: Right. It's Army
20 term, it's not a regulatory term. It's an Army term.

21 MR. DWIGHT MITCHELL: I understand,
22 but are those the current procedures for 3X, as
23 opposed to 5X?

1 MR. RON LEVY: Yes, there are
2 procedures for -- 5X, essentially stands for something
3 that's been -- that's -- help me out here, Gary.

4 MR. DAN COPELAND: Been at a certain
5 temperature for a certain amount of time.

6 MR. RON LEVY: What?

7 MR. DAN COPELAND: It has to get to
8 a certain temperature for a certain amount of time.

9 MR. RON LEVY: Yeah, it's been --
10 there is no -- there's no possibility of an agent to
11 be in there, at all, whatsoever. It's called sterile.

12 MR. GARY HARVEY: And 5X means we
13 can't detect agent, period, with all the stuff we've
14 got. And it came out in the old days that 3X was the
15 level of reading, and it was the number of decimal
16 points to the right that you could measure to back
17 then, and those names just stuck.

18 And then you get to 5X, of course,
19 you cannot detect any agent, at all. And the way we
20 make sure of that is -- of course, if you can't detect
21 it, you can't detect it. And that's where
22 incineration comes in.

23 Those rounds were sent out to

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1 Joplin, Missouri, and they were subjected to heat
2 for -- you know, two thousand degrees for twenty
3 minutes, or fifteen hundred for fifteen minutes,
4 depending on who you talk to.

5 MR. DWIGHT MITCHELL: So, now that
6 3X material would actually be 5X before it was --

7 MR. GARY HARVEY: Yes.

8 MR. RON LEVY: Well, we ship it
9 off-site for incineration. And here's the thing about
10 the 3X material, we're not able to actually tell if
11 there's any outgassing of any agent coming off of it,
12 because we are sampling as we go. But the only way
13 the Army is to assume that it's 5X is through the
14 incineration. So, we can't say it's 5X until we
15 incinerate it.

16 MR. GARY HARVEY: But when it left
17 here, we had put it in a hot box and measured and
18 couldn't detect anything or it wouldn't have left.

19 MR. RON LEVY: Under the landfill
20 EE/CA investigations -- you heard some of the work
21 that's being done by the JPA for those fill areas that
22 are in their realm -- we're trying to complete the
23 reports on most of these. The stump dump, which is

1 still in the Fish & Wildlife area, we're in the
2 process of trying to mark that with monuments.

3 And T-38 -- excuse me, landfill
4 three, as Miki mentioned, they're going to be doing
5 some sampling on that. But we're trying to complete a
6 finding -- a report of findings. And then an area
7 that's down here, called fill area (inaudible) --

8 THE COURT REPORTER: I'm sorry. An
9 area down here called what, Ron?

10 MR. RON LEVY: Fill area west of
11 Iron Mountain Road, Range 19.

12 THE COURT REPORTER: Thank you.

13 MR. RON LEVY: We're trying to
14 complete a report out there. That site essentially
15 was completely removed when they started the UXO
16 removal from the site. So, there is no -- there's
17 nothing left in the site. And we are -- we're going
18 to work to submit a report on that effect.

19 Finding of suitability for transfer,
20 Highway 21. It doesn't show here, but essentially,
21 the property underneath Highway 21 from here --
22 (pointing) -- toward -- to the end of the installation
23 was Army property.

1 And I guess we provided the
2 Department of Transportation the right-of-way when
3 they built it, so, we needed to transfer it. We
4 didn't realize at the time we initially started our
5 investigations or our baseline survey that it was Army
6 property. As we started to look hard at the records,
7 we discovered it was Army property. So, we needed to
8 deed the property.

9 There is a ten-acre piece up in the
10 north, which is impacted by the plume from landfill
11 three, about this -- (demonstrating) -- this wide,
12 that the Army owns. It's not part of that finding of
13 suitability transfer and will stay until the
14 completion of the remedy up there, and -- so, that we
15 can transfer it, as well.

16 So, the Highway 21 FOST, which is --
17 for those of you who don't know, a FOST is Finding of
18 Suitability Transfer. It's a document, essentially
19 documents the condition of the property if it's
20 suitable to transfer to the community. And then
21 following that, we -- with all the approvals, we issue
22 a deed.

