

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
18th day of April, 2005, commencing at approximately
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1 DR. STEFFY: I would like to call
2 this meeting to order, please. And before I do a roll
3 call, I would like to ask all guests and contractors
4 to, please, sign in at the entry there, if you
5 haven't, already.

6 And now, for the roll call.
7 Ms. Cheryl Bragg?

8 MS. CHERYL BRAGG: Here.

9 DR. STEFFY: Phillip Burgett?

10 MR. PHILLIP BURGETT: Here.

11 DR. STEFFY: Monty Clendenin?

12 MR. CLENDENIN: Here.

13 DR. STEFFY: Pete Conroy?

14 Barry Cox? Jerome Elser?

15 MR. JERRY ELSE: Here.

16 DR. STEFFY: And I see Pete Conroy
17 came in.

18 MR. PAUL JAMES: Yes. Hey, Pete.

19 DR. STEFFY: Curtis Franklin?

20 MR. CURTIS FRANKLIN: Here.

21 DR. STEFFY: James Hall?

22 MR. JAMES HALL: Here.

23 DR. STEFFY: Mary Harrington?

1 Robert Jackson? Ed Kimbrough?

2 MR. ED KIMBROUGH: Here.

3 DR. STEFFY: Joe McCary?

4 Jim Miller?

5 MR. JIM MILLER: Here.

6 DR. STEFFY: Greg Schank?

7 MR. GREG SCHANK: Here.

8 DR. STEFFY: Doyle Brittain?

9 Ron Levy?

10 MR. RON LEVY: Here.

11 DR. STEFFY: Shana Decker?

12 MS. SHANA DECKER: Here.

13 DR. STEFFY: Good. And let's see,

14 James Buford has an excused absence.

15 And should I do the resignations?

16 MS. BRENDA CUNNINGHAM: You can tell

17 them.

18 DR. STEFFY: We had two members

19 resign, Donna Fathke --

20 MR. JIM MILLER: Fathke --

21 DR. STEFFY: -- and Dwight Mitchell.

22 And I guess I need to ask for a vote to accept their

23 resignations.

1 MR. JIM MILLER: So, moved.

2 DR. STEFFY: First, Donna Fathke.

3 MR. JIM MILLER: So moved.

4 MR. CONROY: Second.

5 DR. STEFFY: All in favor? All

6 opposed? Donna Fathke's resignation is accepted.

7 And now, Dwight Mitchell?

8 MR. PETE CONROY: So moved.

9 MR. JIM MILLER: Second.

10 DR. STEFFY: Do I hear a motion?

11 All in favor? Opposed? So accepted. Thank you.

12 And let's see. I'd like to go

13 around the room and have the guests introduce

14 themselves. Please, state your name and who you

15 represent, and if you're a contractor. Let's start

16 over here.

17 MS. KAREN PINSON: Karen Pinson,

18 Fort McClellan Transition Force.

19 MS. BRENDA CUNNINGHAM:

20 Brenda Cunningham, Transition Force.

21 MR. PAUL JAMES: Paul James,

22 Fort McClellan, Army National Guard Training Center.

23 MR. ART HOLCOMB: Art Holcomb,

1 Tetra Tech.

2 MR. DAN COPELAND: Dan Copeland,
3 Corps of Engineers, Huntsville.

4 MS. LISA HOLSTEIN: Lisa Holstein,
5 Transition Force.

6 MR. FRANK COBB: Frank Cobb,
7 citizen.

8 MR. MARK STARNES: I'm Mark Starnes
9 with Western Solutions.

10 MR. STEVE MILLER: Steve Miller with
11 U. S. Fish & Wildlife Service.

12 MR. RON GRANT: I'm Ron Grant. I'm
13 the TAPP contractor.

14 MS. KANESHIA TOWNSEND:
15 Kaneshia Townsend, ADEM.

16 MR. LABARRON RUDOLPH:
17 LaBarron Rudolph, ADEM.

18 DR. STEFFY: Did we get everybody?
19 Thank you.

20 We do have a quorum, right?
21 Therefore, would everybody, please, review the minutes
22 from last January, 2005 meeting, and we'll vote on
23 accepting the minutes after your review.

1 Is there any corrections to the
2 minutes? Do I hear a motion for approval.

3 MR. ED KIMBROUGH: So moved.

4 DR. STEFFY: Is there a second?

5 MR. JERRY ELSER: Second.

6 DR. STEFFY: All in favor? Any
7 opposed? The minutes are accepted. Thank you.

8 Now, I have old business. Is there
9 any old business? No? All right.

10 Next, program, Mr. Ron Grant,
11 please, going to be addressing the Bravo area.

12 MR. RON GRANT: Okay.

13 MR. LEVY: Let me just start out,
14 the Bravo EE/CA -- and for those of you not aware of
15 what the Bravo area is -- if you look over at the UXO
16 map, the wall to my right, it is the area that's
17 defined in that orange -- I guess it's kind of an
18 orangy color -- was recently submitted to ADEM back
19 in --

20 MS. SHANA DECKER: December --

21 MR. LEVY: December, thank you.

22 We have gotten some comments on it.

23 But what we agreed to do -- what the RAB agreed to do,

1 I should say, is have Ron Grant, as your TAPP
2 coordinator, go through and review the document and
3 report back to you essentially what's in the document,
4 and that's what Ron is going to do.

5 MR. RON GRANT: I've got the floor
6 then? Okay.

7 If this looks familiar to you, then
8 it just means you've got a good memory, because a lot
9 of the slides that you saw when I did this back in
10 January of 2004 are identical with what you're going
11 to see tonight. I won't bore you with a lot of
12 repeating that. I'll just let you see the slides.
13 I'll try to emphasize anything that's new and
14 different, as opposed to rehashing that similar
15 information.

16 But I did review the October 2003
17 draft Bravo area EE/CA. I made the presentation to
18 you in January of 2004 at that RAB meeting.

19 The TOSC, the fellow from
20 Georgia Tech, Ron Schmitter, he gave you a written
21 report of that same document and presented it to you
22 at the April 2004 RAB meeting. Next slide.

23 The outline, you know, since we're

1 still studying the same area and approach to it is the
2 same, this outline is identical. I won't bore you
3 with reading through those things. But the approach
4 to doing the EE/CA is exactly the same as it was back
5 in 2004. Okay.

6 Purpose -- next slide, Brenda. The
7 purpose, of course, of the EE/CA is the same. Unless
8 somebody wants me to, I'm not going to bother to
9 repeat all that, because this is exactly what you saw
10 a year -- about a year and a half ago. Next slide.

11 Approach is unchanged. There is not
12 a single thing changed on this slide. The process to
13 doing this, just reviewing historical documents,
14 previous investigations and focusing on those areas
15 where various OE-type of activities have taken place
16 in the past. Next slide.

17 (Mary Harrington enters the room.)

18 MR. RON GRANT: Sampling approach.
19 Again, it's the same as the last draft, ten sectors.
20 The only numbers that's changed -- and I could never
21 find the rationale for it -- I don't know if one of
22 them was a typo -- but in the latest version of the
23 EE/CA, the acreage is thirty-three hundred

1 twenty-seven. In the previous edition, that number
2 was thirty-three hundred and eighty-seven.

3 Does anybody know if that's just a
4 typo or if that number changed for some reason?

5 MR. LEVY: There were some changes
6 to the Fish & Wildlife area and the border between the
7 Fish & Wildlife area and what the Bravo area was. So,
8 the acreage changed because of that.

9 MR. RON GRANT: Okay. Well, I knew
10 where I saw the number, they just didn't offer any
11 information as to why --

12 MR. DAN COPELAND: We also cleared
13 about eighteen acres was where it wouldn't be --

14 MR. ART HOLCOMB: The only
15 difference was --

16 MR. RON LEVY: It's really --

17 MR. ART HOLCOMB: -- boundaries.

18 MR. RON LEVY: I think it's
19 really --

20 MR. ART HOLCOMB: -- boundaries.

21 MR. LEVY: -- mostly -- mostly the
22 adjustings of the border between the two areas.

23 MR. CONROY: So, what is the

1 accurate number? That's it?

2 MR. LEVY: That's it.

3 MR. RON GRANT: That's the numbers

4 in the latest EE/CA.

5 MR. ART HOLCOMB: That's what it is.

6 MR. RON GRANT: Is this going to be

7 better? I can't discern any difference standing here.

8 DR. MARY HARRINGTON: Well, I can.

9 MR. LEVY: She's turning it up.

10 MR. RON GRANT: Power is on. I can

11 talk louder. Pete says that's good. Anybody didn't

12 hear that? Testing, testing one, two, three, testing

13 one, two, three.

14 MS. BRENDA CUNNINGHAM: Go ahead.

15 I'll catch up with you.

16 MR. RON GRANT: Next slide, please.

17 Now, this is just a map, showing the

18 ten original sampling sectors. This map is slightly

19 different from the one that was in the previous

20 version of the briefing, but the only changes are some

21 changes in coloration and detail. This one really

22 highlights the sectors more than the previous one. It

23 was a larger area, and it was more difficult to

1 discern the boundaries of the various sectors, but
2 it's just easier to see here. So, it's an improvement
3 over what was shown the last time. But, again, the
4 basic information is unchanged. Okay, next.

5 Sampling approach is, again, the
6 same. The only thing that's changed on this page --
7 this is -- apparently, in redoing the draft of the
8 EE/CA, some of the paging must have changed because
9 table 3-1 in the previous version was pages -- I think
10 it went from three twenty-nine to three fifty
11 something, I've forgotten, I don't have those exact
12 numbers. But anyway, the date on them is all the
13 same.

14 Some additional sampling has been
15 done. In July of 2004, you know, it was done to
16 satisfy some data gaps that had been noted by ADEM in
17 the no further action sectors.

18 DR. STEFFY: Does anomaly mean it's
19 an OE?

20 MR. RON GRANT: No. If you look at
21 those -- table 3-1 only lists OE items. If you look
22 at appendix E, I believe, it lists everything that was
23 found, you know, the anomalies. And some of them are

1 things like horseshoe nails, beer cans, coat hangers.
2 And so, that's the difference in an OE item and an
3 anomaly. A lot more anomalies than there are OE
4 items.

