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2 Naval Weapons Industrial Reserve Plant
3 Calverton, New York
4

5 Restoration Advisory Board
6 Regular Meeting
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8
9 7:00 P.M.
September 19, 2001

10 Riverhead Masonic Lodge
11 Riverhead, New York

12 P R E S E N T:

13 Dave Brayack Tetra Tech NUS
14 Judy Lamey

15 Jim Colter Northern Division, NAVFAC
16

17 RAB Members
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24 FREELANCE L.I., INC. - Court Reporters
25 259 Southfield Road
Baiting Hollow, New York 11933
Voice (631) 369-2912 Fax
E-mail FLIReporters@aol.com

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MR. COLTER: I guess we'll get started. I'm, for all of you that know me, I'm Jim Colter from the Navy's Northern Division, we've renamed ourselves to the Engineering Field Activity Northeast. And I'm sitting in for Judith Hare, she couldn't make it tonight. She sends her apologies. Originally she had another meeting down in Texas scheduled but due to circumstances last week that got canceled. But pretty much the government is restricting travel on a case by case basis. I was able to come up here because we already had our reservations scheduled and we kind of told our commanding officer that we haven't had a community meeting in six months, and if a holiday is coming up we didn't want to push it any further, so I have been able to come up here.

Again Judith sends her apologies. If she was here, I know one of the first things she would want to do is observe a moment of silence for the folks in the World Trade Center and Pentagon incidents.

(Pause)

MR. COLTER: Okay, thank you. When she reads that in the minutes, she'll be happy.

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2 We have a pretty full agenda, as
3 hopefully you got the invite letters along with an
4 agenda. I guess we'll just kick this thing right
5 off. Actually before that, I want to, Sherry, do
6 you have any updates on any steering committee
7 meetings that you may have had the last six months.

8 CO-CHAIR JOHNSON: We didn't have one
9 over the summer. We probably will I think now after
10 this meeting in anticipation of another meeting?
11 Hopefully early next year? If not, you said the
12 holidays and it is the end of September already.
13 So.

14 MR. COLTER: Yeah. We'll talk about
15 that actually at the end. I want to try to set a
16 date tonight if we can, something to work toward.
17 And we have a couple of other items that will fall
18 into that next meeting we'll discuss.

19 I guess everyone has received a copy
20 of the minutes of the last meeting? Does anyone
21 have any comments on those minutes?

22 Do we have a motion to accept?

23 A MAN: Motion accepted.

24 MR. COLTER: Marty?

25 CO-CHAIR JOHNSON: I'll second.

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MR. COLTER: Okay. Minutes of the previous meeting are approved.

Over the last six months, the Navy has been conducting a few reports, cleaning up some loose ends and making some plans for some future activities that are a little bit different than what we talked about at the last meeting. One of the first things you'll see in our agenda here is Site 1, the Northeast Pond Disposal Area. For reference, if you look up at the screen, and that is this area up in here, the little water body is the northeast pond. As you all know, it is a landfill adjacent to the pond used by Northrop Grumman throughout its operations.

We sent out back in July, a remedial draft -- a draft Remedial Investigation with a combined focused Feasibility Study, three alternatives, the no action alternative, leave it as is. The bank stabilization capping alternative, which is the direction the Navy was originally headed. And then a full excavation alternative, which was mainly we looked at that, because of your comments that let's take a look at what those costs are and see how that shakes out.

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2 As you might have read, that actually
3 didn't turn out to be all that more expensive when
4 you compare that to the Navy's ability to get rid of
5 this site entirely and have no further long-term
6 liabilities or long-term monitoring. It was a
7 couple million dollars more than the capping and
8 stabilization alternative. But after talking to
9 some of my colleagues back in the office, who also
10 have landfills on their bases, this is kind of the
11 way the Navy is trying to deal with landfills, if it
12 is feasible. And one of my colleagues actually dug
13 up a 12 acre landfill, actually. So this one being
14 just about two acres, it definitely was in the realm
15 of being implementable. The only problem was
16 funding. My plan for this site was almost one of
17 the last sites to be addressed. And so the funding
18 wasn't identified for a couple of years. But we'll
19 talk about that in a minute.

20 Does anyone have any comments on that
21 report? We did bring this up, one of the hand-outs
22 in front of you is minutes from a TRC phone
23 conference that we held with the New York State DEC
24 and Suffolk County Department of Health yesterday.
25 As you may read in the first paragraph, they are in

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favor of the excavation alternative.

CO-CHAIR JOHNSON: That is what I was going to ask what they felt. Originally they had said if you're going to do stabilization capping it.

MR. COLTER: Right.

CO-CHAIR JOHNSON: So they are.

MR. COLTER: They are in favor of the excavation.

CO-CHAIR JOHNSON: Okay.

MR. COLTER: We do have items we have to address, one being a wetlands issue, one being an archaeology issue. But we'll deal with them when we get the work plan to implement that and the PRAP.

A MAN: Jim, would the work plan go into the details of where you would be carting it to and what the truck route would be in case the community is interested in that.

MR. COLTER: Definitely.

A MAN: Would that affect the size of the existing pond?

MR. COLTER: What we propose and are going to propose, we haven't put the action plan together or the work plan, but we did talk about it

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2 with the state, not in this phone call but in a
3 previous phone call. If they would require us to
4 fill that area, that we excavate with clean fill
5 back to its current grade, they had no requirement
6 for us to do that, knowing that the pond would
7 probably migrate into what's excavated and would
8 create larger wetland area. I sent this to the
9 Nature Conservancy of the RAB, Dr. Marilyn Jordon, I
10 have not received any adverse comments about that.

11 A MAN: It could be a problem if
12 that pond enlarges in any way, goes north,
13 arbitrarily goes northbound. It would be on 25,
14 there, and under The Wetlands Act, maybe we couldn't
15 widen that road if we have to widen it in the
16 future.

17 MR. COLTER: This area sets in a
18 very, very deep depression. Actually, what might be
19 a good idea, maybe not for the next RAB but maybe
20 when we get into the excavation of this, maybe we
21 should have a site trip out there to take a look at
22 it. It is in a deep depression, there is no chance
23 of it migrating to 25.

24 CO-CHAIR JOHNSON: I don't think it
25 would migrate beyond what they would excavate

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2 anyway, that is maybe 50 feet from the edge of the
3 pond now, 75 to 100 feet maybe.