23 And then the eastern bypass tract

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1 three, we're working -- presently working a FOST for
2 that. It's not gone to the regulatory agencies.
3 That's this piece again -- (demonstrating). But we're
4 working that with the understanding that we have
5 completed the removal action there.

6 Other property transfers are listed
7 there. We did get signing of the deed for tract two,
8 and the western portion of tract three that went to
9 ALDOT. That's this piece and this piece right here.
10 (Demonstrating.)

11 And then there was building 228,
12 which for some reason, took awhile to get transferred.
13 And it's a building -- it should be this building
14 right here. (Pointing.) It's in the warehouse area.
15 And it went for -- to the fire department, Gary?

16 MR. GARY HARVEY: Fire department
17 under a FEMA public benefit conveyance.

18 MR. RON LEVY: And that's it, in
19 terms of work that's been going on, things that have
20 been done. Anybody got any questions?

21 MR. DAVID STEFFY: Yeah, I got one.
22 Your work -- you had more work with UXOs. Are you
23 going to be addressing the issues brought up by his

1 report about QA/QC and UXO work?

2 MR. RON LEVY: Directly with the
3 State. In fact, yes, we're in discussion with the
4 State about that. The QA/QC is a specific issue the
5 State has with us. In fact, several of their letters
6 that were pointed out in the TOSC and have directed
7 some questions at us about that. I don't know if
8 Huntsville wants to talk about that, at all, at this
9 point, but we do need to address it.

10 MR. DAVID STEFFY: Could it affect
11 property already transferred?

12 MR. RON LEVY: I think that the
13 State has some issues with property that's already
14 been transferred, as it relates to that. Am I correct
15 on that, Jim?

16 MR. JIM GRASSIANO: I'm sorry. I
17 was --

18 MR. RON LEVY: Particularly, the
19 tract two piece, they still have some questions about
20 it on property that's already been transferred, the QA
21 process.

22 MR. JIM GRASSIANO: We do. The
23 terminology changes a little bit. And I can't see

1 which one is OES 2 and tract two. They're two
2 different terminologies. But that middle piece right
3 there, there are some remaining issues to be resolved
4 that we're working through.

5 The Highway 21 FOST has been
6 concurrent with by ADEM. I believe the low -- what's
7 the portion below the flying J.?

8 MR. RON LEVY: It --

9 MR. DAVID STEFFY: That's part of
10 tract two.

11 MS. SUSANNE MURDOCK: M-101?

12 MR. JIM GRASSIANO: Well, at one
13 time, that was another tract and --

14 MS. SUSANNE MURDOCK: M-101?

15 MR. GARY HARVEY: No.

16 MR. JIM GRASSIANO: No, not M-101.

17 MR. GARY HARVEY: It was OES 2 --

18 MR. JIM GRASSIANO: Summerall Gate
19 Road Extension.

20 MR. GARY HARVEY: Western portion of
21 it.

22 UNIDENTIFIED MALE: OES 1.

23 MR. JIM GRASSIANO: OES 1.

1 MS. SUSANNE MURDOCK: OES 1.

2 MR. JIM GRASSIANO: Okay. That is
3 still under review and that ADEM review is coming on
4 that.

5 MR. RON LEVY: I really haven't seen
6 their comments, but we expect that they're going to --
7 that they're going to -- we've been talking about it,
8 that they're going to take some issue with that.

9 MR. JIM GRASSIANO: Our comments on
10 that are going to be, to my understanding, very
11 similar to the comments on the flying J., which would
12 make sense, they were done pretty much in conjunction
13 with each other, as far as I understand, is how the
14 work was done, which that shouldn't be any surprise.

15 MR. RON LEVY: We believe that there
16 is a QA process that we could show them that's
17 internal. We've in fact showed them -- you guys, you
18 want to add to that, Dan?

19 MR. DAN COPELAND: (Shakes head.)
20 No. You asking a question?

21 MR. RON LEVY: I'm asking a
22 question. Have you got something to add to that, is
23 what I just said?

1 MR. DAN COPELAND: No, I was just
2 agreeing with him that the flying J. and the western
3 portion of tract three, were -- encompass (phonetic)
4 the same time.