5 MR. ED KIMBROUGH: Ron, is that the
6 total amount -- you've got surface clearance of a
7 hundred and sixty-nine. And we had a total of three
8 thousand, three hundred and twenty-seven acres. Now,
9 is that the total amount that will be -- that will be
10 surface cleared out of that, total?

11 MR. RON GRANT: Well, you know, I
12 don't remember that being addressed in the EE/CA. So,
13 somebody else will have to answer that, what the EE/CA
14 reports was surface cleared.

15 MR. ART HOLCOMB: Are you talking
16 about the data gathered for the EE/CA?

17 MR. ED KIMBROUGH: Yeah.

18 MR. ART HOLCOMB: That's all being
19 done for the -- unless ADEM requires more data --

20 MR. ED KIMBROUGH: To characterize
21 what's there?

22 MR. ART HOLCOMB: Right.

23 MR. ED KIMBROUGH: We go through a

1 hundred and sixty-nine acres out of three thousand.
2 And that's with the historical study that there is a
3 possibility of some areas that --

4 MR. ART HOLCOMB: Right. There's
5 some areas that you didn't have to do much in, because
6 once you found it, you knew it was characterized, so,
7 you just backed out and marked that area.

8 MR. RON GRANT: Any other questions
9 regarding that? Next slide.

10 The risk assessment. No change in
11 this information. You know, as a part of that, we
12 gathered data and information on the nature and extent
13 on the OE contamination. And plus, you also looked at
14 the projected future land use.

15 And the original ten sectors that
16 were identified as a part of the risk assessment have
17 been divided even further into eighteen risk
18 assessment areas. Next slide.

19 All of those -- the original ten are
20 pointed -- are over there in the left-hand column, the
21 original ten assessment areas. You know, they're
22 designated with numbers you see, M3-1 through M3 --
23 no, excuse me -- M3-1, M2 -- no, there is no -- M3-1,

1 M3-2, M3-3, and M4. And the reason for the letter
2 designation out there by them is an indication of
3 whether or not there is a high likelihood that OE is
4 present; a medium likelihood, which means that you
5 would find occasional OE; or whether or not there is a
6 low likelihood, which means that you might find
7 sporadic or no OE present.

8 So, the middle column there,
9 projected future land use, is just an indicator as to
10 what you think the land will be used for in the
11 future. If it has that D in parens by it, that means
12 it's likely to be developed. If it has the PR by it,
13 that's for passive recreation.

14 And those are designated, as a part
15 of the risk assessment, because the more development
16 you do, the more likely you are to come in contact
17 with anything that's below the surface. So,
18 therefore, the greater degree of clean-up might have
19 to be involved.

20 And then the last -- the eighteen
21 risk assessment sectors that were derived from the
22 original ten, they have another descriptor in them,
23 just telling what type of activity took place in that

1 area, such as grenades, mixed-use rockets, various
2 projectiles, so forth. Next slide.

3 No change in this. The risk
4 assessment, you know, was performed using the
5 Corps of Engineers interim guidance. The bullet --
6 second bullet down there, you know, the purpose was --
7 method was to analyze the nature of the OE present or
8 suspected. And they also looked at those four factors
9 down there, ordnance type, sensitivity, how likely it
10 would be, you know, to be set off by some kind of
11 activity around it, how far it is below the surface,
12 and then the number and the density of any OE items
13 that might be found in a particular sector. Next
14 slide.

15 This is just other factors that were
16 considered as a part of the risk assessment.
17 Accessibility, that's akin to land use controls,
18 whether or not there are any or they may be
19 restrictive or limited restriction or complete
20 restriction.

21 And then stability refers to just
22 whether or not the area is -- any activity would be
23 likely to uncover any munitions that might be below

1 the surface. Some areas, you know, depending on what
2 kind of activity may take place, slopes in particular,
3 if there is anything in a slope, and there is a lot of
4 activity there, then it would certainly be more likely
5 to be exposed than perhaps a nice, flat,
6 well-compacted area.

7 And then the last one on there is
8 analyze for human risk factors and the kind of
9 activities that take place. As I mentioned earlier,
10 if it's just passive recreation, you're just walking
11 or playing, as opposed to something that might
12 actually move the soil, doing some sort of excavation
13 or development, construction, along that line, then
14 certainly, that would amount to a greater human risk
15 factor.

16 After the information was gathered,
17 it was discussed there on the previous slide, they
18 looked at six response action alternatives for each
19 one of the eighteen risk assessment sectors. You'll
20 see those six items listed there. In assigning those
21 H, high, moderate, or low protected original six
22 rankings -- excuse me -- for the six response action
23 alternatives, they're summarized in Table 4-10, page

1 4-28. I didn't include that in the briefing because
2 there is a final table is going to show what the
3 results of all those actions are and what the
4 recommendations are. So, rather than go through that
5 interim step, I've just included that final
6 recommendation page, because I don't think -- this one
7 doesn't -- all it does is show the steps involved, and
8 it really doesn't give you any additional information.

9 One of the things that you're going
10 to see, the clearance to depth provides greater
11 protectiveness than no further action. I think that,
12 to me, sounds like an oxymoron. But obviously, if you
13 go in and clean up everything to any depth that you
14 can measure it, then it's obviously a safer area than
15 if you don't do anything, at all.

16 Of course, the risk assessment takes
17 into account all those factors, what the risk might
18 be, even if you don't do any further action. Those
19 are decisions that ultimately have to be made as a
20 part of the EE/CA process. Next slide.

21 The six response actions, action
22 alternatives, the ones you just saw, no further action
23 to clearance to depth, are also evaluated against

1 these three criteria: How effective they are, how
2 difficult they might be to implement, and certainly,
3 what the cost is.

4 These are the response action
5 objectives. They're all pretty straight forward.
6 Again, there is no change here. These were the same
7 objectives that were stated in the previous draft of
8 the EE/CA. Next slide.

9 The clearance action recommendations
10 are -- here is just the basis for those: The
11 investigation and data analysis, the risk assessment,
12 the development and analysis of alternatives and
13 selection of an alternative for each specific area.
14 That's what this -- we're going to get to a table that
15 has that information in it. Again, there is no change
16 in that slide. Next slide, please.

17 This one, you know, it just tells
18 what the protocol will be regarding the recommended
19 alternatives presented in the action memorandum,
20 approval, the next phase of the process. Again, there
21 is nothing changed here. The thing we've really been
22 trying to get to with all this, I've been going
23 through thus far, is to get to those recommended

1 alternatives that are summarized in Table 9-1, and
2 that's on the next slide.

3 I would have liked to have gotten --
4 this is information is from the October 2003 EE/CA.
5 So, this is -- nothing changed on this one. I just
6 want to contrast this information with the table
7 that's in the 2004 EE/CA. I wish I could have gotten
8 it all on one page so that you could have compared
9 them side by side or top to bottom or whatever, but we
10 just weren't able to do that.

11 And this one, there are eighteen
12 sectors -- I've used that term two or three times, how
13 the original ten sectors, were divided into eighteen
14 sectors for the risk assessment. And you see all the
15 acreage of each one of those sectors, what the
16 recommended alternative is and what the estimated
17 costs are. I know you're not going to -- unless
18 you've got a pornographic (phonetic) memory, you're
19 not going to be interested -- I hope nobody --

20 THE COURT REPORTER: I did.

21 MR. RON GRANT: I knew this was
22 pretty dry, so I had to do that.

23 If you can, though, if you do have a

1 photographic memory and -- I think that's a three --
2 try to recall that when -- now, bring up the next
3 slide, Brenda. It's the latest --

4 MS. BRENDA CUNNINGHAM: Ron, they
5 have paper copies of --

6 MR. RON GRANT: So, you can hold
7 them side by side.

8 The things that are most notable
9 about the differences in these two, the previous slide
10 had eighteen sectors, I'll make it easier for you to
11 count. The December 2004 EE/CA slide has seventeen
12 sectors. That's because the two no-further-action
13 areas that are listed on the 2003 EE/CA are combined
14 into one sector in the 2004 EE/CA.

15 And so, there are a few changes in
16 the acreages involved. I don't -- you know,
17 somebody -- I think Ed asked a question about that
18 earlier. If you look down, until the item that is one
19 sixty-nine -- my angle is such, I have trouble reading
20 it. So, it's easier for me to just look at the
21 acreage. The first time you see one sixty-nine in
22 there, that acreage, in the 2003 EE/CA was one hundred
23 and sixty-three.

1 And another difference, for the
2 mixed projectile -- M3-1L mixed projectile area PR,
3 that one in the 2004 EE/CA is three hundred and
4 seventy acres, and in the 2003 EE/CA it's three
5 hundred and seventy-nine acres.

6 And the remainder areas -- that's
7 where -- there is two remainder areas that are listed
8 in the 2003 EE/CA, and they're combined into one
9 figure on the 2004 EE/CA, and that number becomes --
10 the acreage becomes a thousand and forty-three. And
11 in the very last item on the 2004 EE/CA, that acreage
12 is reported as six hundred and twenty-three. And on
13 the 2003 EE/CA, that acreage is reported as six
14 hundred and seventy-seven acres. You know, I don't --
15 I didn't see any explanation. Is that because of some
16 changes in the statement of work or --

17 MR. ART HOLCOMB: The changes in the
18 acreage were two-fold, one was the changing the
19 boundaries, the second one was in the re-sampling, and
20 in the first interchange with ADEM, there was a buffer
21 that they wanted next to the bypass because of some
22 items that were found over in the bypass. And we put
23 a two-hundred foot buffer along the bypass, and that

1 changed two of the areas of acreage.

2 And we combined the NFAs, because
3 they were the same type. They were just divided by
4 the eastern bypass before. There was really no
5 logical reason to divide them, so we combined them.

6 MR. RON GRANT: Okay. Again, there
7 is significant difference in the cost. You know, you
8 can look at those and see the total cost. They've
9 gone both ways. Some of them have gone up; some of
10 them have gone down. I presume that's because in some
11 cases the acreage has gotten smaller. In some cases
12 the acreage has gotten larger.

