

RESTORATION ADVISORY BOARD

FORT McCLELLAN, ALABAMA

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Taken before SAMANTHA E. NOBLE, a
Certified Court Reporter and
Commissioner for Alabama at Large, at
Fort McClellan, Alabama, on the 18th day
of October, 2010, commencing at
approximately 5:00 p.m.

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1 MR. GENE HOWARD: Let's listen
2 up for the roll. Gene Howard
3 here. Scott Bolton here.
4 Michelle Bragg has resigned, and
5 we will have to elect a new
6 vice-chair.

7 James Burford?

8 MR. JAMES BURFORD: Here.

9 MR. GENE HOWARD: Phillip
10 Burgett?

11 MR. SCOTT BOLTON: He's
12 excused.

13 MR. GENE HOWARD: Monty
14 Clendenin?

15 MR. MONTY CLENDENIN: Here.

16 MR. GENE HOWARD: Barry Cox?
17 Jerome Elser?

18 MR. JEROME ELSER: Here.

19 MR. GENE HOWARD: James Hall?
20 Mary Harrington?

21 DR. MARY HARRINGTON: She's
22 here.

23 MR. GENE HOWARD: Michael

1 Kimberly?

2 DR. MICHAEL KIMBERLY: Here.

3 MR. GENE HOWARD: Ed Kimbrough
4 sitting right beside him.

5 Jim Miller?

6 MS. BRENDA CUNNINGHAM: He's
7 excused.

8 MR. GENE HOWARD: Buddy
9 Nelson's here. James Pearce is
10 here. Spain ain't here.
11 David Steffy is here.

12 DR. DAVID STEFFY: Here.

13 MR. GENE HOWARD: And so is
14 Penn Wilson.

15 MR. PENN WILSON: Here.

16 MR. GENE HOWARD: We got one,
17 two, three excused.

18 Karen Pinson, National Guard?

19 MS. KAREN PINSON: Here.

20 MR. GENE HOWARD: Introduction
21 of guests. Do we have --

22 MR. STEVE MILLER: Steve
23 Miller, U. S. Fish & Wildlife

1 Service.

2 MR. GENE HOWARD: Okay. Got
3 it.

4 Approval of Minutes, April and
5 July. Entertain a motion -- do
6 you want to look at it and
7 entertain a motion to adopt the
8 minutes?

9 MR. PENN WILSON: I so move.

10 MR. GENE HOWARD: Got a move.
11 Any seconds?

12 DR. MICHAEL KIMBERLY: Second.

13 MR. GENE HOWARD: All in favor
14 say aye. Opposition, the same
15 sign.

16 (No opposition.)

17 MR. GENE HOWARD: Old
18 business? Got anything
19 that -- the only thing I
20 remember us -- and it's on the
21 table here -- the only thing
22 that I remember us made a
23 request for is to give us a

1 little map or an update on the
2 eastern bypass and how we're
3 coming on that, and it's here.

4 MS. BRENDA CUNNINGHAM: It's
5 at the end of your packet.

6 MR. GENE HOWARD: Yeah.

7 MR. SCOTT BOLTON: Right.

8 MR. GENE HOWARD: It's there.
9 So, they have come through and
10 showed us where they are.

11 I get a lot of questions about
12 that and when it's going to
13 finish -- strictly, because on
14 Highway 21 down there, you know,
15 it looks like that thing is
16 about to finish up in the next
17 three months, when in fact it's
18 going to be three years when
19 it's finished.

20 So, we appreciate ALDOT,
21 appreciate ALDOT providing us
22 with that information, timely
23 information. And if there is

1 any substantive changes, we
2 would appreciate notification,
3 also.

4 Is that agreement of
5 everybody?

6 Okay. All right.

7 Program? Stephen Miller.

8 MR. STEPHEN MILLER: I'm going
9 to be -- I apologize, but they
10 did ask me a couple months
11 ago -- actually, over a couple
12 months ago -- to give a program.
13 I had to back out, but I did
14 tell them I was going to be here
15 tonight to answer questions --
16 if anybody has it -- on --

17 MR. GENE HOWARD: Okay.

18 MR. STEVE MILLER: -- what
19 Fish & Wildlife Service is going
20 to do or what our plans are.
21 So, I'm here to answer any
22 questions you have.

23 MR. GENE HOWARD: Okay,

1 Mr. Miller is ready to answer
2 your questions now. Don't let
3 him go unscathed.

4 MR. STEPHEN MILLER: That's
5 right.

6 MR. SCOTT BOLTON: This is
7 Steve's swan song, too, by the
8 way. Steve has been selected to
9 be the deputy director of one of
10 the larger refuges in the
11 country. So, he'll be leaving
12 us going to --

13 MR. GENE HOWARD: Where are
14 you going?

15 MR. STEVE MILLER: Kenai,
16 Alaska, Kenai National Wildlife
17 Refuge.

18 MR. SCOTT BOLTON: Kenai
19 Peninsula in Alaska. Just right
20 at, what, twenty-nine hundred
21 square miles.

22 MR. STEPHEN MILLER: 1.9
23 million acres.

1 MR. GENE HOWARD: Good grief.

2 MR. SCOTT BOLTON: Yeah. It's
3 a little bigger than what we've
4 got here.

5 MR. GENE HOWARD: You going
6 now?

7 MR. STEVE MILLER: I leave at
8 the end of November, yeah.

9 MR. GENE HOWARD: You're going
10 up there for the ski season,
11 huh?

12 MR. SCOTT BOLTON: That's what
13 I was going to say, the time to
14 move to Alaska is winter.

15 MR. GENE HOWARD: Yeah, same
16 thing in Canada, go up in
17 February and see how you like
18 it.

19 DR. MARY HARRINGTON: Well,
20 congratulations.

21 MR. SCOTT BOLTON: It's good
22 for Steve, bad for us, in the
23 sense of -- I mean, I have

1 confidence in the other folks
2 that we've dealt with over the
3 years with Fish & Wildlife
4 Service, but it's been a real
5 good relationship and good to
6 work with them. But like I say,
7 we'll miss Steve a lot.