5 MR. DAVID STEFFY: If you change
6 your QA procedure, does that mean you would have to
7 redo that land that you already transferred?

8 MR. RON LEVY: That's not our plan,
9 at this point. We probably need to delve into the
10 process that we used with them, but, no, we believe
11 that it's clean.

12 MR. DAVID STEFFY: And that's up for
13 you and ADEM to agree on?

14 MR. RON LEVY: Certainly, it's
15 something that ADEM and the Army will have to come to
16 agreement on.

17 MR. DAVID STEFFY: So, there's no
18 property that JP -- oh, she left -- that JPA has that
19 could be involved in this now?

20 MR. RON LEVY: Well, the issue still
21 is the Bravo area, but the cleanup is still ongoing on
22 it, or the characterization is ongoing, so, the Army
23 has still got the cleanup. We've transferred the

1 property, we transferred on an early transfer, but
2 we're still responsible for cleanup, hence, we're
3 still responsible for the issues that are associated
4 with the State now (phonetic).

5 MR. JIM GRASSIANO: That's a good
6 question. There were issues with the Alpha area, as
7 far as what additional work needed to be done. And
8 actually, I think JPA is very aware of -- and the Army
9 is -- there is a meeting of the minds, if you will, on
10 the additional work that needs to be done in the Alpha
11 area, and that's the project that JPA is right now --
12 I don't want to speak out of turn for them, but it
13 will help in the context of your question -- they have
14 a RFP out to UXO contractors to conduct that
15 additional work in the Alpha area right now. My
16 understanding is, they're a couple of weeks away from
17 selecting a contractor to do that work.

18 MR. RON LEVY: We provided to the
19 JPA additional funds for characterization on the areas
20 that the State and the Army didn't agree that they
21 were fully characterized. So, we didn't -- within the
22 ESCA, they have money to do additional
23 characterizations for those sites, for those pieces

1 within the Alpha area, that they couldn't come to
2 agreement that they were fully characterized. That
3 funding is in place.

4 In addition to that funding, we
5 provided funding for the actual cleanup. So, the onus
6 is on the JPA to complete the characterization,
7 negotiate that with the State, and conduct the
8 cleanup.

9 MR. MONTY CLENDENIN: Okay.

10 Anything else, Ron?

11 MR. RON LEVY: Not unless anybody
12 has got anymore questions.

13 MR. MONTY CLENDENIN: Any more
14 questions?

15 MR. PETE CONROY: Quick one. I know
16 recently the JPA, Fish & Wildlife Service met with
17 regards to the age-old issue of opening up Baines Gap.
18 And was Army involved with that meeting or was that
19 just those two --

20 MR. RON LEVY: I don't know --

21 MR. PETE CONROY: You would know,
22 I'm sure. I understand an outcome of that meeting was
23 to further pursue the opening of Baines Gap by sitting

1 down and identifying exactly what the issues are,
2 dissecting out the issues, and coming up with a plan
3 that might make that a possibility. And just wanted
4 to, I guess, make the Army aware that that --

5 MR. RON LEVY: Nobody has talked to
6 us.

7 MR. PETE CONROY: This is me talking
8 to you now, since you hadn't already heard. I guess,
9 I just wanted to let you be aware that that was
10 coming. And if there are any thoughts that you might
11 have in filleting this, dissecting this out, be most
12 appreciated. We get lots and lots of calls at the JPA
13 office about opening Baines Gap.

14 And Congressional Delegation in
15 particular wanted us to do everything we can. And
16 it's the beginning of a thought -- well, not the
17 beginning, but the continuation of the thought
18 process.

19 MR. GARY HARVEY: We used to get
20 those same calls, we don't get them anymore because we
21 don't own the property.

22 MR. PETE CONROY: I --
23 Fish & Wildlife Service says it's possibly Army

1 restrictions and Army concerns that drive their --

2 MR. GARY HARVEY: Did the Army tell
3 you that?

4 MR. PETE CONROY: No, this is
5 Fish & Wildlife Service. So, is the Army willing to
6 sit down with Fish & Wildlife Service and the JPA to
7 talk about it?