13 MR. ART HOLCOMB: And also, in the
14 one-foot clearance, based on comments from ADEM, we
15 included mapping of the one-foot clearance areas.
16 That made a significant difference in the cost.

17 MR. RON GRANT: But the
18 recommendations, as far as the alternative goes,
19 they're unchanged, from one EE/CA to the next. You
20 know, they stayed -- the recommended clearance has
21 stayed the same.

22 I'm not sure what term to use for
23 this, it may be plagiarism, but let me see the next

1 slide. This is just some concerns -- I didn't think
2 you were likely to remember these things.

3 I may be out of order in putting
4 this in here, but these are the recommendations that
5 the T-O-S-C representative reported to you when he did
6 the EE/CA process. So, I thought, just as a reminder,
7 you need to be aware that these are some things he
8 felt like needed to be addressed.

9 And I saw no specific -- in this
10 latest version of the EE/CA -- as to whether or not
11 these questions have been addressed. I don't know if
12 they were discussed or if the contractor was tasked to
13 respond to those or not. But they may prompt some of
14 you all to have questions, anyway.

15 MR. ED KIMBROUGH: Were there any of
16 these no further action areas that you did find
17 anomalies in, but you felt like a cost effect had
18 anything to do with no further action?

19 MR. ART HOLCOMB: If it was a no
20 further action, we found nothing that had an explosive
21 hazard in them.

22 MR. ED KIMBROUGH: Because I added
23 this up, and it looks like there is two thousand,

1 ninety-one acres that will not be cleared out of the
2 three thousand, three hundred and twenty-seven. So,
3 about a third of it --

4 MR. DAN COPELAND: I believe it's
5 only a thousand. It's only a thousand.

6 MR. ART HOLCOMB: It's only a
7 thousand and thirty --

8 MR. ED KIMBROUGH: Right. About a
9 third of the property, some action will be taken on.

10 MR. ART HOLCOMB: Yeah. And that's
11 the area down south, and there was no explosives found
12 in that area. If one with an explosive was found down
13 there, then that throws the risk assessment to say, it
14 can't be NFA.

15 MR. ED KIMBROUGH: One concern that
16 I had on the Alpha, which I mentioned awhile ago, was
17 the percentage of some of the properties that no
18 further action was -- the percentage of the property
19 was actually tested. For instance -- well, let's just
20 take the last one, M3 remainder area, PR, one thousand
21 and forty-three, was any of that property tested, at
22 all, or did you just go on the research and the
23 history that it didn't need to be tested?

1 MR. ART HOLCOMB: No. Most of the
2 sampling that we did was done in the NFA area, because
3 you didn't really need to do intrusive work in the
4 area where you found stuff and knew you were going to
5 make a recommendation. So, the majority of the
6 sampling that was done was in the NFA area.

7 MR. ED KIMBROUGH: Okay.
8 Has this been submitted to ADEM for
9 agreement?

10 MR. ART HOLCOMB: Yes. We have
11 received comments back from ADEM, and we're in the
12 process of responding to them now.

13 MR. ED KIMBROUGH: So, there is some
14 issues?

15 MR. ART HOLCOMB: They had how many
16 pages, Shana?

17 MS. SHANA DECKER: We've submitted
18 our comments, and they have them now. We're waiting
19 on a response from them. There was some issues.

20 MR. LEVY: Yeah, there are issues,
21 certainly. And they're issues we're working through.
22 We've had some discussions, we'll continue those, some
23 more discussions.

1 MR. GARY HARVEY: The JPA got a copy
2 of ADEM's response.

3 MR. ED KIMBROUGH: What?

4 MR. GARY HARVEY: JPA got a copy of
5 ADEM's responses.

6 MS. SHANA DECKER: JPA got a copy --

7 MR. ED KIMBROUGH: I'm not on the
8 JPA Board anymore.

9 MR. GARY HARVEY: No, I'm just
10 saying they do -- they did get one. You're not doing
11 PMT part, either?

12 MR. ED KIMBROUGH: I don't
13 (inaudible) --

14 MR. GARY HARVEY: Well, I
15 understand. You're just part of the JPA, now.

16 MR. ED KIMBROUGH: Last meeting --
17 (inaudible.)

18 MR. GARY HARVEY: Well, the JPA did
19 get their own copy.

20 MR. ED KIMBROUGH: I know there are
21 some issues on some of the property that they're
22 clearing, too.

23 MR. LEVY: Let me total up what

1 really happened. Fourteen hundred thirty-five acres
2 were recommended for clearance to one foot, eight
3 hundred and seventy acres were recommended for
4 clearance to depth, and a thousand, forty-three acres
5 were recommended for no further action, is really what
6 it comes out to.

7 MR. ED KIMBROUGH: What?

8 MR. LEVY: A thousand, forty-three
9 acres.

10 MR. ED KIMBROUGH: No further
11 action?

12 MR. LEVY: For no further action.

13 MR. ED KIMBROUGH: I've got M3-1L,
14 eight hundred and nineteen acres, M3-1M, two hundred
15 and twenty-nine acres.

16 MR. ART HOLCOMB: You're looking at
17 the wrong table, Mayor.

18 MR. ED KIMBROUGH: I'm looking --

19 MR. ART HOLCOMB: The one that says
20 December 2004, there's only one line to NFA, and it's
21 M3 remainder area, PR.

22 MR. ED KIMBROUGH: Okay. So, the
23 December 204 (phonetic) is a total?

1 MR. ART HOLCOMB: Yes, sir.

2 MR. ED KIMBROUGH: Of all of it?

3 MR. ART HOLCOMB: Yes, sir.

4 MR. ED KIMBROUGH: Okay.

5 I'm slow sometimes. You just have
6 to explain. I see now, both of them total up to a
7 thousand, forty-three, okay. So, that didn't change
8 from October to December?

9 MR. ART HOLCOMB: There was a
10 reduction of a small amount. I don't know the exact
11 amount of acreage that it changed.

12 MR. RON GRANT: The difference is in
13 the two hundred and five-acre range. In October '03
14 it's a thousand, forty-eight, when you combine the two
15 sectors.

16 MR. ART HOLCOMB: And that's the
17 time the buffer that went over to clearance to depth,
18 I believe.

19 MR. ED KIMBROUGH: Okay.

20 MR. LEVY: I'll also mention, in
21 terms of total depth, everything that was in the
22 EE/CA, based on the costs, those that, based on the
23 recommended alternatives, I believe it was over

1 forty-eight million, 48.5 million.

2 MR. ED KIMBROUGH: But my
3 understanding is that then the JPA will negotiate the
4 cleanup cost, based on this.

5 MR. LEVY: Actually, that's what
6 we're hoping. What we really want to see -- what we
7 really want to see is that we can get ADEM to agree
8 that the NFA areas are in fact NFAs, that we've done
9 adequate sampling, that they agree that those NFA
10 areas are in fact -- you know, there is little to no
11 risk there, in fact they are NFA. And then we can sit
12 down and talk to the JPA about the clearance, the
13 other clearance sites.

14 Because those risk sectors are all
15 based on reuse. As the reuse changes, it changes,
16 obviously, it could change the clearance, too. So,
17 then it becomes a negotiable thing, when you sit down
18 and talk to the Army about it.

19 MR. ED KIMBROUGH: Yeah, but all
20 Bravo will be negotiated for JPA, it won't be like
21 Alpha, in which y'all started clearing some of the
22 area; is that right?

23 MR. LEVY: Well, no, we didn't

1 complete the EE/CA in Alpha. We asked the JPA to
2 essentially complete the EE/CA.

3 MR. ED KIMBROUGH: Okay.

4 MR. LEVY: Because ADEM agreed to
5 some NFA areas, and then it said in other areas, we
6 had to finish the characterization, and we want to see
7 more sampling. So, what we gave the JPA is funding to
8 finish the characterization on a piece, and then the
9 rest of the funding was to do the clearance.

10 So, in here, we're hoping to go in
11 with the characterization completed to the point where
12 everybody is in agreement with the NFAs, and then it
13 becomes a negotiation on the clearance, whether it be
14 one foot, whether it be clearance to depth or
15 something else.

16 MR. RON GRANT: Yes, Jim?

17 MR. MILLER: Just backing up out of
18 the Bravo area just for a minute here, but just to
19 kind of clear the air, aside from Mr. Miller's
20 wildlife refuge, how much of the balance of the Fort
21 is now cleared for reuse?

22 And since we're six years out from
23 closure, what's a reasonable estimate until the

1 balance is cleaned and ready for reuse? I mean, what
2 are we talking about? I mean, I know there's
3 variables in there that you can't predict, and I
4 appreciate (inaudible) and all, but given our track
5 record, when is the Fort ready for reuse?

6 MR. LEVY: Well, there are certainly
7 parts right now they are ready for reuse.

8 MR. MILLER: I mean, what
9 percentage?

10 MR. GARY HARVEY: What was the first
11 deed, Ron, three thousand acres that was cleaned,
12 period, within the bullet area?

13 MR. MILLER: About what, 30 percent?

14 MR. GARY HARVEY: A little over
15 three thousand? And that was the first bunch. Bravo,
16 the total was -- not the JPA part, the total on post
17 was around what -- JPA, around a little -- you know,
18 ticker-tape five hundred acres, ten thousand. So,
19 around 30 percent, I guess, we knew was clear. Other
20 parts have been coming clear, and we transferred clean
21 deeds. It was only thirteen, the last deed that was
22 subject to, Ron, what's your best guess?

23 MR. GARY HARVEY: 30, 30.

1 MR. JIM MILLER: Ron?

2 MR. RON LEVY: 60?

3 MR. GARY HARVEY: The part that --
4 well, the part -- well, the part's that's been --
5 30 percent, we could say that was clean, right, and
6 then we could transfer, right, okay.