8 MR. GENE HOWARD: We will.
9 What's your family think about
10 it?

11 MR. STEVE MILLER: They're
12 looking forward to it.

13 MR. GENE HOWARD: Are they?
14 You got young kids?

15 MR. STEVE MILLER: Four young
16 ones, yeah.

17 MR. GENE HOWARD: Well, that
18 will be an adventure for them.

19 MR. STEVE MILLER: Well, we've
20 convinced them it's going to be
21 an adventure. They'll like it
22 for the first week, I'm sure,
23 because all the snow, and then,

1 after that, it might get a
2 little old, so --

3 MR. GENE HOWARD: Well, that's
4 good.

5 Any questions before he
6 departs for the cold, frozen
7 north, with our appreciation and
8 well wishes to you.

9 MR. STEPHEN MILLER: Thank
10 you.

11 MR. GENE HOWARD: Hope you do
12 good up there. Not contract any
13 of those Russian diseases.

14 MR. MONTY CLENDENIN: Can you
15 see Russia from where you'll be
16 living?

17 MR. STEVE MILLER: I haven't
18 seen it, yet, anyway.

19 MR. GENE HOWARD: Yeah. Hey,
20 he'll be drinking vodka by the
21 quart, won't he?

22 MR. ED KIMBROUGH: Steve, what
23 are the long-range plans and

1 what is the progress on meeting
2 the goals of those?

3 MR. STEVE MILLER: Well, we're
4 going to -- you know, hopefully,
5 over time, we're going to open
6 up new areas of the refuge to
7 the current activities that we
8 allow on one-third of the
9 refuge. And that's only going
10 to occur as more areas get
11 cleaned up.

12 So, right now I think the Army
13 has cleaned up two
14 hundred -- about 10 percent of
15 the acreage so far, about two
16 hundred and thirty-five acres.
17 I think we had twenty-three
18 hundred and fifty acres or so to
19 clean up total, so --

20 MR. ED KIMBROUGH: So, the
21 Army will be doing your cleanup?

22 MR. STEVE MILLER: They will.

23 MR. MONTY CLENDENIN: If I go

1 to gate 10 --

2 MR. STEPHEN MILLER: Yes --

3 MR. MONTY CLENDENIN: -- and
4 walk up the road to the snake
5 effigy, am I in violation?

6 MR. STEVE MILLER: You are.

7 MR. SCOTT BOLTON: You are.
8 And not only that, you'll be
9 trespassing on MDA property.
10 The snake effigy is not in the
11 refuge.

12 MR. MONTY CLENDENIN: Right.
13 I knew that.

14 MR. SCOTT BOLTON: It's
15 actually on -- if you
16 remember --

17 (Whereupon, multiple parties
18 were speaking at the same time.)

19 COURT REPORTER: One at a
20 time.

21 MR. SCOTT BOLTON: If you
22 remember a couple of years ago
23 we went up there --

1 MR. MONTY CLENDENIN: I always
2 felt like I was -- the reason,
3 the sign says, beyond this sign
4 it's illegal, but if I was on
5 this side, it wasn't illegal.

6 MR. STEVE MILLER: If you're
7 on -- if you're going up from
8 the Ridge Road --

9 MR. MONTY CLENDENIN: Yeah.

10 MR. STEVE MILLER: -- if you
11 go up that road, you would be --
12 you'd be --

13 MR. MONTY CLENDENIN: So I
14 need to be careful, is that what
15 you're saying?

16 MR. STEVE MILLER: Yeah.

17 DR. MARY HARRINGTON: You
18 don't need to go there.

19 MR. SCOTT BOLTON: Don't get
20 caught.

21 MR. ED KIMBROUGH: Steve, what
22 -- have y'all set with
23 the Army -- I think we discussed

1 some of this last time. Have
2 y'all set the goals of when you
3 would like to complete the
4 cleanup and -- as far as
5 a -- has it gotten that refined
6 yet or --

7 MR. STEVE MILLER: It's
8 funding dependant. So, it's
9 whenever the Army has funding to
10 do the cleanup.

11 Of course, we want it done,
12 you know, soon as they can.
13 But, you know, right now, at the
14 rate we're going, it's probably
15 going to be another, you know,
16 twelve years or so before
17 everything gets cleaned up.

18 MR. ED KIMBROUGH: How much
19 have you got this year to clean
20 it up? Have you gotten any --

21 MR. SCOTT BOLTON: Where we've
22 got forward funded, what, 1.9
23 million and -- of the three

1 million probably this year.

2 Again, it varies. We've
3 usually been in the -- we've
4 been very fortunate -- usually,
5 at the end of the year, we snag
6 extra money. This year that did
7 not happen.

8 But we've always -- we tend to
9 build our contracts in such a
10 way that they'll call us at the
11 last second and say, hey, how
12 fast can you obligate, you know,
13 this money?

14 We'll say, overnight. Like
15 last year, for example, we
16 really cleaned up on that. We
17 got some extra money and were
18 able to grab extra acres,
19 because we billed those in.

20 We're in the midst of a new
21 contracting cycle right now,
22 anyway. So, we're in the
23 process of writing performance

1 work statements and stuff.

2 DR. MICHAEL KIMBERLY: So
3 you've cleaned up what percent?

4 MR. SCOTT BOLTON: About 10
5 percent, thereabouts. We got
6 two hundred and thirty-nine
7 acres? Is that -- so, something
8 like that -- yeah, thus far, as
9 far as MEC goes.

10 And additionally, we did the
11 cleanup -- we just completed it
12 on range twenty, the lead
13 cleanup on that area. So,
14 that's one of the first, kind of
15 haz-waste sites, if you will.

16 Fort McClellan has been at it
17 so long, actually, we predate
18 some of the Army programs,
19 because, just by the nature of
20 the beast, we kind of got ahead
21 of it.

22 And so, a lot of -- a lot of
23 sites now, an installation right

1 now would consider virtually all
2 of our cleanup to be munitions
3 cleanup.

4 But when we started this,
5 anything below fifty caliber you
6 could consider to be what we
7 call hazardous waste. And so,
8 we've kept our sites kind of
9 listed that way, rather than
10 cause confusion, because, you
11 know, we're ten years down the
12 road.

13 The investigation phases are
14 the ones that take a long time.
15 We're finishing up the final
16 EE/CA, the engineering
17 evaluation cost analysis.