8 MR. GARY HARVEY: Well, we can sit
9 down, but I mean, it's Fish & Wildlife land.

10 MR. PETE CONROY: As long as you're
11 willing to sit down, that's the beginning. Thank you.

12 MR. MONTY CLENDENIN: All right.
13 Anything else for Ron? Let's move on then.

14 TAPP report, anything from --

15 MR. RON GRANT: No, nothing
16 assigned, nothing accomplished.

17 MR. MONTY CLENDENIN: How about the
18 TOSC report, who is doing that?

19 MR. BOB SCHMITTER: We're done.

20 MR. MONTY CLENDENIN: You're done,
21 okay. Upcoming programs.

22 MR. PETE CONROY: I think I wanted
23 to go backwards just a little bit. We missed the EPA

1 report, and obviously there's no one here from EPA.
2 And I just wanted to get a status as to EPA's
3 involvement. Anybody know?

4 MR. MONTY CLENDENIN: I don't know.

5 MR. GARY HARVEY: Involvement in
6 what?

7 MR. PETE CONROY: This meeting in
8 particular, the RAB.

9 MR. RON LEVY: Well, I'll tell you
10 this, Pete, that, you know, we notified EPA just like
11 everybody else that the RAB is in session and when
12 it's in session. They get the same notification, we
13 ask them to attend.

14 I know that EPA's also got some
15 travel restrictions associated with what they're
16 doing, and that's about all I know about it.

17 MR. PETE CONROY: My hunch is you're
18 right, it's a travel-restriction issue. I was just
19 wondering if there was anything more official or
20 more --

21 MR. RON LEVY: No, and I haven't
22 heard anything new.

23 MR. GARY HARVEY: He called and said

1 he had another -- he was on another job, right?

2 MR. RON LEVY: He said he was going
3 down to Florida for another job, but -- that was a
4 voice mail that I got from him, essentially. I didn't
5 talk to him personally about it.

6 MR. PETE CONROY: No one has enough
7 money and everybody is busy, but I don't know from our
8 selfish point of view if that's a good answer, that
9 they had something else to do. Anyone care? Going
10 once?

11 MR. PAUL JAMES: Pete obviously
12 does.

13 MR. PETE CONROY: Yeah, I mean,
14 they're tasked to be involved in this process, and
15 repeatedly, you know, they don't show up because they
16 don't have money. And unless we care, which I do, I
17 would guess that that behavior won't change.

18 Would it be at all useful, I mean,
19 from an Army point of view, or EPA or ADEM point of
20 view, to have them involved in this process? If so,
21 maybe we ought to remind them of that.

22 MR. JIM GRASSIANO: I mean, they
23 receive the documents that ADEM receives, and I

1 understand they're still reviewing them -- at least
2 the Army generated documents, which has been
3 99 percent of the documents that are heretofore
4 transmitted. So, yeah, I would expect they should be.

5 MR. PETE CONROY: And I guess my
6 point is: Unless we say that we missed them and we
7 would like them to come to the next meeting, I bet
8 they won't.

9 MR. RON LEVY: And I think that's
10 something you had pointed out previous years back.

11 MR. PETE CONROY: Yeah, and when we
12 wrote a letter, they started coming again. And I was
13 told by the Army and ADEM that they contributed.

14 MR. RON LEVY: They definitely are
15 still part of the process.

16 MR. GARY HARVEY: They still attend
17 and participate in BCT meetings.

18 MR. PETE CONROY: Good question.

19 MR. GARY HARVEY: They are.

20 MR. PETE CONROY: They are still
21 fully involved in BCT meetings?

22 MR. GARY HARVEY: Yes.

23 MR. PETE CONROY: That's good.

1 MR. RON LEVY: They were at the last
2 BCT meeting in February, was it, up at ADEM, they were
3 there, in February.

4 MS. SHANA DECKER: Yes.

5 MR. PETE CONROY: Who is our EPA
6 point of contact?

7 MR. RON LEVY: Doyle Brittain.

8 MR. PETE CONROY: Still Doyle?

9 MR. RON LEVY: Still Doyle.

10 MR. PETE CONROY: Could anyone take
11 it upon themselves to e-mail Doyle and let him know --
12 I mean, obviously, this -- I'm sure he would like to
13 be here very much.