7 MR. MILLER: Right. Now, that's
8 what I meant.

9 MR. GARY HARVEY: And the rest of
10 it's fallen out, what, a third dirty, Ron?

11 MR. RON LEVY: I don't know.

12 MR. GARY HARVEY: 30 to 40 percent
13 dirty, that we've got to do work on.

14 MR. JIM MILLER: Got to do work on.

15 MR. GARY HARVEY: And the rest you
16 have to do the work to say, this is clean.

17 MR. JIM MILLER: Right.

18 So, we've really got 30 percent that
19 we know now is ready to go, roughly?

20 MR. GARY HARVEY: Uh-huh.

21 MR. MILLER: And that's in six
22 years. So, how many years is it before we get from --

23 MR. PETE CONROY: Well, let me make

1 a point about the six years. Six years since closure.

2 The cleanup has been going on for about two years.

3 MR. MILLER: Yeah, and now, we've
4 spent four years negotiating I mean, so, that counts.
5 So, what are we talking about? Just a rough guess.
6 I'm not going to write it down. I'm just curious.

7 MR. CONROY: Yeah, she does that.

8 MR. LEVY: It really comes down to
9 how much money is released towards the cleanup. I
10 mean, that's a guess. And that's really not even an
11 Army guess, so much as it is a Congressional. I mean,
12 it -- it really goes up in terms of how much money
13 they want to release towards the cleanup.

14 MR. GARY HARVEY: But that hasn't
15 been a problem so far. I mean, you can't do all the
16 cleanup at once, number one, there's not enough money;
17 number two, there's not enough --

18 MR. MILLER: I'm not being
19 accusatory or anything like that.

20 MR. GARY HARVEY: I understand -- I
21 understand your question. I think, if you look at all
22 of the UXO areas that we've got so far, it's a little
23 over a third that's dirty, isn't it, Ron? Steve's

1 place is a little over a third that's got -- we know
2 it's got UXO, subject to negotiation. These numbers,
3 are in Alpha and Bravo are coming up roughly a little
4 over a third dirty. I would say 40, 45 percent has
5 got to have some kind of work done on it, after the
6 nature and extents are determined. Does that answer
7 your question?

8 MR. MILLER: Not really.

9 MR. GARY HARVEY: The first
10 30 percent was clean, we transferred that right away.
11 The other parts were cleaned after investigation. So,
12 the last deed was, to the JPA was what, forty-seven
13 hundred? I can go look at my notes. That is the part
14 that was dirty of the JPA part. So, of their ten
15 thousand -- a little over ten thousand, there is
16 forty-six, forty-seven --

17 MR. MILLER: About half.

18 MR. GARY HARVEY: Yeah, a little
19 less than half that is transferred.

20 MR. MILLER: So, nobody really wants
21 to take on my question of how long we're going to be
22 doing this?

23 MR. CONROY: I would like for Greg

1 to try to --

2 MR. GARY HARVEY: I don't know how
3 long we're going to do it.

4 MR. GREG SCHANK: Let me see if I
5 can help a little bit.

6 You have to understand in the Alpha
7 area there are, I believe, three areas that have been
8 identified that require further action. All right.
9 And plus, we're currently doing an EE/CA on portions
10 of the Alpha area. We expect to have the EE/CA
11 report, end of June, sometime in July. That will tell
12 us the rest of the characterization of the Alpha area.

13 Now, you also have to understand
14 that they have land use projected for the Alpha area.
15 There's parts of the Alpha area that will never be
16 anything but passive recreation.

17 MR. MILLER: I understand.

18 MR. GREG SCHANK: So, therefore,
19 that is a low priority area to clean up and to try
20 and, you know, get ready for reuse. The JPA sets our
21 priorities, as far as which property -- which areas
22 they would like us to clean up.

23 As far as the three areas that have

1 been identified for cleanup, if any of those are a
2 medium or a high priority, we should be able to get
3 around to those sometime this year and go in there and
4 clean those up. Once we clean them up, submit our
5 report, ADEM buys off on it, and gives us the NFA,
6 with land use controls or whatever other restrictions,
7 that property will be ready for reuse.

8 MR. MILLER: That's Alpha you're
9 talking about?

10 MR. GREG SCHANK: I'm talking about
11 Alpha. That's the only area you got --

12 MR. MILLER: Which looking out
13 there, is quite the smallest area --

14 MR. GREG SCHANK: Well, that's the
15 only area JPA controls.

16 MR. MILLER: Right.

17 MR. GREG SCHANK: As far as the HTRW
18 sites, they have a potential buyer for the small
19 weapons repair shop. We've put that on a fast track
20 for cleanup. There is TCE contamination out there.

21 We've submitted the RFI to ADEM.
22 ADEM realizes it's on a fast track, and they're going
23 to review it for us as quickly as they can. We expect

1 that we'll probably do some spot cleanup of soils and
2 perhaps some spot cleanups or treatment of
3 groundwater, and then we'll just let nature take its
4 course.

5 But at that point in time, that
6 property can be sold and can be reused. It will be
7 with a restriction that we have access to the
8 monitoring wells out there, so that we can continue to
9 monitor how the contamination is degrading. And I'm
10 sure you're very familiar with TCE contamination from
11 the Depot.

12 So, to answer your question, it's
13 going to be a lot of years before all this property is
14 ready for reuse. But as the priorities that are set
15 by the JPA come up, we target those areas. If they
16 have potential buyers, they're fast tracked --

17 MR. MILLER: I understand that you
18 ask to prioritize, and I understand it's going to take
19 a lot of years, I understand that. And as far as I
20 know, y'all are doing a grand job.

21 MR. GREG SCHANK: Okay.

22 MR. MILLER: I don't mean to accuse
23 anybody of dragging their feet. I just think somebody

1 needs to start talking about how long we're going to
2 be in this process. Nobody will address that. And
3 somebody has got an idea. You've got a ball park
4 figure.

5 Are you going to live to see it
6 done, or is it going to be your grandchildren? I'm
7 curious.

8 MR. LEVY: I think, as you point
9 out, there is a lot of factors involved.

10 MR. MILLER: Assume level funding
11 out of Congress, so we can have a constant.

12 MR. LEVY: That is a big grab for
13 something like that. But --

14 MR. MILLER: Make an assumption. If
15 you had the money, but still had to do the work.

16 MR. LEVY: In some cases, we've got
17 long-term monitoring that go out thirty years on some
18 of these sites, long-term monitoring and five-year
19 reviews. Some cases, you know, to get through
20 cleanup, you're talking another ten, fifteen years.

21 MR. MILLER: That's what I'm getting
22 at. Long-term monitoring, I understand, but that's
23 not going to stop anything. I mean, that's just part

1 of the deal that goes with -- it's the fleas with the
2 dog.

3 I'm talking about, you know, when
4 the majority of the property is cleaned up, where you
5 can grant deeds and develop and use it like you would
6 any other part of the world.

7 MR. LEVY: What we do -- what we,
8 the Army, do is that when we get our -- when we
9 project what our funding requirements -- say it is,
10 you know, forty-eight -- forty-five million for the
11 Bravo area, we put it in a model, and we try to
12 project the dollars, in the terms of the best way we
13 can to do the cleanup.

14 The Army runs what's called its
15 optimization model, because it considers -- it
16 considers bases across the nation and how much money
17 it's got, and then it spreads the dollars out. In
18 some cases, it might spread the dollars really far
19 out, depending upon priority sites across the nation.
20 If it was somewhere out in California, they might have
21 a piece of property they don't want to get -- get rid
22 of right now, and they'll take whatever dollars are
23 available and stick it there and try to get it off the

1 books and get rid of them.

2 MR. MILLER: If I were them, I'd
3 want to get rid of Fort Ord, too.

4 MR. LEVY: I'd pay off (inaudible).

5 And that's what it does to us. From
6 my standpoint, I will -- we program the dollars. We
7 say, okay, this is what we believe it's going to cost,
8 based on our characterization. We put it in the
9 system, and they run the model, and they'll say, well,
10 your dollars are spread like this.

11 And I'm kind of at the mercy of what
12 they tell me the dollars are going to be spread. And
13 then every year, it changes. You know, some years you
14 might get more dollars; some years you get less
15 dollars. Right now --

16 MR. MILLER: So, not in the
17 foreseeable future?

18 MR. LEVY: Those were your words,
19 but, yeah.

20 MR. ED KIMBROUGH: Ron, there are
21 two things -- and respond to this -- one is, the
22 military is trying to get every dollar they can to
23 Iraq; and number two, we're going to see BRAC, and the

1 possibility of the closing of a hundred other bases, I
2 read in the paper today. It said -- first they were
3 saying a quarter, but now they're saying -- they're
4 saying might be less, but -- in the paper.

5 So, what I'm saying is: Bravo has
6 not been negotiated. There is no amount been set on
7 Bravo. So, how, or is this going to possibly affect
8 when the money is going to come available, and is it
9 going to be spread out over a several years, or are
10 they going to be able to do like they did on Alpha,
11 say here is forty-eight million dollars or whatever?

12 MR. GARY HARVEY: Let me jump in on
13 the first part of that. Number one, everything you
14 read about the bases, everybody is thinking 22 or
15 20 -- depending on which command you're in. The
16 numbers around 22 percent excess capacity does not
17 mean 22 percent excess bases, it's capacity. All
18 right. Some are big, some are small.

19 The money has already been decided
20 by Congress, what is appropriated. The '05 round,
21 that stands by itself, on what money is appropriated,
22 you know what I'm saying.

23 In fact, one of the problems we had

1 when we first got on the list, actually in '88, when
2 all this stuff started, when we went through the three
3 rounds was, Ron and his folks had to guess how much
4 the cleanup is before he even started looking at it
5 and then work with those numbers.

6 So, I -- we can't tell you if Iraq
7 is taking all the money. We're getting money. We've
8 got forty-eight million. We knew there was going to
9 be a downfall in the environmental money for a year or
10 so. Remember, we hurried to do the negotiation with
11 JPA, get it done by September '03, so you got
12 48.5 million. And obviously, all of that money,
13 you've drawn what, five million of the forty-eight.
14 So, there is still a lot of money there to do some
15 cleanup.