18 And in fact, I think Steve was
19 being a little bit modest, in
20 that he came to us a couple
21 months back, I guess -- or maybe
22 six months ago, thereabouts, and
23 we had looked at the -- he had

1 looked over the Army Fish &
2 Wildlife agreement and kind of
3 the implications of some of it,
4 in terms of management and
5 future use and land-use controls
6 and all those kind of things.

7 And so, in conjunction with
8 Steve, we, earlier this summer,
9 late spring, we kind of
10 developed a new conceptual site
11 model -- I guess it was back in
12 the spring -- as to how to
13 manage and do some things in the
14 refuge, it'll drive -- that will
15 drive cleanups, as well. We
16 also sold it to our senior
17 leadership and they bought off
18 on it.

19 And the good news was that
20 after doing all of that -- we
21 kind of did that in a vacuum,
22 and then went back and backed it
23 into the cost analyses to see,

1 and there wasn't much change in
2 cost. In fact, it was --
3 realistically, there is probably
4 some factors that you don't
5 actually capture in the models,
6 they'll probably be a little
7 cheaper doing what the new
8 conceptual site model is, but --

9 We've still got a very large
10 -- it's a large effort and it's
11 a large cost. It's --

12 MR. ED KIMBROUGH: Is all --

13 MR. SCOTT BOLTON: -- just
14 expense --

15 MR. ED KIMBROUGH: -- of it
16 recreational?

17 MR. SCOTT BOLTON: Pardon?

18 MR. ED KIMBROUGH: Is all of
19 it recreational?

20 MR. SCOTT BOLTON: Pretty
21 much. Some of it will
22 be -- there will still be some
23 no access, there will be some

1 sensitive areas, still, you
2 know, that they manage, in terms
3 of say endangered species or
4 candidate species or whatever,
5 but -- so, there will be those
6 kind of areas that are still,
7 you know, no access in some of
8 the areas, but --

9 MR. ED KIMBROUGH:

10 (Inaudible) --

11 MR. SCOTT BOLTON: -- the
12 majority of --

13 MR. ED KIMBROUGH:

14 (Inaudible).

15 MR. SCOTT BOLTON: -- the
16 majority of it -- pardon?

17 MR. ED KIMBROUGH: Is that --
18 recreational, is that surface or
19 one foot --

20 MR. SCOTT BOLTON: Usually one
21 foot.

22 MR. ED KIMBROUGH: One foot?

23 MR. SCOTT BOLTON: Yeah. But

1 even passive recreation, for
2 hiking and things like that, you
3 could get away with just
4 surface, as well.

5 The big thing is, you know, no
6 digging and so on. But there is
7 areas -- they have to be able to
8 fell and plant. They have to be
9 able to do a lot of different
10 things to manage the refuge, and
11 so -- particularly, in regards
12 to that, so those areas are kind
13 of -- are marked out, as well,
14 and those -- those are -- you
15 know, help drive the clearance
16 depths.

17 We also have a lot of steep
18 terrain, as most of you are
19 aware of, in the refuge, and so
20 that puts a lot of -- a lot of
21 slopes that are, you
22 know -- it's not feasible to say
23 geophysically map them and so

1 on, so that changes some of the
2 technology and level of effort
3 on how we're able to do things.

4 But we hope to have the EE/CA
5 wrapped up, I guess, in the next
6 few months. The fieldwork for
7 additional sampling and so on is
8 done. And they're in the
9 process of writing it as -- or
10 rewriting it, as we speak. And
11 they'll probably rewrite it
12 several more times.

13 MR. ED KIMBROUGH: So, you
14 said, what, a hundred and
15 what -- a hundred and how many
16 acres?

17 MR. SCOTT BOLTON: I think
18 it's two -- two thirty-nine
19 sticks in my head. Is that a
20 right number, Lisa, or am I --

21 MS. LISA HOLSTEIN: That --
22 yeah, that sounds --

23 MR. SCOTT BOLTON: That's

1 close.

2 MS. LISA HOLSTEIN: -- right.

3 MR. SCOTT BOLTON: That's
4 pretty close. So, out of
5 probably about close to
6 twenty-five hundred or
7 twenty-three fifty, that we
8 believe has contamination with
9 munitions --

10 MS. LISA HOLSTEIN: Wait a
11 minute. We've got it --

12 MR. SCOTT BOLTON: It's
13 probably in --

14 MS. LISA HOLSTEIN: -- in the
15 Army summary.

16 MR. SCOTT BOLTON: Yeah.
17 That's true. We could always
18 just flip back and look. Yeah,
19 some numbers stick in my head
20 and some don't, so it's always
21 risky when --

22 MS. LISA HOLSTEIN: Yeah.
23 239.71.

1 MR. SCOTT BOLTON: How about
2 that, I missed the .71. All
3 right.

4 Well, like I say, it's still a
5 very large level of effort. I
6 think, when all things are said
7 and done, you'll find that
8 Fort McClellan was probably one
9 of the largest BRAC actions,
10 because the more recent round
11 that occurred in 2005 tended to
12 be reorganization heavy, and so,
13 ironically, even though we
14 weren't a particularly large
15 installation, we may end up
16 being one of the larger
17 installations ever closed or
18 closed to date.

19 MR. GENE HOWARD: Do we have
20 any more questions for
21 Mr. Stephen Miller before we go
22 on with the agenda?

23 If not, let's go to new

1 business. We do have the
2 resignation of Cheryl Bragg.
3 And I feel guilty about that,
4 because I -- wasn't I the one
5 that said that she had turned
6 fifty or something like that? I
7 hope she doesn't hold that
8 against me. But my daughter
9 told me to say that to her,
10 because they're close.

11 But anyhow, Cheryl is a good
12 gal. We hate to lose her. But
13 I'm sure that she has a full
14 plate, and we will attend to
15 the -- we'll accept it. A
16 letter did go with our
17 appreciation.

18 And we need to -- moving on
19 down here, we need to elect a
20 new RAB member. The floor is
21 open for nominations.

22 MS. BRENDA CUNNINGHAM: You
23 have one application in your

1 packet, a Tony Thompson. I
2 talked to Mr. Thompson today,
3 and he is still interested in
4 becoming --

5 MR. GENE HOWARD: What's his
6 name?

7 MS. BRENDA CUNNINGHAM: Tony
8 Thompson. He's from Ohatchee.

9 MR. GENE HOWARD: Okay.

10 MS. BRENDA CUNNINGHAM: His
11 application is in your packet.
12 It's behind Cheryl's note she
13 sent me about her resignation.