4 MR. COLTER: Yeah, something like
5 that.

6 CO-CHAIR JOHNSON: It is not a huge
7 area.

8 A MAN: Isn't The Wetlands Act 600
9 feet adjacent to any body of water.

10 CO-CHAIR JOHNSON: It is only 100
11 feet.

12 MR. COLTER: Remember, these are
13 state recognized wetland, so there may be a little
14 leeway with what we can get away with? They are
15 not federal.

16 I didn't anticipate any adverse
17 comments on the excavation of the landfill. And as
18 a matter of fact there is a possibility, although
19 not quite sure, that there is going to be some money
20 available at the end of this fiscal year, which ends
21 in a week. One of our projects is underrunning by
22 several million dollars. And they're looking for a
23 project to supplement that, because in the
24 government as many of you know, working for BNL, you
25 have an execution goal, not so much when the shovel

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1 starts digging the dirt but when you actually commit
2 the money, you get credit for executing the project.
3 That is a very important goal. If we execute all of
4 our money, it shows that we need that same amount of
5 money next year.
6

7 So they are looking for a project to
8 take over the existing funds. I stepped up with
9 this one. So right now, actually I have been
10 working with Foster Wheeler, who is our remedial
11 action contractor, and we are trying to get them
12 under contract this week, to excavate the landfill.
13 So the plan right now is over the winter, we still
14 have to do our administrative documentation. We
15 have to finalize this Feasibility Study, which based
16 on tonight I think we can do, because there is no
17 additional comments.

18 Put together a further Remedial
19 Action Plan, that will go out to everybody here as
20 well as other regulators, and the public, for public
21 comment. The state does have a public meeting
22 requirement. Jeff McCullough is looking into the
23 possibility of satisfying that comment or that
24 requirement, not with a formal public meeting but
25 maybe at the next RAB meeting we'll advertise it as

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2 a public meeting and people from the community can
3 come. A copy of the PRAP will be in the repository
4 for review instead of having separate public
5 meeting. I'd like to get your reaction to that
6 idea.

7 CO-CHAIR JOHNSON: (Nodding)

8 MR. COLTER: Might be a little bit
9 bigger meeting but...

10 CO-CHAIR JOHNSON: Anybody have any
11 concern.

12 A MAN: We are working on a five,
13 six month schedule.

14 CO-CHAIR JOHNSON: You're going to
15 push for the end of January, February, right.

16 MR. COLTER: Mid January.

17 CO-CHAIR JOHNSON: Wonderful.

18 MR. COLTER: We have a draft plan in
19 my hands right now, Tetra Tech put that together
20 pretty fast for us. I have to modify it a little
21 bit and it will be ready to go out as a draft to
22 everybody else for public comment. On the schedule
23 of reports also, I have the plan for October 26th.
24 To go out to everybody that will give people all of
25 November, all of December to review it. We'll have

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2 a public meeting in January to satisfy the public
3 comment portion. Barring any outstanding comments
4 that we have to try to address, we'll have our
5 documentation done before March. And normal
6 construction season doesn't really begin until
7 April. So if all goes well, we may be out there in
8 April excavating the landfill.

9 It is taking a different priority
10 then as you all might recall, we were kind of
11 pushing Site 7, because all of our documentation,
12 FS, and because this amount of money became
13 available, we kind of shifted our priority to get
14 this done.

15 With Site 9 here being closed out as
16 of the last RAB meeting, because we did our off site
17 investigation that the state wanted us to, we didn't
18 find anything. It makes this parcel eligible to be
19 turned over to the Town of Riverhead, the whole
20 parcel. So we get that added benefit.

21 A MAN: The costs that are presented
22 in the RI, is that based on disposal of
23 non-hazardous waste.

24 MR. COLTER: In the back, in
25 appendix EVS, there is two calculations for

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2 excavation. One assumes a certain percent
3 non-hazardous, versus hazardous. And another
4 assumes a different percentage. Neither one were
5 assumed to be 100 percent non-hazardous.

6 A MAN: There will be additional
7 characterizations done.

8 MR. COLTER: Yes. Now the work plan
9 that Foster Wheeler puts together will go into
10 detail about type of equipment, how they are going
11 to excavate the landfill, what type of
12 characterization and frequency of sampling they are
13 going to do for disposal, confirmation sampling to
14 ensure that we've gotten all of the landfill.
15 Archaeology issues if there are any wetlands, if
16 there are any. The whole plan of getting them under
17 contract right away is so they can work on their
18 work plan while we are working on our PRAP. So both
19 should be done at the same time.

20 The work plan is not out for public
21 comment. Of course everyone here will get a copy of
22 the work plan but there is no requirement to have
23 public meetings or anything like that for our work
24 plans, just the PRAP. So you'll all be seeing that,
25 probably over the wintertime, you'll see the work

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2 plan. We'll want to go over that at the January
3 meeting as well, make sure there's no comments.
4 More so from the regulators, make sure we have all
5 of our bases covered with wetlands and other issues
6 like that.

7 A MAN: Assuming the excavation and
8 the cleanup goes well in that Northeast Pond Area,
9 is there a projected date that you would turn this
10 property over to Riverhead and what would be the
11 size.

12 MR. COLTER: Judith would want me to
13 have it ready the day after. Really I have no
14 schedule. I haven't thought about that. What I
15 have to put together is one of those findings of
16 suitability to transfer those FOST documentation,
17 basically summarizing everything that's happened out
18 there and why there isn't an impact to the
19 environment. With the landfill not being there, it
20 would be easy to write. Site 9 being closed out,
21 didn't find anything, it would be easy to write.

22 A MAN: Would three years be a good
23 estimate.

24 MR. COLTER: Oh, way before that.

25 The size of that parcel? Is

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2 somewhere over 100 acres? If memory serves.

3 CO-CHAIR JOHNSON: That sounds about
4 right.

5 A MAN: In the vicinity of 100
6 acres.

7 MR. COLTER: Yes.

8 CO-CHAIR JOHNSON: If you do the
9 excavation, does that totally eliminate the need for
10 any monitoring at all, or will there still be some
11 well like to the north and east to monitor.

12 MR. COLTER: That is something.

13 CO-CHAIR JOHNSON: What's there.

14 MR. COLTER: Put in the PRAP and the
15 work plan. We are not sure, as you know.

16 CO-CHAIR JOHNSON: There was a small
17 plume or something that was to the north.

18 MR. BRAYACK: There was some
19 contamination but that was found immediately
20 underneath the landfill itself.

21 CO-CHAIR JOHNSON: I thought it had
22 moved off a little bit.

23 MR. BRAYACK: To the north and east,
24 and we put the wells in the north and east of the
25 wells and those turned out clean.