16 And then we're going to negotiate,
17 starting tomorrow, on whether we use some of that on
18 the Bravo area to match your priorities in the ESCA.
19 So, I mean, another hundred million ain't going to do
20 anything right now.

21 MR. MILLER: I give you guys a lot
22 of credit. You've got a difficult job. I don't mean
23 to ask a difficult question, but you've got to admit,

1 it's a legitimate question. It'd be nice to know what
2 we're looking at here. You know, are we talking ten
3 years or are we talking fifty years?

4 MR. GARY HARVEY: The problem is,
5 when we're sitting here talking about money, we can't
6 tell you when DA is going to give you that.

7 MR. RON LEVY: Yeah.

8 MR. GARY HARVEY: If we give you a
9 number, we'd be lying to you.

10 MR. MILLER: I know that.

11 MR. GARY HARVEY: Number one, the
12 partnering company has gotten quite a bit of cleanup
13 money. JPA got 48.5, which is --

14 MR. MILLER: It would be reasonable
15 to assume that if the DOD closes a bunch more bases,
16 it's going to make that money harder to come by,
17 right? It will have to be spread amongst the
18 larger --

19 MR. GARY HARVEY: It's probably
20 separately marked -- yeah, you're right, Jim, it may
21 be -- it may, because when they do the whole
22 process -- the process is more than what you see with,
23 you know -- Rumsfeld is going to announce on

1 May the 16th, and they decide by, you know,
2 September 16th, that kind of stuff.

3 There is a whole lot of what-ifs
4 done by these BRAC people up there. But plenty of
5 guys, not the guys that y'all talk to, are working
6 these all the time. We've got these many bases, it's
7 going to require this much in cleanup. They know
8 which ones are on the NPL and which are not. So,
9 there's -- the bill's already been decided, roughly, a
10 rough order magnitude for the '05 round standing
11 separate.

12 MR. CLENDENIN: Jim, are you
13 suggesting, perhaps, that the flying J. perhaps could
14 be recalled the forked tongue?

15 MR. MILLER: No, not at all. I'm
16 just trying to get some idea of what we're talking
17 about here. What kind of years it's going to be
18 before we approach something, approximating a normal
19 piece of property out here, just to know what we're
20 doing.

21 MR. RON GRANT: I've got two
22 comments, and I'm going to narrow it down. I'm going
23 to answer again with a question. I just sort of threw

1 a dart at the calendar and I said, July the 1st, 2020.

2 MR. MILLER: Y'all want to start a
3 lottery? I'll wager none of us will be around to see
4 it.

5 MR. GRANT: The only other comment I
6 want to make is I wanted Brenda to know how much I
7 appreciate her help. She really does an outstanding
8 job.

9 MR. LEVY: One of the things that
10 we, the Army, want to do, is to nail down the
11 characterization, have an agreement with the State
12 about what the characterization is. We can argue
13 about what the costs are, and we aren't even sure what
14 the characterization (inaudible) --

15 MR. MILLER: If you know what
16 you've got to do, then we can start working on costs.

17 MR. LEVY: And we still haven't even
18 got there on some of the characterization discussions
19 with ADEM. Once we can get there, (inaudible) this is
20 the definite cost, if we can factor in -- and we do
21 have models in there, telling some of them what the
22 costs are going to be.

23 The Army will probably tell you that

1 the money is not the issue, right now. There is
2 adequate dollars out there. They'll tell you getting
3 to defined remedies --

4 MR. MILLER: What my boss is always
5 telling me, too.

6 MR. GARY HARVEY: Yeah. In the Army
7 we say, yes, sir.

8 MR. MILLER: That's right. It's
9 harder for you to quit.

10 MR. GARY HARVEY: Yeah, it is.

11 MR. MILLER: All right. Thank you
12 for attempting to answer the question.

13 DR. STEFFY: I would like to thank
14 Mr. Grant for the presentation. And also, I would
15 like to say for the record that Dr. Mary Harrington is
16 now here for the meeting.

17 New business, we had two members
18 resign, Dwight Mitchell and Donna Fathke, and we need
19 to fill the vacancies; however, we only have one
20 application on file, and that is from Pete Wilson.
21 And everybody has a copy of the application in the
22 packet before you.

23 MR. GARY HARVEY: Pen Wilson.

1 DR. STEFFY: Oh, Pen Wilson. And,
2 please, review the application. I guess we could do a
3 vote on it after we discuss the application. We do
4 have two spots to fill.

5 Is there any discussion on
6 Mr. Wilson's application?

7 MR. MILLER: I don't know him, but I
8 suggest, if we could get him to punish himself by
9 coming --

10 DR. STEFFY: He is from JSU, but I
11 do not know him.

12 MR. ED KIMBROUGH: He works in small
13 business with Pat Ray Shaddix, and he's run some
14 seminars in the past. But I guess Jim said we're 0-3,
15 we might be tight right now.

16 DR. STEFFY: I think Brenda
17 contacted --

18 MS. BRENDA CUNNINGHAM: We had three
19 applicants on file. He was the only one that was
20 still interested.

21 MR. MILLER: I make a motion that we
22 elect him.

23 MR. ED KIMBROUGH: I second.

1 DR. STEFFY: All in favor of
2 Mr. Wilson's application?

3 MR. MILLER: Whatever you do, don't
4 tell him I did that.

5 MR. LEVY: It's on the record.

6 DR. STEFFY: Mr. Wilson will be
7 invited then to become a member of the RAB. That
8 means we have one other position. That's sixteen of
9 seventeen; right?

10 MS. BRENDA CUNNINGHAM: Right.

11 DR. STEFFY: So, we have two
12 possibilities, I've been informed. Either we beat the
13 bushes for another warm body, or we change the rules
14 of the RAB so only sixteen members have to be present
15 for a number --

16 MR. MILLER: Why don't we just leave
17 it open until we get another applicant?

18 MR. GARY HARVEY: Is that a third
19 possibility?

20 MS. BRENDA CUNNINGHAM: Sure. If
21 you have --

22 MR. MILLER: Brenda might even
23 volunteer.

1 MS. BRENDA CUNNINGHAM: I'm retired
2 (inaudible).

3 MR. LEVY: What we've done in the
4 past is ask RAB members to see if they don't have
5 somebody they've got in mind, maybe give them an
6 application to fill out and bring it back to us for
7 consideration.

8 MR. JAMES HALL: Mr. Chairman, may I
9 ask a question, please? Is McClellan on the list with
10 the Governor, where the Governor would know that there
11 is possibilities of land reuse here when he goes to
12 other countries? What marketing strategy do we use?
13 Do we have a web page --

14 MR. CONROY: I can address that. We
15 are in constant contact with the ADO, ADECA, and the
16 Governor's office regarding a number of different
17 reuse opportunities here.

18 MR. JAMES HALL: We want the next
19 large business to come on the base.

20 MR. CONROY: We've consistently told
21 the Governor's office we do not want a prison.

22 MR. MILLER: Don't be hasty, Pete.

23 DR. STEFFY: I'm sorry, wait, wait.

1 Have we finished this application for the vacancy
2 before we get on to other issues? So, we're going to
3 invite warm bodies that you may know to apply. So,
4 please, pick up the applications at the door as you
5 leave.

6 MR. MILLER: Warm bodies.

7 MR. GARY HARVEY: Well, they don't
8 have to be that warm.

9 DR. STEFFY: Let's see, the next
10 order of business is Monty Clendenin has a resolution
11 for the committee. And if you would like to address
12 the committee, now, please.

13 MR. CLENDENIN: Yes, sir, if I
14 could. Mr. Chairman and committee, I would like the
15 privilege of reading this resolution to you from the
16 Board of Elders, the session of my church. And y'all
17 are so good with visuals, I thought I'd bring a
18 picture of some of my members. We refer to this as
19 "Raising Cane on Cane Creek." And I would like to
20 present this resolution to this committee, simply
21 because all of the -- all of the players are present
22 in this group, and we want to keep this issue on the
23 front burner of every one of you's offices. So, if

1 I'm allowed the privilege, I would like to read this
2 resolution for the record.

3 MR. LEVY: Agreed.

4 MR. CLENDENIN: "Before the session
5 of the Covenant Presbyterian Church, being the duly
6 elected representatives of the congregation of the
7 Covenant Presbyterian Church of the
8 Presbyterian Church USA, the following Resolution was
9 adopted:
10 Witnesseth:

11 Whereas, the Covenant Presbyterian Church
12 proclaims its devotion and dedication to, and sincere
13 appreciation and respect for the freedom bestowed upon
14 America, earned by the wisdom and sacrifice of our
15 forbearers maintained today by all citizens actively
16 serving the common goal of preserving liberty for
17 ourselves and our decendents; and

18 Whereas, as Bains Gap Road has served as an
19 important, continuous passage for the people of
20 Calhoun County, Alabama through Fort McClellan for
21 more than sixty (60) years; and

22 Whereas, Bains Gap Road has been closed since
23 the transfer of Fort McClellan, thereby causing many

1 county residents substantial time, inconvenience, and
2 expenses, as well as hindering the free flow of
3 traffic and commerce enjoyed for generations; and

4 Whereas, although much of Fort McClellan has
5 been re-opened under civilian jurisdiction,
6 Bains Gap Road remains closed, ostensibly due to cost,
7 safety and security issues, compounded by the numerous
8 agencies involved in the decision-making process,
9 failing to overcome the differences to work together
10 for the common good; and

11 Whereas, the economic and social benefits to
12 the affected citizens of Calhoun County of re-opening
13 Bains Gap Road, together with the obvious value to all
14 of providing at least one east-west corridor through
15 the former Fort McClellan, outweigh the cost of
16 maintenance and police protection which may be
17 required; and

18 Whereas, the opening of Bains Gap Road could
19 actually promote the safety and security of our
20 citizens by providing constant monitoring of the road
21 and adjacent property by commuters and casual drivers,
22 State Troopers, County Sheriffs, and
23 National Homeland Security traffic, where presently

1 there is no such regular monitoring to dissuade
2 criminal mischief, terrorism, and other crimes
3 committed by trespassers; and

4 Whereas, keeping Bains Gap Road closed in the
5 name of protecting national security is, in fact, a
6 surrender of part of our liberties and privileges to
7 persons who threaten to harm the
8 United States of America, and re-opening
9 Bains Gap Road would be a re-taking of those lost
10 liberties and privileges in open defiance of all
11 persons seeking to terrorize us; and

12 Whereas, the risk and potential liability
13 existing from unexploded ordnances on and along
14 Bains Gap Road, if any, can be virtually eliminated by
15 utilizing simple methods such as posted restrictions;
16 warnings, which already exist at other boundaries;
17 fences and prioritizing and expanding ordnance
18 clean-up measures along Bains Gap Road; and

19 Whereas, although it is fully anticipated and
20 expected that Bains Gap Road will be opened some day,
21 it appears that the various governmental and
22 quasi-governmental authorities neither understand nor
23 appreciate the social and economic importance of the

1 road to many citizens; and

2 Whereas, it appears that, rather than
3 committing to a specific date of re-opening, the
4 various responsible political and governmental
5 agencies and their representatives merely voice their
6 sympathy, blaming other agencies for the impasse, and
7 let inertia reign.