14 MR. GENE HOWARD: What are we
15 doing about Mr. Thompson?

16 DR. MARY HARRINGTON: I move
17 that we elect him as a new RAB
18 member.

19 MR. SCOTT BOLTON: Okay.
20 Well, you've got a motion.

21 MR. GENE HOWARD: Any second?

22 MR. JAMES BUFORD: Second.

23 MR. GENE HOWARD: All right.

1 All in favor say aye.

2 Opposition same sign.

3 (No opposition.)

4 MR. GENE HOWARD: You'll
5 notify him that he is -- put him
6 on schedule. And tell him it's
7 a cheerful group of people here.

8 Election of a new community
9 co-chair to start in January.
10 The floor is open for the
11 nomination of a community
12 co-chair.

13 MR. SCOTT BOLTON: Because
14 originally Cheryl was going
15 to --

16 MR. GENE HOWARD: Uh-huh.

17 MR. SCOTT BOLTON: -- move up,
18 right?

19 MR. GENE HOWARD: Move up,
20 right.

21 MR. SCOTT BOLTON: So, we
22 talked about this. We ought to
23 just direct elect one now and

1 then --

2 MR. GENE HOWARD: Okay.

3 MR. SCOTT BOLTON: -- come up
4 with a new vice-chair.

5 MR. GENE HOWARD: The floor is
6 open. We'll volunteer somebody
7 real quick, if you don't be
8 careful now.

9 MR. JAMES BUFORD: Clendenin.

10 MR. SCOTT BOLTON: Okay. Got
11 a nomination for Clendenin.

12 MR. MONTY CLENDENIN: I've
13 done it, so --

14 MR. SCOTT BOLTON: So?

15 MR. GENE HOWARD: You can done
16 it again.

17 DR. MARY HARRINGTON: You
18 won't have to learn.

19 MR. GENE HOWARD: Did we say
20 we was fair?

21 MR. MONTY CLENDENIN: This is
22 no democracy.

23 MR. JAMES ELSE: I would

1 nominate Monty, if he's willing
2 to do it --

3 MR. GENE HOWARD: Yeah, he'll
4 do it.

5 MR. JEROME ELSER: -- again.

6 MR. MONTY CLENDENIN: I
7 wouldn't mind it.

8 (Whereupon, multiple parties
9 were speaking at the same time.)

10 MR. ED KIMBROUGH: I make a
11 motion the nominations be
12 closed.

13 MR. GENE HOWARD: We got a
14 move and a second --

15 MR. SCOTT BOLTON: And a third
16 --

17 MR. GENE HOWARD: -- and a
18 third nomination. Monty, it
19 looks good for you right now.

20 DR. MARY HARRINGTON: I mean,
21 you won't have to learn it.

22 MR. MONTY CLENDENIN: Scott,
23 will you still be the co-chair?

1 MR. SCOTT BOLTON: Yes. I'll
2 still be the government guy
3 until they run me off, I reckon.

4 MR. MONTY CLENDENIN: Okay.
5 So, you'll guide me through it.

6 MR. GENE HOWARD: Yeah, be
7 cool in that. All right. All
8 in favor say aye. Same sign.

9 (No opposition.)

10 MR. GENE HOWARD: We welcome
11 Mr. Monty Clendenin into high
12 management.

13 MR. MONTY CLENDENIN: You
14 going to double my salary from
15 last time?

16 MR. SCOTT BOLTON: You got it.

17 MR. GENE HOWARD: You'll get
18 twice what the rest of us get.
19 And congratulations.

20 All right, new -- we need to
21 get us a new vice-chair.

22 MR. SCOTT BOLTON: Who would
23 automatically ascend to the

1 throne in 2012.

2 MR. GENE HOWARD: Yeah.

3 MR. SCOTT BOLTON: So
4 everybody understands that.

5 MR. MONTY CLENDENIN: The
6 throne, I like this better --

7 MR. SCOTT BOLTON: Yeah, I
8 thought you might --

9 MR. GENE HOWARD: Short
10 term, aren't you, Monty?

11 MR. MONTY CLENDENIN: Yeah,
12 right.

13 MR. GENE HOWARD: Need a
14 nomination on a new vice-chair
15 sitting around the table here.

16 MR. BUDDY NELSON:
17 Dr. Kimberly.

18 DR. MICHAEL KIMBERLY: No, no,
19 no.

20 MR. ED KIMBROUGH: Second
21 that.

22 MR. MONTY CLENDENIN: Second.

23 DR. MARY HARRINGTON: You'll

1 be okay by 2012. Whatever --

2 (Whereupon, multiple parties
3 were speaking at the same time.)

4 DR. MICHAEL KIMBERLY: It's
5 not that I don't want to do it,
6 but I have commitments up
7 the -- as high as you can get
8 them, with the nursing school
9 and the health-related boards
10 and board at RMC and the
11 compliance committee at RMC and
12 the human resources committee at
13 RMC, I'm just up to here with
14 being out of the house and gone
15 somewhere every night for a
16 meeting.

17 And I appreciate that, but I
18 do hope you would take that into
19 consideration. I'm on about six
20 or eight boards, three at the
21 hospital.

22 MR. BUDDY NELSON: I don't
23 feel sorry for you.

1 MR. SCOTT BOLTON: Ed and
2 Buddy are looking real
3 sympathetic.

4 MR. GENE HOWARD: Mike, that's
5 going over real well, you know.

6 DR. MICHAEL KIMBERLY: Well, I
7 just --

8 DR. MARY HARRINGTON: We just
9 meet every three months, so that
10 won't be bad.

11 DR. MICHAEL KIMBERLY: I'm not
12 sure I will make it through
13 the --

14 DR. MARY HARRINGTON: You
15 okay. You know how the kids
16 say, "we got your back".

17 MR. GENE HOWARD: All right.
18 Where do we stand now?
19 Vice-chair?

20 MR. ED KIMBROUGH: Down here
21 we had a motion and a second and
22 then we had a motion to close
23 the nominations and we had a

1 second.