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MR. COLTER: We have monitoring wells currently on the landfill. We have two or three on the landfill.

MR. BRAYACK: We have one right in the middle and we actually have the other one is more to the north.

MR. COLTER: We do have monitoring wells in the woods, over here. Now, these monitoring wells, we also have one up on the road.

CO-CHAIR JOHNSON: There is one on the road? What about just a little bit further east, maybe.

MR. COLTER: Yeah.

MR. BRAYACK: This is the pond. If you go due east.

CO-CHAIR JOHNSON: I meant north and east.

MR. BRAYACK: We have two wells north and east. There is one and there is a second one even further east than that.

MR. COLTER: We have a well upgradient on this part of the landfill here. We are starting upgradient groundwater.

CO-CHAIR JOHNSON: I would be

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2 concerned in the future, maybe five years, if
3 something migrated up toward 25, you know, in that
4 area. I just wanted something that would set off
5 some kind of red flag or something? Is that
6 totally out. You don't have any monitoring wells up
7 in that area, do you.

8 A MAN: Ir no.

9 CO-CHAIR JOHNSON: You have wells
10 south, along the south boundary.

11 But nothing up there.

12 MR. COLTER: Again, that would be
13 something to talk to the state about. It is not
14 unreasonable to monitor groundwater for, you know,
15 maybe a year or so just to see the effects of the
16 excavation.

17 CO-CHAIR JOHNSON: Yes.

18 MR. COLTER: That would affect the
19 transfer date and other things like that. We'd
20 have to talk to them. These three wells would be
21 eliminated, would be abandoned. The other ones we
22 could continue to monitor for a time. Again, we'd
23 have to ask the state about if we -- or when we
24 transfer this property to Riverhead, would they want
25 those wells abandoned or would they want them to

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2 stay? We'd have to address the well issue. It
3 wouldn't be unreasonable to continue to monitor
4 maybe for a year, on a semi-annual or quarterly
5 basis. We'll have to talk to the DEC and the
6 Department of Health and see what they feel would be
7 appropriate.

8 We may actually go out before this
9 happens and do a round of groundwater sampling to
10 get a snapshot to see, especially from these wells,
11 before we lose them.

12 A MAN: I would think it would be a
13 good idea, as part of the work plan, that you guys
14 would incorporate a round of groundwater sampling
15 immediately after the excavation. Because at least
16 that much, because, you know, excavating everything
17 out of there may release things that were possibly
18 in there that weren't showing up there. It would be
19 prudent to do end-point sampling for yourselves to,
20 see if anything has been released during the
21 excavation.

22 MR. COLTER: Okay. Sounds
23 reasonable to me.

24 What this shaded area shows? Is our
25 area of sediment contamination. And although the

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2 numbers as reported in the document aren't extremely
3 high as far as human health goes, there is that
4 uncertainty about ecological receptors, and I think
5 we are going to excavate the sediment up against the
6 landfill, because there aren't any contaminated
7 sediment further into the pond. We have come to the
8 conclusion, because of erosion of the landfill, and
9 that's where the most contaminated sediments are, we
10 just put something in the proposal to go ahead and
11 dredge some of those and dispose of them and end the
12 whole issue.

13 A MAN: On your public meeting being
14 the RAB meeting, I guess you do advertise it and ask
15 people to contact you if they are interested in
16 attending or no.

17 MR. COLTER: It is open to the
18 public.

19 A MAN: I'm thinking about this
20 space. I don't know if there would be a dramatic
21 interest in attending the meeting but you might want
22 to consider a backup location.

23 MR. COLTER: Previous public
24 meetings we've had at the Ramada Inn, down in
25 Riverhead that could accommodate them. I would ask

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2 for you guys to gauge the community to see what type
3 of interest you might see and try to make a
4 guesstimate if we shouldn't go to a bigger facility
5 for the next meeting. That is not a problem. That
6 is a good point.

7 CO-CHAIR JOHNSON: You said -- would
8 you set like a time, the public meeting will be from
9 six to 7:30, or --

10 MR. COLTER: In the PRAP there is a
11 community relations session that will outline what
12 the -- typically a 30 or 45 day comment period and
13 when a public meeting will be held. When you see
14 the draft those won't be filled in. We'll have to
15 figure out where we are having it and availability
16 of space. I think having it after the holidays will
17 be better than trying to force it before the
18 holidays and it will give everybody some extra time
19 to review the document. Anything else on the
20 Northeast Pond? Hopefully it goes off without a
21 hitch.

22 The next item on the agenda is our
23 Site 6A/10B Southern Area combined with our Remedial
24 Investigation Report. We sent that out to everybody
25 also in mid July. It was basically a compilation of

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2 all our data that we presented at the last several
3 RAB meetings. We just put it all together. Also
4 saw in the appendix there, the monitored natural
5 attenuation section dealt with what is known as a
6 bioscreen model. It is somewhat of a predictive
7 model to see what would happen to contaminants. I
8 know originally that was kind of the base for the
9 TAPP application, is to have some type of predictive
10 model. The bioscreen model does that in a way that
11 is not as good as say a mod flow mod path computer
12 model, but it does do some predictive analysis which
13 we included in that report.

14 I guess while we are on the topic of
15 the TAPP application, I think this was the report
16 that the RAB wanted to talk about submitting for an
17 independent review. Maybe we could open that up a
18 little bit and talk a little bit more about the
19 status of that.

20 CO-CHAIR JOHNSON: If you want, Jean
21 was handling that mostly for us and I don't know if
22 you and she ever got together at all and discussed
23 anything.

24 MR. COLTER: No. The only
25 thing -- after the last RAB meeting, I did send this

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application, as it was submitted.

CO-CHAIR JOHNSON: Right.

MR. COLTER: To create a model, things like that. And I think I did talk to you and Jean via E-mail that that was deemed to be an ineligible project. You can't create things from our data, you can just review the interpretations of our data. So with the inclusion of the bioscreen model, I thought maybe what would be an eligible project, is to take this final RI Report and submit it to a third party for review. You guys were going to talk about that and see if that would meet your requirements or not and we would go from there.

It would mean a minor modification to the description, which I think would pass. I'd send it down to our headquarters. Funding for this, would have to wait till FY 02, which starts in a week. But due to the events last week, typically the environmental pot is the first to go in response to a military crisis. So we are not quite sure when we are going to get in our 02 budget. We will get a budget, but we are not sure when it will come.