8 Now therefore, the
9 Covenant Presbyterian Church, for its congregation and
10 their neighbors, hereby resolves to publish and
11 proclaim our support for those unfortunate citizens
12 most affected by this unwarranted and unnecessary
13 governmental limitation upon their ability to
14 reasonably ingress and egress freely across our
15 country, and we do further urge those authorities,
16 having the duty, power and discretion to convert
17 Fort McClellan into an asset benefiting all citizens
18 of Northeast Alabama, to diligently exercise such
19 duty, power, and discretion, to prioritize and
20 reschedule the reopening of Bains Gap Road as soon as
21 can be deliberately accomplished by the cooperation
22 and coordination among the empowered agencies."

23 This was of officially enacted by my session

1 on the 10th of April of this year. And I would just
2 like to thank you for hearing this resolution and
3 leave it on the table.

4 DR. STEFFY: Any comments?

5 MR. CONROY: Monty, I would say that
6 JPA is fully and completely dedicated to opening
7 Bains Gap Road.

8 MR. CLENDENIN: JPA, eventually?

9 MR. CONROY: As soon as possible.

10 MR. CLENDENIN: That's good. That's
11 what we want, and that's what we want to hear, and we
12 want to know why it's taking so long? What is the
13 issue?

14 I was out here Saturday, as part of
15 the drive-over, and it was interesting, as we went
16 over the top, that it was pretty steep terrain, not
17 the type of terrain I would get -- stop my car and get
18 out and play in the woods. But as I went over
19 Highway 9 and came back up Cottaquilla Drive, and over
20 the mountain back into Jacksonville, you wouldn't
21 believe it, there were cars parked along the road,
22 people were in the woods, you couldn't get in there
23 for so many people. And I say that facetiously.

1 People are not going to just jump
2 out of their cars and go in the woods in that passage.
3 If you block a road for me, as a teenager, I'm going
4 to fight it, I'm going to park there and look at the
5 stars or something.

6 If I'm a criminal, I'm going to find
7 a way that I only have access to. If I'm a good
8 citizen, and I'm crossing that thing, and I see
9 something not right, I will call somebody, say
10 something.

11 So, our point is: It's less than a
12 two-mile strip that's closed. Why can't they do it?

13 MR. CONROY: Steve, how much money
14 have you all said you needed to clean up your portion?

15 MR. STEVE MILLER: Three hundred and
16 thirty thousand -- well, to clean it up or to actually
17 get the road in the shape that our -- the
18 federal highway folks say, three hundred and thirty
19 thousand. To clean up -- it's up to the Army how much
20 it has to be cleaned up.

21 MR. CONROY: And has the Army made a
22 final determination, in terms of how much needs to be
23 cleaned?

1 MR. HARVEY: The road's clear.

2 MR. CLENDENIN: That's all we want
3 access to is the road. And the signs that protect the
4 rest of the Fort should protect that road. The
5 liability issues that we're talking about here, in hot
6 areas that we're going to develop and sell to people,
7 it is not -- is more severe than the bullets that are
8 in the -- the lead that's in the woods out there on
9 that section of the road.

10 So, of all the places that are
11 dirty, it's the least that's dirty. Signs will work,
12 or signs will release whoever of the liability, as
13 well as it will release you of the liability of me
14 walking in from Donoho School and coming up from the
15 south side.

16 The liability issues are the same,
17 no matter what direction you come into the Fort from.
18 That doesn't change. So, liability is not the issue.
19 So, we wonder what it is? Help.

20 We have members who drive -- the
21 difference -- had to drive forty miles yesterday to
22 attend church for two meetings because they had to
23 circumvent 10th Street. It would be an eight-mile

1 trip for the whole day, if they could go across the
2 Gap. It's thirty-three miles from the gate, around
3 Choccolocco, back to Highway 9, back to Jacksonville,
4 and back to the gate, thirty-three miles. Forty cents
5 a mile, that's a difference between about eighteen
6 bucks versus the same mileage of about six bucks. So
7 it's an economic issue.

8 MR. ED KIMBROUGH: How many people
9 you got, Monty?

10 MR. CLENDENIN: My church?

11 MR. ED KIMBROUGH: No, that drive
12 that?

13 MR. CLENDENIN: I'm sure that if I
14 could ply my trade across the hill, lots more would
15 come. You know, this is restricting me from plying my
16 trade.

17 MR. ED KIMBROUGH: That sounded like
18 some of the answers that you say you've been getting.

19 MR. CLENDENIN: What's that?

20 MR. ED KIMBROUGH: I said that
21 sounds like some of the answers you say you've been
22 getting.

23 MR. CLENDENIN: Well, I want to be

1 as skillful as the rest of you guys.

2 We have members who live in
3 Pine Hill and members who have to visit family in
4 White Plains. In fact, members whose family have
5 beared the name "Bains Gap." It was named after their
6 family. They can't get to Grandma, because they've
7 got to go way around.

8 So, we just want to know why, and
9 when can it be different? The people who could make
10 that decision are represented at this table. It can
11 be done, and it can work, and it -- and again, I'm not
12 a very -- yeah, I'm sort of paranoid, but I hate to
13 think that there are shadow entities that are making
14 decisions for the elected people of this community who
15 are fearful of terrorism coming in their backdoor or
16 whatever else.

17 But let's don't be paranoid; let's
18 be free in this community and live until somebody
19 blows us up, but let's don't restrict ourselves from
20 our own land.

21 Amen. I'm not going to have an
22 invitation, I won't drag this on. I won't -- I'm not
23 asking this committee to make a decision or to act on

1 this. I'm just saying that this is an issue, and it's
2 bigger than just Bains Gap Road.

3 DR. MARY HARRINGTON: I agree.

4 MR. CLENDENIN: So, we would like
5 for you to deal with it, somehow.

6 DR. STEFFY: Thank you.

7 MR. CLENDENIN: Thank you.

8 DR. STEFFY: On to agency reports.

9 ADEM.

10 MS. SHANA DECKER: I've passed out
11 the -- a record of what we've received and records we
12 have reviewed since the last time.

13 First of all, I want to introduce
14 you all to our new employee, her name is
15 Kaneshia Townsend, and she is on the project as
16 engineering support, and she has only started two
17 weeks ago. Graduated from University of Alabama. And
18 we would like to welcome her to the project. And
19 hopefully, she'll be getting into it soon.

20 Next, ADEM has chosen a contractor
21 to help us with UXO support and also HTRW support,
22 which will help us to review some of these huge
23 documents and also help us with the UXO issues, which

1 will be very useful, and help us with risk assessment.
2 That's a big portion that we don't have the support
3 within ADEM to do. So, that will be very helpful.

4 The date that that goes -- the
5 deadline for that is April 26th, which is the date
6 that it has to get on the agenda to go to the
7 legislature or something to be approved. And so,
8 shortly thereafter, we should have them on board and
9 able to use them. I'm hoping, like, the first or
10 second week in May. I don't know when, exactly.

11 ADEM's been looking in on the JPA,
12 doing the Alpha area, supplemental UXO EE/CA. We've
13 been in the field and observed the transects of their
14 cut-in and geophysical survey.

15 We've attended -- back in January,
16 we went and attended the EPA and the Army's risk
17 assessment meeting, which is where the EPA and Army
18 got together and hashed out a bunch of issues on --
19 they were a difference on -- in the ecological risk
20 assessment and human health risk assessment, and they
21 talked about bullets and lead on the ground and also
22 turkeys eating the bullets and stuff like that.

23 So, anyway, everybody, seems like,

1 came to an agreement on the way that we're going to go
2 about this, and they also discussed geophysical --
3 geochemical --

4 MR. LEVY: Analysis --

5 MS. SHANA DECKER: -- analysis of
6 the soils to determine which areas need to be looked
7 at for risk assessment. And anyway, they came to a
8 lot of agreement at that meeting. It was very
9 productive.

10 We recently had a meeting at ADEM to
11 resolve a lot of the issues regarding the
12 redevelopment of the M-101, M3, and the Y area. So
13 far, the Army has completed the investigation and
14 given ADEM the report of the M-101 and M3 area.

15 ADEM also had comments regarding the
16 Y area. As you all know, the JPA has wanted this area
17 to be on the fast track for redevelopment. It's right
18 there at the eastern bypass and a very hot issue. So,
19 we're trying to come to an agreement on what else
20 needs to be done, if anything, regarding cleanup of
21 that area, in order to be redeveloped now, as soon as
22 possible. I think we've agreed on a path forward for
23 that, we just have to go through the process of

1 getting all that down on paper. So, I think we're
2 doing good in that respect.

3 We recently approved the work plan
4 for the construction debris removal in the eastern
5 bypass, which was a big stumbling block we've had in
6 the past few months. The -- I think that was all. I
7 mean, we -- once that's removed, we'll be able to go
8 develop all that -- I mean, build the road; right?