2 COURT REPORTER: Who made
3 that?

4 MR. GENE HOWARD: Make it up.

5 MR. SCOTT BOLTON: Kimbrough,
6 Nelson, Kimbrough, Nelson.

7 DR. MARY HARRINGTON: He said
8 he would.

9 MR. GENE HOWARD: Mike's got
10 friends down there.

11 DR. MICHAEL KIMBERLY: Down
12 where? If those are friends, I
13 hope I don't get any enemies.

14 MR. BUDDY NELSON: Brenda said
15 get you out of the house.

16 MR. GENE HOWARD: Yeah. Yeah,
17 that does work.

18 All in favor say aye. Same
19 sign. No opposition.

20 DR. MICHAEL KIMBERLY: No.

21 MR. GENE HOWARD: We will not
22 take you -- your vote as
23 opposition.

1 Well, congratulations.

2 DR. MICHAEL KIMBERLY: Thank
3 you, friends.

4 MR. GENE HOWARD: All right.
5 Down here to agency reports.
6 Brandi is excused because of a
7 problem at home.

8 EPA, no representative.
9 Report not provided.

10 National Guard, NGB.

11 MS. KAREN PINSON: I'm up?

12 MR. GENE HOWARD: You're it.

13 MS. KAREN PINSON: Okay. Out
14 there on range J and K on
15 Pelham Range we've got some
16 groundwater contamination --
17 I've told you about it in the
18 past -- and so we injected some
19 lactose into the groundwater to
20 help the bugs in the water
21 decrease the contaminants that
22 were in the groundwater.

23 And so we collected some

1 groundwater samples in February,
2 May and August of this year, and
3 due up in November to collect
4 some more, and then we'll have a
5 report that we'll put together
6 and present to ADEM on the
7 results of those groundwater
8 monitoring -- of the groundwater
9 monitoring out there.

10 And then the other site that
11 we have on Pelham Range right
12 now that has some groundwater
13 contamination is we have
14 submitted a remedial
15 investigation report to ADEM.
16 That's just to define the nature
17 and extent of contamination out
18 there at that site.

19 And so we have some comments
20 back from ADEM in September of
21 last month. And we'll be
22 dealing with responses to those
23 comments.

1 That's about all that's going
2 on out there.

3 DR. MARY HARRINGTON: So, do
4 you already have the comments
5 back?

6 MS. KAREN PINSON: The copies
7 of -- I'm sorry --

8 DR. MARY HARRINGTON: I said,
9 do you already have your
10 comments back?

11 MS. KAREN PINSON: Oh, from
12 ADEM?

13 DR. MARY HARRINGTON: Uh-huh.

14 MS. KAREN PINSON: Yes. Yes,
15 we do have comments. And the
16 Army now will have to respond to
17 those comments. So, we're
18 processing those.

19 MR. GENE HOWARD: Any -- any
20 comments, questions or
21 information needed?

22 MR. JOHN PEARCE: What are the
23 contaminants?

1 MS. KAREN PINSON: They're for
2 the -- in large part,
3 chlorinated organic compounds,
4 and they are from -- they
5 trained out there with chemical
6 agents. And then a few places
7 did some -- they purposely
8 contaminate vehicles or
9 something, and then
10 decontaminate with chlorinated,
11 like bleach and various bleach
12 compounds.

13 And so, what happened was, we
14 didn't find any products from
15 the chemical agents in the
16 groundwater or in the soil, but
17 we found products from the
18 decontamination. They did a
19 good job decontaminating the
20 chemical agents.

21 And so, that is what is in the
22 groundwater is the products from
23 the decontaminants that were

1 used.

2 And the groundwater
3 contaminated plumes are entirely
4 within Pelham Range boundary.
5 They -- the two, at ranges J and
6 K have been defined, those
7 groundwater plumes, we know the
8 depth and the width and
9 the -- of those plumes, you
10 know.

11 And so, that's where they
12 injected the lactose into the
13 groundwater to -- it's called
14 anaerobic bioremediation, to
15 help -- it's supposed to use the
16 natural bacteria that is in the
17 water and soils to help to
18 decrease the contamination out
19 there.

20 The other site that's -- that
21 we're in the process of defining
22 the extent of the plume. So,
23 that is the report that has gone

1 to ADEM. And they have just
2 issued comments on that report.
3 So, we'll be looking at those
4 comments.

5 And generally, what happens
6 is, we take -- you know, take
7 the comments in consideration,
8 and we make changes to the
9 report or we reply to the -- or
10 we answer questions. Maybe the
11 report did not cover
12 something officially, in their
13 opinion.

14 And so, we come back and say,
15 this is -- you know, tell them
16 what -- what's going on or what
17 they need to know.

18 And so, that's the process
19 we're in right now.

20 MR. JOHN PEARCE: All right.

21 DR. MICHAEL KIMBERLY: How
22 often do they go in and check,
23 after they've added the lactose?

1 MS. KAREN PINSON: I'm sorry,
2 what?

3 DR. MICHAEL KIMBERLY: How
4 often do they go in and test
5 after the lactose goes in?

6 MS. KAREN PINSON: Do the
7 groundwater --

8 DR. MICHAEL KIMBERLY:
9 Checked --

10 MS. KAREN PINSON: -- sample?

11 DR. MICHAEL KIMBERLY: -- yes.

12 MS. KAREN PINSON: It's
13 quarterly for awhile to --

14 DR. MICHAEL KIMBERLY: Is --

15 MS. KAREN PINSON: The sites
16 where the lactose was
17 injected --

18 DR. MICHAEL KIMBERLY: Yes.

19 MS. KAREN PINSON: -- we do
20 have to sample quarterly for
21 about two years. And then,
22 after that, we see where we are.
23 And we're hoping that

1 those -- that those compounds
2 will decrease. And it's looking
3 like some of them have. But we
4 just don't have -- the reports
5 are not ready, you know,
6 to -- we don't have those
7 reports ready, yet. Our
8 contractor doesn't have them
9 ready, so --

10 MR. MONTY CLENDENIN: You said
11 it was contained inside Pelham
12 Range. Is there any creek that
13 empties into the Coosa from the
14 range or is it totally
15 surrounded by mountains and
16 stuff that would --

17 MS. KAREN PINSON: Well, of
18 course, the drainage system for
19 all of this area, as you know,
20 goes into the Coosa River, so
21 eventually, yeah.