Talk right now is we won't get any money until January, which is already the second

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2 quarter of our fiscal year. That is kind of why we
3 are working real hard to get Site 1 done with this
4 year's money. I'd like to have Foster Wheeler work
5 on their work plan. Of course they can't work on
6 anything until we give them some money to do so.
7 That is why we are in a hurry to do that with Site
8 1. The TAPP money and things like that, it is not a
9 problem getting it, it is just a matter of when. We
10 would have some time to modify the application, make
11 sure it is an eligible project. If it is reviewing
12 this document, I can pretty much guarantee it would
13 be. And go from there.

14 CO-CHAIR JOHNSON: I thought one of
15 the major components that we had talked about was
16 going back and looking at some of the things from
17 Grumman and including those somehow, those historic
18 reports? Was that.

19 A MAN: Would that be considered
20 part of your data base.

21 MR. COLTER: Yeah. We can submit
22 whatever reference documents that satisfy the
23 project. And if some of those are Grumman, I don't
24 believe -- I just have to clear it with them, but I
25 wouldn't think it would be a problem. It is all

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public information.

A MAN: I'd feel very strongly about this particular area being very important to resolve and having our confidence that you've done everything that you need to do.

MR. COLTER: I agree.

A MAN: It is not an answer, 100 percent, I understand that, but at least it is a third party looking at your information and hopefully coming up with the same conclusion. So I'd be for it.

MR. COLTER: Okay. Why don't you talk to Jean and maybe have her modify the application a little bit to just review this report and any other referenced material.

CO-CHAIR JOHNSON: That is this one, the Phase 2 remedial?

MR. COLTER: Yeah. Also any other referenced material deemed pertinent to this area, and that will cover Grumman's reports or GIS. If they want to take a look at our GIS data base, we can forward that to them. We are capped by a \$25,000 capping. The more data you give them, the less review you might get for 25K. But that's a lot

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2 of money. You should get a pretty good review,
3 several hours of a consultant's time.

4 A MAN: With the GIS, you have
5 compiled a lot of more recent data very well. So
6 maybe that will expedite the review.

7 MR. COLTER: If you can send it to
8 me FedEx or overnight mail, make sure I get it.
9 I'll take it from there.

10 CO-CHAIR JOHNSON: Okay, I'll talk to
11 her tomorrow and we'll get on it.

12 Anybody else have anything else.

13 MR. COLTER: Anything else on the
14 Southern Area for now?

15 Next item is what's known as the
16 agricultural out-lease. It is something we haven't
17 talked about before as was brought to my attention
18 by Jeff.

19 What this area was identified was
20 during our environmental baseline survey when we
21 took a look at the facility as a whole and all the
22 operations that went on at the facility to try to
23 determine areas of concern prior to transfer. And
24 unbeknownst to me really we had this area located
25 right outside the fence.

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CO-CHAIR JOHNSON: That was the barn,
right.

MR. COLTER: It was an old farm,
located right here.

CO-CHAIR JOHNSON: You're kidding.

A MAN: It is the Rychlinski's farm.

CO-CHAIR JOHNSON: Okay, I thought you
were talking about the end of the other runway.
You're kidding.

MR. COLTER: An old farm that we
leased -- we actually took the farm from them when
we took the property back in the '40s, and then
immediately leased it back to them in a long-term
cooperative agreement. They continued to operate
their farm, although it was technically Navy
property. So when this development came up, we went
out and just to take a look at the property. When
we got there, we started seeing things like this.
Pretty old homestead that actually had been vacated
for I don't know how many years.

A MAN: No one has lived there since
the '50s.

MR. COLTER: Yeah, very, very old.

What we decided, based upon --

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A MAN: Is that inside the fence.

MR. COLTER: No, it is outside the fence.

CO-CHAIR JOHNSON: It is right after the fence and the blueberry bushes.

MR. COLTER: Right. We looked in the one building, and look what we found.

We are going to need a little bit more work here. It originally just started out that we -- we wanted to take some samples just to see what we were dealing with. We really didn't have a work plan so to speak that we were working off of to send to the state. We just wanted to take some samples, to see do we even have a problem here? Well, by looking at the buildings, it was determined we really couldn't get in there to take a sample until we did some serious house cleaning. Some of our OSHA people said you should really knock those buildings down before you enter them for safety purposes. The thing started kind of ballooning all of a sudden. When we looked inside one of the buildings, this is kind of what we were looking at.

MR. BRAYACK: Those are bags of pesticides right inside the door there.

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MR. COLTER: Batteries, the drum we saw before. Things that put up a flag, saying we may have a problem here. Of course it is Navy property so it is now our problem.

One of the things up against the house was the heating oil tank. We excavated the heating oil tank in accordance with Suffolk County health regulations. Somebody from the county was out there overseeing the excavation. It is kind of like the bottom of the -- looks like... Some other pictures here.

Another UST being taken out. Just some more.

A MAN: Jim, were one of the contaminants mercuric oxide in there. The reason why I ask that is back in the '40s, that area was known as a potato farm. They used to use that as a pesticide years ago. They are finding a lot of the residue in a lot of the farm areas now.

MR. BRAYACK: Maybe.

MR. COLTER: I'm not sure if we did detect mercury, or not.

Here is some of the buildings being razed. Operator's dream. Just go in and knock it

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2 down.

3 As the report indicated we did soil
4 sampling after we knocked the buildings down. Did
5 some groundwater sampling back when this first
6 happened. And we did find elevated metals in the
7 groundwater. We looked at how we took those
8 samples, and they were basically taken just filtered
9 and unfiltered. Which really isn't accepted by the
10 DEC as an acceptable way to look for metals because
11 of the turbidity issue and the question, are you
12 analyzing groundwater or maybe the sediment, which
13 representative of the groundwater?

14 At that point, we decided instead of
15 sending this report to DEC and to everybody with an
16 unknown answer regarding metals in groundwater,
17 we'll put permanent wells in and take additional
18 groundwater samples with low flow sample techniques.
19 Of course funding constraints at the end of the
20 fiscal year didn't make that possible when we wanted
21 to go right out, and we had to wait and do this as
22 part of 2000 mobilization, when we did other field
23 work over the year 2000.