9 MR. LEVY: Well, got to do the
10 FOSTing and transfer it to --

11 MS. SHANA DECKER: Okay.

12 MR. LEVY: -- to ALDOT.

13 MS. SHANA DECKER: Well, anyway,
14 that is on the move. There's nothing holding that up.

15 We've also -- ADEM has provided the
16 Army with their EE/CA comments on the Bravo area on
17 the NFA portion, because that's, to us, a portion that
18 you're not going to do anything else to. We need to
19 be sure that that's safe. And so, we outlined all of
20 our comments, and the Army is currently addressing
21 them. Hopefully, we'll be able to come to an
22 agreement on that pretty soon. We shall see.

23 And the remainder of the area in the

1 Bravo has been slated for either one-foot clearance
2 for UXO or to-depth clearance. And I don't think
3 we'll have as many issues on that portion because it's
4 going to be cleaned up further. It's going to be
5 looked at further.

6 This -- the NFA portion is the
7 portion that we have to be absolutely sure that it's
8 going to be fine, you know, to let people run around
9 out in the woods. So, that's the portion we're
10 concentrating on most heavily.

11 MR. ED KIMBROUGH: Can you share
12 with us what some of the general questions are?

13 MS. SHANA DECKER: Well, yes. I
14 don't have the comments in front of me, so, it's been
15 a month or so since I thought about it too much.

16 But the basic issues, they found
17 some portions of -- such as seventy-five millimeter
18 projectile rounds. They're not HE rounds; they're
19 shrapnel rounds. They are not necessarily dangerous
20 UXO, but they're not -- it's hard to explain. They're
21 not as high danger level as -- maybe Art can help with
22 this -- but anyhow, the point is that they found the
23 remnants of this, the frag and different portions of

1 the things, and it just doesn't seem like they looked
2 hard for a lot -- to see if these were onesies and
3 twosies or if they were actually part of a larger
4 debris area.

5 We had other issues. And all of
6 these are unresolved right now. The Army has not had
7 a chance to respond, so, I need to caveat that.

8 The other thing is they did a lot of
9 transects, and we don't have a lot of data from those
10 transects that they collected. So, it's not
11 necessarily that it's not an NFA, it's just that we
12 need to see the data to back it up, really. And so,
13 that's kind of what ADEM is looking at, at the moment,
14 in a nutshell.

15 MR. LEVY: And I'll add that we feel
16 confident that we'll be able to address their issues.
17 There is more information they want from us,
18 concerning some of these things before they can
19 conclude that. And we certainly can get that to them.

20 And some of these others, we need to
21 talk about the risk of these with them and make them
22 under- (inaudible) -- so, I really think we'll get to
23 the final conclusion. But, you know, but an NFA for

1 the area we identified, I think we'll eventually get
2 there.

3 MR. STEFFY: Is that it? Is that
4 all from ADEM?

5 MS. SHANA DECKER: Yes.

6 DR. STEFFY: Thank you.

7 EPA?

8 MR. MILLER: Mr. Chairman --

9 DR. STEFFY: Yes.

10 MR. MILLER: -- Phillip and I are
11 going to have to leave for another meeting. So, since
12 you don't have somebody from EPA, let me mention right
13 quick that the Water Works put its column air
14 strippers into operation last Friday for TCE removals,
15 not related to this RAB or to Fort McClellan, but the
16 gentleman brought it up here shortly ago. So,
17 assuming a two or three-day time to exchange all of
18 the water in our system, we should be drinking TCE
19 water -- free water.

20 MR. GARY HARVEY: And when do you
21 think you'll have --

22 MR. MILLER: It's a good thing there
23 is not a reporter here.

1 And I have to mention, so you guys
2 know that I'm not all anti-Army, that that was -- that
3 project was -- the materials were funded by the
4 U. S. Army, and we appreciate their cooperation.

5 DR. STEFFY: So noted. Thank you.

6 No one from EPA, so we go on to JPA.

7 MR. GREG SCHANK: Let's see, in
8 February we demolished three houses on landfill one.
9 That work is almost entirely complete. They can't
10 finish it because it's been so wet, they can't go out
11 there and do the final smoothing, and, you know -- so,
12 they've got a little bit more to do out there, but not
13 very much. The houses are down and gone.

14 We've done some compliance sampling
15 at the chem laundry at landfill four. We have a scope
16 of work right now for some additional characterization
17 at the T-38 area. We also have draft scopes of work
18 for the T6 area and landfill three, which we expect to
19 have out in the next two to three weeks.

20 The Alpha EE/CA, they are just about
21 finished collecting all the geophysical data. There's
22 a lot of processing involved with geophysical data,
23 so, it will be another week or so before we start

1 re-acquiring the anomalies that they found and digging
2 them to see what we come up with. So, at the next RAB
3 meeting, I can probably give you a good idea of what
4 we found in this Alpha EE/CA.

5 I know that JPA has a buyer for the
6 commissary on base. I'm not sure that that's been
7 finalized, yet. I think they're still in good-faith
8 negotiations, but it looks like it will go through,
9 due diligence, right.

10 They have a potential buyer for the
11 former small weapons area. We do have to address the
12 TCE issues there in the next twelve to eighteen
13 months. And we feel very good that we can do that.

14 As Ron mentioned, there is some
15 negotiations that are going to start tomorrow and go
16 on through Wednesday for the Bravo area. I think it's
17 for the Bravo area, right?

18 MR. LEVY: Well, it's actually --

19 MR. GARY HARVEY: That's the ESCA,
20 actually.

21 MR. LEVY: It re-looking at --

22 MR. GREG SCHANK: Re-visiting the
23 ESCA one.

1 MR. LEVY: Which would include
2 pulling in pieces of the Bravo area.

3 MR. GREG SCHANK: Right.

4 MR. LEVY: Which may include pulling
5 in pieces --

6 MR. GREG SCHANK: I think that's
7 about it. Does anybody have any questions?

8 DR. STEFFY: Is that TCE
9 contamination in the ground or is that --

10 MR. GREG SCHANK: Yes. You know,
11 the Army, when they cleaned small weapons, they used
12 degreasers, which is usually TCE. And what we've
13 found is in the corner of the building, where they had
14 the vat where they soaked the weapons, we found some
15 soil contamination right outside the building in that
16 corner. That was one hot spot.

17 There is TCE in the groundwater, and
18 we do expect that we will have to do some treatment,
19 probably in situ treatment, like peroxide. You can
20 pump peroxide into a TCE plume, and it helps break it
21 down, and then let nature take its course after that.

22 I mean, other than when you have a
23 threat to your drinking water, you -- getting into air

1 strippers can be very expensive.

2 MR. GARY HARVEY: It's not the
3 magnitude of the Depot's TCE.

4 MR. GREG SCHANK: No, not even
5 close.

6 MR. GARY HARVEY: No.

7 MR. GREG SCHANK: Not even near what
8 the Depot is experiencing with TCE.

9 Again, these were just hot spots for
10 the soils and some groundwater. We'll try and locate
11 the highest concentration of groundwater, and that's
12 where we'll treat it, with the idea that that's the
13 potential source. Once you treat the source, the rest
14 of it should be able to degrade on its own.

15 DR. STEFFY: Any other questions?

16 Very good, thank you.

17 Action summary sheet.

18 MR. LEVY: That will be me.

19 I did pass out -- or you should all
20 have copies of the action summary sheet. And a lot of
21 what's already been said, from what Shana presented or
22 what Greg talked about, is covered.

23 You heard Ron talk about the Bravo

1 area. We have sent that document to ADEM, have
2 received comments addressed towards the NFA area,
3 because we specifically asked them to look at the NFA
4 area first. And we're in the process of working
5 through those comments and getting back to them.

6 You heard what Shana said about the
7 Y area, which is part of a greater area called the
8 "golden triangle," an area the JPA wants desperately
9 to develop because it sits -- it's situated right
10 there in the -- of where the eastern bypass is coming
11 into the installation. And it looks like we've got a
12 solution to move forward. And Shana didn't say this,
13 but it looks like we'll be looking to try to provide
14 some construction support to the JPA, as they go
15 through thier move in those areas to develop it.

16 Water tank sites, there are several
17 water tank sites around the installation. We've done
18 a mech removal over three of those sites, and we're
19 working some of the others. Those sites are slated to
20 go to the Water Board. I think we've briefed those in
21 the past.

22 We're still working on a draft. Oh,
23 I'm sorry, we submitted a draft removal report to ADEM

1 on that in July for their review on that site.

2 Concerning the Charlie area, which
3 is mostly Fish & Wildlife property, we completed a
4 draft EE/CA -- it's got a draft final EE/CA, and
5 submitted that to Fish & Wildlife back in December and
6 then subsequently to Fish & Wildlife and ADEM in
7 January.

8 We've gotten comments from
9 Fish & Wildlife. We're trying to work through those
10 comments on the document. Plus, within the Charlie
11 area, there's been -- we did a project in there to
12 clear to depth about a hundred and twenty-nine acres
13 of roads and fire breaks for use by the Fish
14 & Wildlife Service in their management efforts.

15 And there is a removal report
16 underway for that. If you'll remember, that -- one of
17 those -- one of those areas was identified. Part of
18 the consent order that ADEM issued to us, concerning
19 movement of ordnance items, we've -- we believe we've
20 worked through that and removed the -- those that were
21 in the road that -- or off the road that we accounted
22 for. And we've gotten a letter from ADEM. To this
23 point, we're still working with ADEM on finishing up

1 what's left to do there.

2 The eastern bypass, you heard Shana
3 talk about the construction debris area that's still
4 within the tract three portion of the eastern bypass
5 that has not been transferred. There was a total
6 of -- how many grids was it, forty-eight?

7 MR. GARY HARVEY: Forty-eight.

8 MR. LEVY: Forty-eight grids, still
9 had construction --

10 MR. DAN COPELAND: Yes.

11 MR. LEVY: -- debris under it? And
12 we agreed with ADEM and ALDOT that where there would
13 be four feet or less of fill, that we would go down
14 there and dig it out and attempt to identify whether
15 or not there is any ordnance underneath there.

16 The reason we didn't do it in the
17 first place is because there was a lot of construction
18 debris; concrete, rebar that was originally placed in
19 there, and it was hard for us to look down. So, we
20 weren't able to use geophysical means to look down and
21 see if there was anything in there.