22 But these plumes have not -- I
23 wish I could tell you the -- we

1 have reports that show how large
2 they are. I don't know if I've
3 got any information here.

4 But they're not -- they're
5 just nowhere near the boundaries
6 of Pelham Range.

7 MR. MONTY CLENDENIN: Okay.

8 MR. GENE HOWARD: Okay. Any
9 more comments? Okay. Let's
10 move on down here to the Army.

11 MR. SCOTT BOLTON: Okay --

12 MS. BRENDA CUNNINGHAM: The
13 MDA -- before you start, Scott,
14 sorry --

15 MR. SCOTT BOLTON: Yeah.

16 MS. BRENDA CUNNINGHAM: MDA
17 provided a handout to you, even
18 though Roger is not here, so the
19 information is in your packet.

20 MR. GENE HOWARD: Okay.

21 MR. SCOTT BOLTON: All right.

22 MS. BRENDA CUNNINGHAM: It's
23 the summary of ESCA activities,

1 so --

2 MR. GENE HOWARD: Okay.

3 MR. SCOTT BOLTON: Okay.

4 MR. GENE HOWARD: You're
5 ready.

6 MR. SCOTT BOLTON: Well,
7 again, towards the back of your
8 packet, one of the last items
9 back there is the summary of the
10 Army actions. Again, the
11 majority of our effort, as we
12 talked about a little bit
13 earlier, in the Charlie area,
14 removal action, we've -- we did
15 a MEC removal of almost two
16 hundred and forty acres --
17 239.71 acres. And what we did
18 was, again, in conjunction with
19 Steve, we decided to target some
20 areas -- you can see it on this
21 map here -- where the
22 crosshatched areas are and so
23 forth.

1 Those areas have not only got
2 MEC in the form of unexploded
3 ordnance, but they also
4 have -- tend to be small arms
5 ranges. And so they -- you have
6 a lot of the typical metals
7 associated with small arms
8 ranges, which tends to be lead,
9 copper, antimony, zinc, bullet
10 stuff, bullet material.

11 So, the reason we targetted
12 those was so that we could try
13 and we could -- because we've
14 got to get the MEC
15 removal -- we've got to get the
16 munitions out of the way that
17 can explode and harm you before
18 you can go in and take care of
19 the -- primarily lead. It's
20 almost all metals contamination.

21 If you look on the second page
22 of our -- page two of three,
23 you'll see this kind of chart

1 that starts on page one.

2 And you can see, pretty
3 obviously, that most of the
4 contaminants, in fact, are
5 metals.

6 The one exception is the
7 training, T-24 Alpha. And
8 that's this area right in here,
9 really, the dark spot. Okay.

10 And that area there -- did I
11 get it right -- actually, I
12 missed it a little bit. The
13 actual CWM site is there, isn't
14 it?

15 But anyway, you can
16 see where -- and as you can
17 see -- just kind of piling on
18 what Karen just said -- that was
19 one of the few sites
20 that -- that was a site that
21 they used -- they taught
22 chemical decon for a variety of
23 reasons.

1 And like Karen said, it turns
2 out that the agents, in that
3 sense, were probably less, in
4 terms of environmental impact,
5 than the decon agents, which
6 tended to be chlorine based of
7 some sort. You can see, they're
8 volatile organic compounds,
9 chloroform, you know, benzine,
10 carbon tet, this kind of stuff.

11 It's one of the only spots in
12 the wildlife refuge that we have
13 groundwater contamination.

14 Again, 24 Alpha is in a bowl.
15 I mean, it's literally
16 surrounded by hill, and you come
17 down into it.

18 And it was probably chosen for
19 that reason, for that site,
20 because, if you did have a
21 screw-up, it would be relatively
22 contained by terrain.

23 So, the groundwater obviously

1 is not migrating very far or
2 anything. It is fairly deep.

3 And so, I think we've
4 established -- did we
5 put -- yeah, we've got the well
6 in there, didn't we? Yeah.

7 MS. LISA HOLSTEIN: It's drawn
8 in.

9 MR. SCOTT BOLTON: So, that
10 will be one of the few
11 groundwater sites -- about the
12 only one -- inside the refuge.

13 There were a couple of other
14 groundwater sites on main post,
15 but those are in the MDA
16 footprint, one of which was
17 landfill three that they
18 mentioned there in the other
19 reservoir ridge.

20 But that's kind of our action
21 there. We're winding up the,
22 what we call the EE/CA, which is
23 really kind of the final

1 investigation phases of these
2 areas that you see mapped there.

3 And that will give us kind of
4 the definitive area, bounding
5 the nature and extent that we're
6 talking about, the MEC
7 contamination. And that should
8 allow us --

9 And we're also finally getting
10 close -- we pulled a couple of
11 2011 actions into 2010. Again,
12 when they allowed us to do that.
13 They had some extra money, we
14 call feasibility studies.

15 So, we're actively working
16 those, as well so that -- what
17 we're trying to do is get a bow
18 on everything, so -- in terms of
19 investigative, or at least, you
20 know, bounding and defining
21 nature and extent, so that the
22 next thing is just execution.

23 And generally speaking, the

1 execution phases go a little
2 faster. The investigative
3 phases can just wear you out.
4 They can be very, very lengthy
5 and tedious.

6 And our experience has been,
7 again, like I say, that once you
8 get in the field and get to
9 digging, it kind of moves pretty
10 quick.

11 And our actions are pretty
12 straight forward. They're not
13 as nuanced as where you have to
14 come in and you're going to have
15 some sort of a treatment program
16 with a lot of, you know, say air
17 sparging or having to -- like
18 Karen has talked about, where
19 they had to, you know, inject
20 either some carbon -- you know,
21 some sort of carbon based syrup
22 or lactose or something to
23 create anaerobic conditions so

1 you can get natural
2 biodegradation of whatever
3 compounds or so on.

4 So, ours are pretty much dig
5 and haul. Once we get the MEC
6 removed, it's essentially an
7 excavation-type removal.

8 We did do -- as it says in
9 here, we did do an interim
10 removal on metals contaminated
11 soil on range twenty. Range
12 twenty is -- let me find myself
13 -- get myself oriented -- even
14 with my glasses on here.