24 So it kind of lingered until we were
25 able to get that data. And throughout that whole

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2 process, we never really submitted anything to the
3 DEC. We were just kind of seeing if we had a
4 problem. As you read the report, we do have
5 pesticides, and pesticide contamination in soils,
6 that we are actually right now targeting to remove
7 again by the end of the fiscal year. We are trying
8 to award a contract to an excavation contractor to
9 go out to the farm and excavate in accordance with
10 the recommendations in the report you have.

11 One of the first actions will be to
12 put a work plan together. Again, like Bill says,
13 truck routes, how they are going to enter the
14 property, where they are going to take the material,
15 how they are going to excavate the material. We
16 have Tetra Tech out there as oversight. They will
17 be doing confirmation samplings after the
18 excavations are done. The DEC did send its comments
19 just about a week or so ago? And those comments
20 reflected the fact that if they were looking at this
21 property, they might taken additional soil samples
22 elsewhere and one or two additional groundwater
23 samples elsewhere. So we've added those comments to
24 Dave's confirmation sampling program.

25 So in addition to confirming that the

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1 pesticides have been removed, we'll also do the
2 additional characterization that the state requires
3 at the same time. Knowing that if that additional
4 samplings does turn up something, we'll have to
5 remobilize to excavate. We are hoping that it
6 doesn't come to that.
7

8 CO-CHAIR JOHNSON: So you are going to
9 do the additional sampling then.

10 MR. COLTER: Yes.

11 A MAN: I was waiting for Jim to
12 complete his comments before I --

13 CO-CHAIR JOHNSON: Okay.

14 A MAN: I don't know if the other
15 members of the RAB realize that Marsden retired
16 since the last RAB meeting. I'm sure if he was
17 here, he would have nasty words to say to the Navy
18 in the manner in which this whole operation took
19 place unbeknownst to the DEC, without previous
20 review of any work plan or field sampling plan or
21 health and safety plan. So a letter was written by
22 Jeff McCullough, the department was very unhappy
23 with the way in which this was done. We are not
24 willing to accept the final results unless
25 additional things were incorporated as per Jim

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Colter's statement.

In a way I'm glad Marsden wasn't here, of course Jean was here. But I'm happy to just move on with this issue.

MR. COLTER: It was an oversight on my part and I did apologize to Jeff for that. It wasn't part of the IR Program and it was one of those things that slipped. It shouldn't have slipped through. But -- we do recognize because of doing it this way, that there is potential for additional sampling after the excavation is completed, to turn up something. We'll have to go back out. It will cost us money.

A MAN: Special groundwater outside of Building 270, which had all the pesticides and.

CO-CHAIR JOHNSON: There was a reporting requirement that they should have complied when they found the stuff at first.

A MAN: This information should have been conveyed to the department before all of this activity.

CO-CHAIR JOHNSON: Immediately.

A MAN: Before this activity took place.

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CO-CHAIR JOHNSON: I'm going to take Marsden's role and Jean's role for a minute and say shame on you.

MR. COLTER: I would deserve it.

A MAN: What is the ownership of this parcel.

MR. COLTER: We retained it. We did transfer 3,000 acres to the DEC for continued wild life management and an additional 140 acres to the north side of the property to the Veterans Administration. This five acre parcel we surveyed out and we retained that, similar to how we retained property within Calverton that didn't meet cleanup standards at the time. Right now there may be ownership pending completion of removal and a clean bill of health, we'll do a transfer of this five acres to DEC for continued wild life management.

CO-CHAIR JOHNSON: This is going to DEC not to somebody private.

A MAN: If it went to the town and there was any thought of redeveloping for residential purposes, then the county health department gets involved, and I'd just as soon not.

MR. COLTER: This is part of the

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special legislation that started this land to go to the DEC for a specific purpose. Even though it is being segregated out and many years later it still has to follow that congressional law as to where it goes and what its use is.

A MAN: Is all the buffer going to DEC.

MR. COLTER: All the buffer south and north, with the exception of the 140 acres. This really doesn't show it clearly, but down in this area, here, is the southeast buffer zone. All of that land goes to the DEC, except if you're familiar with Connecticut Avenue, there is a strip of land where the railroad runs and utility poles form a substation that went to the Town of Riverhead, because that is the only source of power for the town in the southwest buffer zone, that all went to the DEC. This area up here, all but 140 acres went to the DEC. The 140 acres went to the Veteran's Administration. And another parcel over here all went to the DEC.

A MAN: Isn't there another buffer area on the other side of the Long Island Expressway.

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CO-CHAIR JOHNSON: Yes.

A MAN: That is part of the
southeast buffer zone.

MR. COLTER: That went to the DEC as
well.

A MAN: That went to the DEC? I
thought that went to the Pine Barrens.

A MAN: North of the runway, isn't
the VOR up there.

MR. COLTER: Yeah. There was a
requirement there for that continued to be used by
the FAA.

A MAN: How much property is around
there?

A MAN: That is the 140 acre
parcels, that went to the VA.

CO-CHAIR JOHNSON: The triangle.

MR. COLTER: Okay, yeah. Part of
that deal was that the FAA continued to use that
property. A deed restriction, if you would.

This is kind of what the area looks
like now, nice and graded, no nasty buildings.

MR. BRAYACK: It's a weed patch. It
is not clear anymore.

Proceedings

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2 MR. COLTER: Again, the plan is
3 actually I have a meeting with the proposed
4 contractor tomorrow, to go out, show him this area,
5 he has given me a draft work plan, we want to make
6 sure everything is accurate as far as truck routes,
7 staging areas, other things that are typically in a
8 work plan. We want to make sure he's clear on that
9 before we send that work plan out. This one will go
10 to the DEC.

11 A MAN: We are supposed to get it
12 this week.

13 MR. COLTER: You were. We were
14 supposed to have this meeting last week and
15 everything got canceled so we are about a week
16 behind.

17 Again, we are --

18 A MAN: To the county, also.

19 MR. COLTER: Yes, definitely. And
20 all the RAB will get a copy of it. We do have
21 money, it already has been obligated so funding is
22 not an issue. We actually are hoping for a
23 semi-quick review of the work plan and if all goes
24 well, we could actually be out there digging the
25 farm area up at the end of October, about another

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month. That is the goal.

That is about it, as far as the reports that we've sent out over the summer.

Again, we went over these with the DEC in a teleconference yesterday. Again, they support the TAPP review of the Southern Area, RI report. I did let them know that a work plan is on the way for the farm excavation.

CO-CHAIR JOHNSON: Great.

A MAN: You still accepting the comments on the Southern Area RI.

MR. COLTER: Yes, that is actually considered final? But because it is going for a TAPP review, if you have any other additional comments on that.