22 We really don't believe there is
23 anything in there, but to satisfy ALDOT and the State

1 and ADEM, we are going to go into those grids -- and I
2 don't remember how many grids that amounted to. Do
3 you, Dan?

4 MR. DAN COPELAND: Forty-nine grids.

5 MR. RON LEVY: Well, the --

6 MR. DAN COPELAND: The additional
7 acreage?

8 MR. LEVY: In any event, for those
9 grids that are four feet or less, there are some
10 culverts and whatnot that we'll work, as well, and
11 make sure those are cleared.

12 MR. ART HOLCOMB: Thirty-nine grids.

13 MR. GARY HARVEY: When are we going
14 to start on that, Art?

15 MR. ART HOLCOMB: When?

16 MR. GARY HARVEY: Yes.

17 MR. ART HOLCOMB: Good question. As
18 soon as we get approval of the work plan and notice to
19 proceed.

20 MR. GARY HARVEY: How quick are we
21 talking about, next month?

22 MR. ART HOLCOMB: Yeah, end of May,
23 first of June.

1 MR. GARY HARVEY: No. I don't think
2 it's first of June. It's a two-page work plan.

3 MR. ART HOLCOMB: We've got to get
4 armor put on the equipment.

5 MR. GARY HARVEY: I understand.

6 MR. ART HOLCOMB: Takes thirty days.

7 MR. GARY HARVEY: But soon.

8 MR. LEVY: Mentioned the M-101 and
9 M3, that was part of the gold triangle and part of the
10 meeting we had with ADEM last week. And again, we've
11 got a solution to move forward on those, and it really
12 amounts to providing construction support.

13 238 and 224 Alpha, always know that
14 we're getting 3X scrap removal, I told you. That is
15 areas where historically the chemical school used --
16 did live-agent training outside. And although we
17 didn't find any agent, we wanted to make sure that we
18 removed any of the material that was part of that,
19 that training, in the event that there was any
20 residual left over. We did go in there, and we
21 removed the 3X material, and we got a site close-out
22 report that's underway, in terms of preparation for
23 that, that we'll submit to the State.

1 Iron Mountain Road ranges, there is
2 a series of ranges along the side of
3 Iron Mountain Road, which is really inside of the
4 eastern bypass tract three portion. We did a removal,
5 inner removal in there to expedite the transfer.
6 Essentially, we went in there and we removed lead so
7 that we could get it out of the bypass area for
8 transfer purposes.

9 If you look at those ranges, they
10 cut both on the bypass side and on the Bravo side,
11 which is property that's going to the JPA, so, we've
12 removed part of the lead or pieces of it. We've still
13 got the other side to do, but we went in and did an
14 interim removal so we could get the bypass
15 transferred.

16 Former fueling point, there's a
17 former fueling point over here, close to this
18 building, where, while JPA was undergoing a tank
19 removal, they came across contamination in the soils
20 that were in excess of State standards. So, we went
21 in there, after the fact, and actually did the removal
22 of those soils and backfilled. That was quite an
23 effort, believe me, in terms of how much soils we took

1 out of there.

2 But we've -- as part of that, we're
3 providing that data to the JPA, so they can submit
4 that to ADEM in closure reports on those tanks. That
5 was completed about two weeks ago. And that data, I
6 think -- has it been sent yet, Lisa, to --

7 MS. LISA HOLSTEIN: Not yet.

8 MR. LEVY: It's coming to the JPA,
9 shortly.

10 And as always, we're concerned about
11 safety of people on the installation or on what was --
12 what's left here at McClellan. We still have areas
13 that are dangerous to be in, and we still see people
14 indiscriminately traveling and going around
15 barricades, and we caution you not to do that.

16 In fact, I could mention that the
17 JPA had a session -- a safety session or an update
18 session where they talked about safety, try to get it
19 back to the public. And we're looking at doing some
20 things, too, to get out to the public, looking at
21 maybe putting some ads on the access channel about it.
22 Maybe doing a little bit more to try to educate the
23 public on the dangers that are out there. And we'll

1 work that, hopefully, with the JPA and
2 Fish & Wildlife, since all of our areas, we're trying
3 to address our concern.

4 MR. GARY HARVEY: (Inaudible).

5 MR. RON LEVY: Yeah. Officially,
6 what was the day?

7 MR. GARY HARVEY: I don't remember
8 the exact day.

9 MR. LEVY: Officially, we've now
10 transferred the acreage that went to the
11 Alabama National Guard, it's official.

12 MR. GARY HARVEY: Twenty-two
13 thousand, five hundred and thirty-one, right?

14 DR. MARY HARRINGTON: Say it again.

15 MR. LEVY: The National Guard now
16 officially owns their property. It's been
17 transferred, officially. Even though it's government
18 to government, it's been transferred.

19 MR. ED KIMBROUGH: Did y'all include
20 the old WAC Museum in there?

21 MR. LEVY: I'm sorry?

22 MR. ED KIMBROUGH: Did y'all include
23 the old WAC Museum in there?

1 MR. LEVY: No. We didn't own that.
2 The JPA does now. The Guard's got a separate effort
3 going on --

4 MR. ED KIMBROUGH: Yeah. I knew
5 that. I didn't know if they came back and --

6 MR. LEVY: No. It was never in our
7 hands --

8 MR. ED KIMBROUGH: Ron, let me ask
9 you to explain, the first thing you did about Bravo
10 area, the construction support, when you talked about
11 construction support, what are you talking about?

12 MR. LEVY: In a nutshell, it
13 provides UXO technicians or a person who is out there
14 actually being available in the event that something,
15 you know, there is an item that comes up,
16 investigating it.

17 MR. ED KIMBROUGH: So, if JPA gives
18 them some property, and somebody is building their
19 foundation, digging their foundation, and they come
20 upon something, then y'all will --

21 MR. LEVY: We'd come in and take
22 care of it, essentially.

23 MR. ED KIMBROUGH: Okay.

1 MR. GARY HARVEY: Now, that's
2 standard all over the country. If you sold it to
3 someone, and they find something, that's all in the
4 deed. You call the sheriff, call 911, and they have
5 the number, 722nd DOD comes out to do it. This
6 construction support we're talking about here is --
7 while ALDOT's -- while we're out there clearing or
8 y'all are clearing, then it's available.

9 MR. LEVY: It's something that we'll
10 try to negotiate directly with the JPA, in terms of
11 what it means, in terms of level of support.

12 MR. GARY HARVEY: In one case, they
13 may be calling the 722nd, they other might be having
14 someone within, you know, an hour or close, or you
15 have UXO technicians, too.

16 MR. GREG SCHANK: Right.

17 MR. GARY HARVEY: We may want to --
18 and this is not any kind of negotiation -- we might
19 want to buy that from them.

20 MR. ED KIMBROUGH: So, everybody
21 signed off, agreed on that?

22 MR. LEVY: Well, hopefully, that's
23 where we're going with it. But we just had the

1 meeting. ADEM said they would try to come back with a
2 letter.

3 MR. GARY HARVEY: And JPA was there.
4 We're all trying to move that golden triangle for
5 y'all.

6 DR. STEFFY: Is that it?

7 MR. LEVY: Yes, sir.

8 MR. MARK STARNES: Could I ask a
9 question? Is that appropriate?

10 DR. STEFFY: Yes.

11 MR. MARK STARNES: Could I ask the
12 name of the gentleman who just came up, who just
13 reported?

14 MR. LEVY: Me?

15 MR. MARK STARNES: Yes.

16 MR. LEVY: Ron Levy, L-E-V-Y.

17 Ron Levy, L-E-V-Y.

18 MR. MARK STARNES: And who are you
19 with, Ron?

20 MR. LEVY: I'm with the Army,
21 Environmental Coordinator here.

22 MR. MARK STARNES: Thank you.
23 Appreciate it.

1 DR. STEFFY: Next is the TAPP
2 report.

3 MR. RON GRANT: The only thing I've
4 been working on is the presentation on the Bravo
5 EE/CA. I charged six hours against that in January;
6 seven hours in February; eleven hours in March; and so
7 far this month, before tonight, I've used three and a
8 quarter hours.

9 DR. STEFFY: Any questions about the
10 TAPP effort?

11 MR. LEVY: I would mention that if
12 the RAB is interested in directing any review work at
13 Ron, particularly about a document or something that
14 we're dealing with, that's within your purview to do,
15 to let us know what you want him to look at.

16 DR. STEFFY: TOSC report, TOSC
17 report?

18 MR. LEVY: There is nobody here.

19 DR. STEFFY: No one's here.

20 Any upcoming programs that we should
21 be aware of? None, all right.

22 MR. LEVY: Well, I think you
23 originally wanted Matrix to talk about landfill three

1 and some of the analysis that was coming out of
2 landfill three. I don't know if the RAB is still
3 interested in that.

4 DR. STEFFY: Yes, I would be.

5 MR. LEVY: And whether they're
6 ready --

7 MR. GREG SCHANK: Right. We're
8 not -- we didn't have the geological evaluation of it
9 ready, yet. So, I would like to put that off until --

10 DR. STEFFY: So, landfill three
11 would be discussed next meeting then.

12 MR. GREG SCHANK: Uh-huh.

13 MR. STEFFY: Any other upcoming
14 programs? All right.

15 Any comments from the audience? All
16 right. Is that it?

17 Do I hear a motion to adjourn? Oh,
18 the next meeting is July 17th --

19 MR. GREG SCHANK: 18th.

20 DR. STEFFY: I have the 17th on
21 here.

22 DR. MARY HARRINGTON: 18th. That's
23 2006.

1 DR. STEFFY: July 18th.
2 Do I hear a motion to adjourn?
3 Someone needs to motion to adjourn.
4 MR. ELSER: I'll motion to adjourn.
5 DR. STEFFY: Second.
6 DR. MARY HARRINGTON: I second.
7 DR. STEFFY: Motion carried.

8 (Whereupon, the meeting was concluded.)
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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 6th of July, 2005.

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

MY COMMISSION EXPIRES: 11-19-2005.