15 Right there is Bains. There
16 is range twenty. Yeah, range
17 twenty right there.

18 That was the overhead fire
19 area. In other words, where you
20 crawled under and the rounds
21 fired over the soldiers' head.
22 And so, the impact area, the
23 hillside basically, where all

1 the rounds hit, is where the
2 lead contamination was.

3 Of course, Murphy's Law,
4 unbeknownst to us, there is also
5 some other ancient range there,
6 so, there was ordnance there, as
7 well, so we had to go in and
8 just kind of wonder --
9 sometimes, it's better to be
10 lucky than good, because we
11 certainly crawled through it
12 enough times, back when I was a
13 drill sergeant.

14 So, we did the MEC removal
15 layer, and then we went in and
16 did a lead removal on that site,
17 as well.

18 It's a pretty steep slope, so,
19 we've had some erosion issues.
20 We're working the restoration
21 issue there.

22 And again, we work those very
23 closely with Fish & Wildlife,

1 because you can't just go in and
2 do like ALDOT would.

3 We could make that work, but
4 those particular species of
5 grasses and so forth that you
6 would use for erosion control
7 create another problem in the
8 refuge.

9 So, we're currently working
10 the problem. And, of course,
11 now we're in a drought, so we're
12 out there watering the darn
13 stuff and whatnot.

14 But it's probably a good
15 place -- hindsight being -- I
16 think we got lucky with that
17 choice, because we've got some
18 other steep terrain areas that
19 are going to be a challenge,
20 too, and this will kind of get
21 us smart. There will be a lot
22 of lessons learned on this one.

23 So, that's where we're at

1 right now. They're writing the
2 reports and so forth, the final
3 reports for the removal action
4 there.

5 And like I said earlier, I
6 said feasibility studies are
7 ongoing for the Bains Gap Road
8 ranges, which are these along
9 here, 81mm range up there. And
10 again, those will be for --

11 So, we're finally
12 getting close. We're still
13 probably a couple -- probably a
14 year and a half, two years out,
15 still, from finalizing a lot of
16 the investigative type reports
17 and so on. But we're getting
18 there.

19 One of the big challenges was
20 establishing some cleanup levels
21 and so on, particularly,
22 ecological risks. We've got
23 those hurdles behind us, and I

1 think we're moving along.

2 EPA Region 4 has had a lot of
3 turnover. Harold Taylor is the
4 federal facilities branch chief,
5 and I know him from another
6 site, and so he kind of helped
7 us out.

8 I think we've got a pretty
9 sharp EPA person working with us
10 now that's -- you know, I said,
11 we've just -- Harold, we've got
12 to have somebody. We need a
13 body.

14 I mean, we've gone through, I
15 think, four different EPA RPMs
16 since last November. And so,
17 this gal, I think she's -- we're
18 pretty well impressed with her.
19 She came over. And we've given
20 her a site, and she seemed to
21 pick -- a site to her, and she
22 seems to pick up on things
23 pretty quick. So, I think

1 she'll be an asset. There won't
2 be any more horrendous lags in
3 document reviews and those kind
4 of things that you have to have.
5 So, guardedly optimistic.

6 We still own forty-five acres,
7 approximately, 44.83. Most of
8 them are tied up in the -- there
9 is 23 and 24, have been these
10 watertank sites that are dotted
11 around. We've got ten acres
12 there, and we've got eleven
13 acres up on the highway.

14 The watertank sites, there is
15 still some final hoops
16 apparently that the Department
17 of Defense has to do to certify
18 McClellan Development Authority
19 as an official local reuse
20 authority and be able -- so that
21 they can transfer property to
22 them.

23 Once that happens -- the deeds

1 were already written, and
2 hopefully, they haven't lost
3 them so they can change JPA to
4 MDA and we can roll with those.

5 The ten acres that the
6 Iron Mountain -- Iron Mountain
7 Road addition here -- if you
8 look in the back, at the map
9 here that you've got, we
10 probably, hindsight being the
11 virtue -- we probably should
12 have maybe put the Iron Mountain
13 Road addition in a different --
14 slightly different color. But I
15 think you can look at the --
16 that shape right there, as it
17 relates to where the bypass
18 comes off there.

19 So, you can see where that
20 area is. Those of you that have
21 been paying attention to the
22 work, or have been illegally
23 snooping on post, recognize that

1 the county has done a lot of
2 work on that road, put in a new
3 bridge, and the things are open
4 pretty well down, all the way
5 over to the -- over the hill,
6 10th Street. And they're
7 working those.

8 They plan to have the road
9 open, I think, either late this
10 year or early next year.

11 All that work's been done with
12 a construction right of entry
13 from the Army. It's still
14 technically Army property. But
15 the finding of suitability to
16 transfer -- which is our basic
17 transfer document that allows us
18 to go ahead and do the deeds --
19 is already up for signature at
20 the Deputy Assistant Secretary
21 of the Army for Environment,
22 Safety and Occupational Health.
23 So, it has to go up pretty high

1 in the food chain. And it's up
2 there already. Been there since
3 the 23rd of September.

4 In fact, I got an e-mail about
5 forty-five minutes ago, because
6 I was kind of yanking their
7 chain this morning, saying, come
8 on, where -- what's the status
9 of this.

10 A friend of ours up there at
11 BRAC headquarters fired off on
12 me and said that it's -- they
13 still haven't looked at it, but
14 she's got their attention.

15 They've had some turnover
16 there. We have a new secretary
17 for environment, safety and
18 occupational health, and I
19 suspect that has, you know,
20 slowed the process a little bit.
21 I'm sure there's consternation.
22 The people don't have a feel for
23 what the new boss -- how they

1 want it. So, they're going to
2 be a little cautious, but
3 they'll get it.

4 So I'm hoping -- we should
5 have that out, I would hope, by
6 the end of the month, no later
7 than that. And once that
8 happens, then it's a function of
9 getting the deeds cut and so on.
10 So, we certainly won't be in the
11 way of that transfer.

12 And that's about where we're
13 at. Like I say, our big
14 challenge is going to get the --
15 get the EE/CA done, get it out
16 for regulatory review, and then
17 coordinate all of that -- those
18 actions with the two regulatory
19 agencies and move on from there.