A MAN: Next step would be the FS.

MR. COLTER: At this point we are not sure if an FS is needed. That report is actually next. We did find groundwater contamination at what's typically considered low levels when you're talking 100 parts per billion. For the Southern Area. We have a different problem with Site 6-A, that is on-site. We have that deep area that is unbounded and so, I kind of see this as

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2 maybe diverting a little bit into two projects
3 instead of combining them into one.

4 The remedy for the Southern Area may
5 be different. It may be natural attenuation with
6 monitoring for several years.

7 A MAN: Those will be the
8 alternatives.

9 MR. COLTER: Those will be in an FS.
10 We're not going to prepare an FS until we hear from
11 a third-party consultant that the nature and extent
12 is adequate. In case they recommend some type of
13 additional work or analysis, we'll go out and
14 perform that, and then we'll move on with our FS for
15 the area.

16 We'll mention Site 7, Dave pointed
17 out it is not on the agenda. That was our site of
18 choice over the last couple of RAB meetings. We are
19 still pursuing Site 7. We just had a PRAP in my
20 hands again for review. That will be sent out,
21 actually in about a week or so, to the DEC for
22 review. Basically it documented the decision to go
23 ahead with air sparging and vapor soil extraction to
24 see where that takes us and possibly follow it up
25 with monitored natural attenuation or maybe we get

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2 lucky and remediate it. Typically we are not going
3 to get to the five part per billion level with this
4 technology. But that document is coming. We hope
5 to have a public meeting almost concurrently with
6 the Site 1 PRAP. And it is in my 2002 budget.

7 I am working with Foster Wheeler
8 again right now to give me a work plan, an
9 implementation plan or a design analysis for an air
10 sparge system out there. And it is in my 2002
11 budget. So we are looking to do, in Site 7 and Site
12 1 next April, quite a bit of work if all goes well.
13 Again, the PRAP will be sent out to the RAB members
14 and regulators. We'll have a 45 day comment period
15 and we'll have to have a public meeting, hopefully
16 again we can utilize the RAB for that public
17 meeting. If the timing works out, maybe we have
18 two, one public meeting in January for two issues.
19 Maybe the DEC will let us do that. I'm not sure.
20 Something I have to talk to Jeff about.

21 CO-CHAIR JOHNSON: That is ambitious.

22 MR. COLTER: Very ambitious. If we
23 had to pick one, we would pick the landfill because
24 that money would actually be obligated and we would
25 go with that. We would wait a month or two, maybe

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have another public meeting for Site 7.

CO-CHAIR JOHNSON: Yeah.

MR. COLTER: We'll see how that tracks.

I've talked about the next item a little bit in between the field activities. We are pursuing a work plan with the landfill excavation, meeting tomorrow with the contractor for the farm. A couple of documents coming your way shortly, PRAP for Site 1, PRAP for Site 7. The work plan for the farm removal action.

Another report coming your way is Site 2 and 6-A test pitting program. You'll recall at the last RAB meeting the DEC recommended as part of our free product recovery program that we were conducting the last couple of years with hand bailing, basically, wells to try to get rid of any free product that might be out there. They recommended that we go out and do test pitting and take a physical look at the groundwater interface to see if we do have a product laying there, or anything else. We implemented that a few months ago over the summer, went out there and dug, what was it, four test pits at Site 2, and another three at

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2 Site 6? Something like that? And so actually
3 that report is internal review in my hands right
4 now, and that will be another one I'll have targeted
5 in a couple of days. Actually it should be out for
6 the state to review.

7 Preliminarily, what we found at Site
8 2 -- let me start over. What we didn't find at
9 either site is a free product layer at 2 and 6.
10 What we did find at Site 2 is a lot of construction
11 debris just below the surface.

12 CO-CHAIR JOHNSON: Really. Which you
13 hadn't known was there.

14 MR. COLTER: In the vicinity of the
15 fire training ring.

16 If you think about it before they had
17 the concrete ring, they put a lot of stuff in there,
18 put it on fire, practiced putting it out.
19 Constructed the pit over the top of it. What the
20 report doesn't say is what is beneath the concrete
21 ring. And what we are kind of thinking about right
22 now, is again preliminarily, and just my thoughts
23 are we probably should go out there and from what we
24 saw with the test pitting, some dark soils were
25 there, construction debris again was there. You

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2 know, it wouldn't be beyond the realm of going out
3 and actually excavating all that stuff up, taking
4 down the fire training ring and seeing what's
5 underneath it and basically doing a soil removal
6 action.

7 I did mention this to Jeff yesterday
8 in our teleconference. I asked him would you
9 consider this a final action for soils, would we
10 have to do a PRAP, a public meeting all these
11 administrative? He suggested as treating it as
12 interim removal action and going with something a
13 little less intensive, like an action memorandum,
14 that basically says it is not our final action but
15 it is something that we think we need to do before
16 we go to a final action. That allows us to go into
17 the actual construction phase of it without all of
18 the administrative stuff.

19 We would still have to follow-up with
20 some type of final action for soils but it would
21 probably, at that point, be something like no further
22 action just to satisfy the administrative end of it.
23 That is something that is easily quantifiable. The
24 soil vapor extraction system that's out there is
25 done. We are not running it anymore. So

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2 dismantling that isn't an issue. We are going to
3 keep that in the back of our heads.

4 The one thing with the government's
5 program is you try to budget and plan logical steps,
6 and I have eight other RPMs that do the same thing
7 and we try to look out a couple of years of what is
8 realistically going to happen and we have to crunch
9 that into a number that has to match each year. We
10 try to play with the numbers, to send them down to
11 our headquarters to make everything match.

12 The reality of it is somebody's plan
13 doesn't happen and there is a surplus of money that
14 no one is spending. Although we are spending a lot
15 of money next year in Calverton, it wouldn't
16 surprise me to have a little bit of somebody else's
17 money that they can't use. It is possible that we
18 can go out and do a pretty quick quantifiable
19 excavation. And the thought was brought up about
20 tagging it onto the Site 1 landfill excavation.
21 Possible. We have the equipment out there. We
22 have to make sure, one, our administrative end of it
23 is covered with the action memorandum and two, the
24 money is actually there. But it would make sense
25 to move them from the landfill down to there and

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2 keep digging. But those are the kind of processes I
3 try to go through on a daily basis, depending on the
4 situation.