14 MR. JIM MILLER: It is (inaudible.)

15 MR. RON LEVY: Well, I'll certainly
16 say something to him the next time I talk to him,
17 that, you know, the RAB expressed a desire to see you
18 attend meetings, if that's what you're trying to say.

19 MR. PETE CONROY: Now, before we
20 actually decided collectively that we wanted them here
21 enough to write a letter to Jimmy Palmer. Is it time
22 to do another letter to Jimmy Palmer? Or to be
23 honest, I mean, is it really worth their time and

1 effort? Open discussion.

2 MR. DWIGHT MITCHELL: I understood
3 when Doyle was here several months back, he said --
4 and I believe I can quote him as saying -- "EPA is not
5 going away." But as you said, we haven't seen him
6 here in a while, so I -- I mean, I missed the last
7 meeting, but -- that's my only point.

8 MR. PETE CONROY: Monty, do you want
9 to do another letter?

10 MR. MONTY CLENDENIN: I can do two
11 letters as easily as one.

12 MR. PETE CONROY: I've got the first
13 one about done, so, we can do two.

14 MR. MONTY CLENDENIN: I'll be happy
15 to do that on this new stationery I'm going to get.

16 MR. RON LEVY: If you want, I can
17 talk to him before you decide to send a letter, but
18 that's up to you all.

19 MR. PETE CONROY: Yeah, talk to him
20 first. And I'm certain that it's travel restrictions
21 and higher-ups that are --

22 MR. MONTY CLENDENIN: Preventing it.
23 All right. Let's make him a program so he has to

1 show.

2 MR. PETE CONROY: Yeah.

3 MR. MONTY CLENDENIN: Any upcoming
4 programs, anything that anybody needs to put on the
5 agenda or on the docket or for our information in the
6 future? Any audience comments?

7 MS. KAREN PINSON: Pete, you may
8 want to make sure the record notes that you're here.

9 MR. MONTY CLENDENIN: I did. I gave
10 him the change --

11 MR. PETE CONROY: Thank you.

12 MR. MONTY CLENDENIN: You're
13 present.

14 MR. PETE CONROY: I will hope that
15 folks buy tickets for Music at McClellan.

16 MR. JERRY ELSER: I've already got
17 mine.

18 MR. PETE CONROY: You got your
19 tickets? Thank you, Jerome, that's great. It ought
20 to be really something else to have, you know, a
21 major, national, cultural event, you know, half a mile
22 away. And it's going to be -- the
23 Alabama Symphony Orchestra is really excited about it,

1 the Platters, Three Dog Night and all this stuff is
2 coming our way. It's one of the first, I think, big,
3 positive things that's happened in our region in a
4 good while. So, anyway, help us get out there and
5 sell.

6 MR. MONTY CLENDENIN: This is
7 Brenda's last meeting with us. She thinks she's going
8 to retire and leave the job she's got. So, let's
9 everybody tell her how much we appreciate her and the
10 works she's done.

11 Do I hear a motion that we adjourn?

12 MR. DWIGHT MITCHELL: So moved.

13 MR. MONTY CLENDENIN: Second?

14 MR. PETE CONROY: Second.

15 MR. MONTY CLENDENIN: Everybody in
16 favor say aye.

17 Our next meeting is July 19th.
18 (Whereupon, the meeting was adjourned.)
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C E R T I F I C A T E

STATE OF ALABAMA)

CALHOUN COUNTY)

I, SAMANTHA E. NOBLE, a Court
Reporter and Notary Public in and for The State of
Alabama at Large, duly commissioned and qualified,
HEREBY CERTIFY that this proceeding was taken before
me, then was by me reduced to shorthand, afterwards
transcribed upon a computer, and that the foregoing is
a true and correct transcript of the proceeding to the
best of my ability.

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

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IN WITNESS WHEREOF, I have hereunto
set my hand and affixed my seal at Anniston, Alabama, 5
on this the 15th of May, 2004.

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

MY COMMISSION EXPIRES: 11-19-2005.

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