20 MR. GENE HOWARD: Good.

21 Anybody got any questions?

22 MR. ED KIMBROUGH: Scott, have
23 you cleared all the areas where

1 Bains Gap will not have to be
2 closed anymore?

3 MR. SCOTT BOLTON: Should not.
4 Quotes on "should", okay,
5 because you never know -- you
6 know, we've thought we've had it
7 before -- and then, of course,
8 there's always the potential for
9 what we had back in the spring,
10 with one of these Livens
11 projectiles or something along
12 those lines. And those are kind
13 of a -- those are a different
14 animal. They're not
15 conventional munitions. So,
16 there is a different protocol we
17 have to go through those to make
18 sure.

19 So, barring those -- after
20 that last one, we even went back
21 and looked at the geophysical
22 image and footprint of that
23 sucker, and went back and looked

1 at other items
2 similar -- similar type, along
3 Bains Gap to see if, you know,
4 we had the potential for any
5 more out there. We don't think
6 so. But like I say, sometimes
7 you don't know what you don't
8 know, and it does (inaudible)
9 you.

10 But that was the plan, this
11 last time, was to be done with
12 it, without having to do any
13 more major closures.

14 MR. PENN WILSON: Scott, this
15 notation on the map --

16 MR. SCOTT BOLTON: Uh-huh.

17 MR. PENN WILSON: --
18 Choccolocco Road to Yahoo Lake,
19 open by the end of the year,
20 when that happens, what's the
21 practical application of that?
22 Can someone go to Yahoo Lake and
23 do anything or --

1 MR. SCOTT BOLTON: I don't
2 know that you'll be able to go
3 to Yahoo Lake. But you'll be
4 able to get to the interstate
5 there. You know, it will be
6 quick to Target. Let me put it
7 to you that way. You can get
8 down to Target, to that shopping
9 center and all that mess down
10 there real fast. I mean, it
11 will be a straight shot through.
12 That would be the single,
13 biggest implication.

14 I'm not sure, because -- I
15 don't think they're going to
16 open Yahoo Lake, because Yahoo
17 Lake is an area that ironically,
18 even though those of us that
19 have been associated with the
20 post a long time, particularly
21 in the military, used to use it
22 as a rec area, turns out there's
23 a -- that's -- once again, it's

1 an old area, and it's got
2 munitions issues there.

3 MR. GENE HOWARD: In the lake
4 or around the lake or what?

5 MR. SCOTT BOLTON: In that
6 general area. You know, of
7 course, it's a manmade lake. I
8 don't think the lake holds
9 water. It wasn't when we turned
10 it over.

11 So, there will be work that
12 has to be done there, if they
13 want to continue to have the
14 lake work.

15 But that area -- so, I'm sure
16 it's targetted for -- and I
17 don't recall if they've
18 done -- because that falls in
19 the MDA's footprint, and I --
20 just off the top of my head, I
21 don't recall if they've done
22 clearance around there or not.

23 Their priority has been,

1 rightfully so, to try and get
2 out of the way of these major
3 actions like the roads. Okay.
4 So, that's one of their big
5 focus has been -- I know that
6 they have been really busting it
7 to get the -- to get alongside
8 those roadways and out a safe
9 distance from that so that --
10 there's no point in building a
11 roadway and then having to close
12 it, if we -- you know, if you
13 can avoid that -- they're trying
14 to.

15 So, that's been their focus.
16 And I don't know how far into
17 the Yahoo area they got. I
18 suspect not. But I just don't
19 know. I would have to go look.
20 They keep us informed, but I
21 just don't recall.

22 MR. GENE HOWARD: Okay.
23 Questions?

1 Thank you, Scott.

2 MR. SCOTT BOLTON: Uh-huh.

3 MR. GENE HOWARD: New program
4 ideas. Coming up, you see the
5 dates for next year, January,
6 April, July and October.

7 Projecting ahead, what are the
8 issues that are of the gravest
9 -- the most concern of the
10 advisory board? What would you
11 need to know? Who do you need
12 to talk to?

13 (No response.)

14 MR. GENE HOWARD: Okay, it's
15 potluck then.

16 MR. SCOTT BOLTON: If
17 something comes up, obviously in
18 the interim, do not hesitate to
19 e-mail us or whatever.

20 I would ask that everybody try
21 to be mindful of -- kind of our
22 lane essentially is -- is the
23 refuge, at least as far as the

1 Army goes.

2 National Guard, since they use
3 this as their RAB, as well,
4 obviously, it's pretty much
5 Pelham Range. They have some
6 main post --

7 MR. GENE HOWARD: Okay. Any
8 issues that arise that can be
9 part of the program then, is
10 that agreed?

11 MR. SCOTT BOLTON: Yeah.
12 Okay.

13 MR. GENE HOWARD: All right.

14 MR. SCOTT BOLTON: Just, you
15 know, if something comes up,
16 e-mail us, give us a call,
17 something.

18 MR. GENE HOWARD: Okay. And
19 then you do have -- a request we
20 had was just a simple map,
21 rather than have ALDOT send
22 somebody in here to brief us
23 extensively. You have that

1 information in the form of a map
2 that you can put on your office
3 wall.

4 MS. BRENDA CUNNINGHAM: Right
5 before the map is the note that
6 Shannon sent explaining it.
7 It's kind of self-explanatory,
8 I'm sure.

9 MR. GENE HOWARD: Got any
10 comments before we leave? Go
11 around the table. Down there on
12 the end? Buddy, wake up.

13 MR. BUDDY NELSON: I'm here.

14 MR. GENE HOWARD: All right.
15 Around this way. We're good
16 then.

17 Entertain a motion to adjourn.

18 MR. PENN WILSON: So moved.

19 MR. GENE HOWARD: Need a
20 second.

21 MR. JAMES BUFORD: Second.

22 MR. GENE HOWARD: All in favor
23 say aye.

1 (No opposition.)
2 (Whereupon, the meeting was
3 concluded at 5:47 p.m.)
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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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6 IN WITNESS WHEREOF, I have
7 hereunto set my hand and affixed my seal
8 at Anniston, Alabama, on this the 9th of
9 November, 2010.

10
11
12
13
14
15 _____
16 SAMANTHA E. NOBLE (ACCR 232)
17 Notary Public in and for
18 Alabama at Large
19

20 MY COMMISSION EXPIRES: 11-9-2013.
21
22
23