5 A MAN: What would you be removing
6 from the Fire Training Area.

7 MR. COLTER: Soils. Fire training
8 ring, underlying soils. And we also would target
9 any of the soils from our RI report in other areas
10 that are -- that we have a question about.

11 A MAN: How far down would you go to
12 the water table.

13 MR. BRAYACK: When we dug out there,
14 we found a very distinct black soil with debris
15 mixed in, started from about a foot down to a depth
16 of about five feet. Once you got below five feet,
17 it was clean. It was easily visually identifiable.

18 A MAN: The volatiles were being
19 washed out.

20 MR. BRAYACK: We saw some oily water
21 mixed in with it. This is a very likely source of
22 it.

23 MR. COLTER: After excavation, we
24 run a series of confirmation samples and kind of see
25 what we have left. Would we still have VOCs?

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2 Possibly. We may have to do a follow-on, SVE system
3 or something like, in conjunction with a groundwater
4 remedy. Those are things to talk about. It seems
5 apparent that getting rid of this stuff in the fire
6 training ring, when we don't know what is beneath
7 the ring, would be a smart move.

8 A MAN: Did you dig down to the
9 water table.

10 MR. BRAYACK: We dug to about 10 or 11
11 feet. The water table would be about 15. The side
12 walls kept collapsing. It wasn't feasible.

13 A MAN: I was curious if you saw a
14 smear zone there.

15 MR. BRAYACK: They have an eighth of
16 an inch or a quarter inch of free product on it. It
17 is at a point where it is not recoverable anymore.

18 MR. COLTER: It's not economical.
19 We could stick absorbent socks in there.

20 A MAN: I was curious -- I think it
21 is great to go ahead and do what you're talking
22 about. Whether there is another layer of
23 contaminated soil.

24 MR. COLTER: Similar to kind of Site
25 7 Field Depot Area, where the groundwater is

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contaminated and smearing, we would target that interface with a groundwater remedy more so than a soil remedy, similar to what we are doing at 7.

A MAN: Can I ask a question on field activities.

MR. COLTER: No.

A MAN: Thank you. Let the record show. Did you do another round of monitoring well sampling.

MR. COLTER: For which area.

A MAN: For the summer campaign.

MR. COLTER: This last summer.

A MAN: Yeah, permanent wells.

MR. COLTER: 2001. No. 2000 was our last field mobilization. Coming up as part of confirmation, and things like that, we will be doing additional sampling. A good point was made, to go out to Site 1 prior to the excavation and get a baseline and do some sampling immediately after and see where we are at there.

We'll have to look at the results of the landfill excavation and the groundwater and make some determinations of whether we are going to continue to monitor for a time or are we closed out?

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We'll have to make those down the road.

A MAN: Is that kind of data, available to the RAB? Would you make it available to the RAB.

MR. COLTER: Yes.

A MAN: As it becomes available? It wouldn't necessarily be a report.

MR. COLTER: Pretty much it will be.

A MAN: What I was looking for was kind of a latest snapshot in time of how we are doing on the site, what kind of information we are getting as you do your routine sampling.

MR. COLTER: There is nothing like that in our program.

A MAN: Nothing like that.

MR. COLTER: For the farm, we have a close-out report. It will document the actions taken, the volume taken. The results of the confirmation taken. In this case the results of the additional characterization requested by the state. So there will be a report out that will go in the repository. It comes to the RAB as part of the IR Program. Similar to the Site 1 excavation, there will be a close-out report. That one may be a

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2 little bigger about what we did. Confirmation
3 sampling results. That again will be resubmitted
4 out.

5 A MAN: As a comment, I find it
6 difficult when I get a binder like that, trying to
7 figure out what I already have heard from you guys
8 and what's new. If there was a way that you could
9 help us understand what is the latest and greatest
10 information, if it's possible. I understand that
11 you have, administratively, documents that you have
12 to run through the regulators.

13 MR. COLTER: When I review documents,
14 I try to consider each one -- could it be a
15 stand-alone document.

16 A MAN: I understand.

17 MR. COLTER: Try to throw in as much
18 summary without getting too thick about it. We have
19 been here for 10 years. There's a lot of data out
20 there. Up front in our reports, we try to do a
21 summary of what has been done and why we are
22 proposing what we are proposing.

23 A MAN: Okay.

24 Report schedule? That's this
25 hand-out. I've updated it. Based on again how I

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2 see the program progressing. As I said before, this
3 is ever changing, depending on funding situations
4 and other people's ability to execute. Again, what
5 we are looking at for Site 7 is the draft decision
6 document and our revised submission did it. Way
7 back when I did this, I was looking at Site 7 being
8 our first site to address, and we were looking at 30
9 January date to do the decision document. Of
10 course, what it is looking like is more like 5
11 October. Just to give a sense of how our program,
12 different decisions affect our program.

13 Site 1, we've put out on the combined
14 RI/FS report, and the next document there, is a
15 draft decision document. We'll send out the draft
16 decision document and the final feasibility report
17 at the same time, especially after tonight, not
18 hearing any adverse comments, similar to Site 7 when
19 you get the draft decision document, you'll also get
20 a final report. The way we have been handling final
21 documents that you have gotten as a draft, I have
22 been sending about five copies to Sherry and she can
23 distribute them as needed to you folks instead of
24 you guys having a big binder of draft and a big
25 binder of final. It cuts down our reproduction

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costs a little bit.

Site 2, the next thing coming is the draft free product test report. The site 6-A report, you have the final. We are also going to send out the draft test pit report for that site. And then we are going to kind of hang off on the Southern Area, Site 6-A, until we hear from the TAPP record and see what he has to say and we'll move on from there based on his recommendations.

A MAN: Is this TAPP contractor a done deal.

MR. COLTER: It is not a done deal. We have to revise the application. Again reviewing a document is going to be a guaranteed eligible project. The funding comes from us. Based on the -- your recommendations as the RAB, you've picked a consultant, CSA Associates out of Maryland, who has had experience with other RABs.

CO-CHAIR JOHNSON: Has there been any contact with him at all.

MR. COLTER: We haven't sent anything to him.

CO-CHAIR JOHNSON: Other than what Jean has had.

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2 MR. COLTER: Yeah. When I get the
3 revised application, we'll approach him for a quote.
4 And proceed from there. From what I hear from our
5 colleagues who have dealt with him, this guy is a
6 pretty good consultant. I think you guys will be
7 happy with him.

8 Any action items for future
9 discussion topics that you can think of right now?
10 You're always welcome to call me at any time, to
11 talk about anything or add an item for the next
12 meeting. When we send out the next invite letter,
13 we'll put a draft agenda together, even before the
14 invite, actually, we'll work with Sherry to work
15 with you guys to see how the draft agenda looks and
16 then we'll finalize it and send it out with the
17 invite letter. Probably the first topic of the next
18 RAB will be a public meeting for the landfill
19 decision document.

20 A MAN: Just one comment. I was
21 going to send you something in writing. I never
22 did. I apologize for that. I attended the workshop
23 back in May.

24 MR. COLTER: I'd like to hear about
25 that.

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2 A MAN: Representing this RAB. I
3 wanted to congratulate the Navy for providing a very
4 informative and very productive meeting. It was
5 very good to meet with some of the other RAB
6 membership and hear their issues and how they got
7 resolved. And it was good to hear the commitment
8 that the Navy had towards working with RABs. And
9 achieving community buy-in. So it was educational,
10 too. They had good technical demonstrations and
11 presentations. So I would hope you would feed that
12 back, at least from my point of view, that it be
13 encouraged and continued.

14 MR. COLTER: I'll make a note of
15 that -- I have a person that set that up, who is the
16 same person that has to give the final okay for
17 these TAPP applications. So I'll make sure she
18 hears that.

19 CO-CHAIR JOHNSON: Did you meet that
20 person, Bill.

21 A MAN: Yes, I did. Is that Cindy
22 Turlington?

23 MR. COLTER: She's one of them.

24 A MAN: Wanda Holmes.

25 MR. COLTER: Wanda Holmes actually

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took over for Cindy.

A MAN: I was going to drop a few names if you resisted funding that TAPP.

A MAN: A couple of admirals in there.

MR. COLTER: Hope they plan others like that.

A MAN: It was good. I hope some of the other members from the RAB can go. It was worth it.

MR. COLTER: In light of recent activities, again, the government is kind of restricting travel, but I was able to say we really need to come up here for this. We haven't had one for several months.

CO-CHAIR JOHNSON: That was kind of afraid if we canceled it may be a while before we had the opportunity.

MR. COLTER: Then it's Thanksgiving and then Christmas.

CO-CHAIR JOHNSON: And things can change.

MR. COLTER: We took it to our commanding officer, all of our travel at this point

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2 has to be approved by him, and he was like yes, we
3 are committed to this and it sounds like something
4 we need to do. There is a commitment and we try to
5 get your buy-in. It makes things like a public
6 meeting go a lot smoother if we have people in the
7 community that are already familiar with what we are
8 doing and already has some buy into what we are
9 doing. It helps alleviate other people's concern.
10 I would encourage all the RAB members to come to the
11 public meeting and share your knowledge with your
12 fellow neighbor that doesn't really come here all
13 the time. Try to show them that what we are doing
14 makes sense and we have been hand in hand with you
15 guys. Hopefully that will alleviate some concerns.

16 I don't have anything else as far as
17 closing remarks, other than maybe we can pick a date
18 for the next RAB, at least tentatively. I don't
19 have a 2002 calendar on me.

20 A MAN: February?

21 MR. COLTER: January. Do Wednesday's
22 work for everybody? Or maybe Thursday's are
23 better. I'm not sure.

24 A MAN: Midweek, sure.

25 A MAN: Do you have any concerns

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about there being a public meeting here.

A MAN: No.

A MAN: I think this whole address of public meeting is up to Region 1. There are procedures and letters, and -- that have to be followed through a protocol, which I don't know who even calls where the site is. But there is a definite protocol that I think it is not in Albany's purview, but I think it deals with the Region 1 public meetings are held.

A MAN: I will convey that to the division of environmental permits and find out how this public meeting will take place, and where. I will send it to you.

MR. COLTER: That is a good point. I asked Jeff to look into the fact could we use the RAB meeting as the, satisfying the public meeting requirement? He was going to look into that. What I would say in the reverse, if that is a no, and we have to have a public meeting --

A MAN: Well, I don't know. At this point, I have to determine from division of environmental permits if this is an acceptable means of --

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MR. COLTER: Just on the outside, if it is not and we have to have a quote public meeting, maybe we could use the public meeting as the basis for the next RAB.

CO-CHAIR JOHNSON: There is no reason why we can't have a RAB meeting following the public meeting.

A MAN: I don't think there is a problem. The division of environmental permits sets this up, the advertisement, tell you where it's advertised and the time lines.

CO-CHAIR JOHNSON: They make arrangements for location, right.

A MAN: It has to be advertised in journals and whatnot.

CO-CHAIR JOHNSON: Certain papers.

MR. COLTER: You guys are going to pay for the advertising.

A MAN: No, of course not.

MR. COLTER: I didn't think so.

A MAN: We'll send you all the information.

MR. COLTER: I want to try to target mid January.

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A MAN: Okay.

MR. COLTER: That way, if there is some substantial comments, we are required to respond to those comments in what is called a responsiveness summary and get buy-off -- I won't say buy-off. Concurrence. But I'd like to have all the administrative requirements done so we can get, we can be out there in April and start digging.

A MAN: I'll look into it tomorrow. I think you have the RAB meeting tomorrow night, Bethpage. I'll try to get back by Friday or early next week. I don't know what the Navy's requirements are for public meetings.

MR. COLTER: We follow CERCLA, and it does require a public comment meeting. We also defer to any local requirements as far as that goes.

A MAN: It is a standard package that I'll send you.

MR. COLTER: Okay. I guess we'll target mid January then for either a RAB or public meeting or some sort of combination.

CO-CHAIR JOHNSON: Around the 16th is the third Wednesday. So somewhere.

MR. COLTER: Tentatively put that

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down for something. I'll let Judith know that so we can get on her calendar as soon as possible. I had to, you know, talk her a little bit into letting me do this. I thought it was a good idea. She was supposed to be in Texas. I didn't want to push this off any longer. So we did send the letter to Sherry apologizing for her absence, I know she'd want to be here, but she'll make the next one, I'm sure.

CO-CHAIR JOHNSON: Good.

MR. COLTER: Anything else? I do appreciate you coming out, especially in light of recent events. It is good to see everybody again and see you in January.

(Time noted: 8:28 p.m.)

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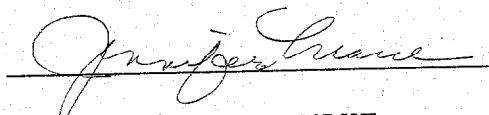
C E R T I F I C A T E

STATE OF NEW YORK)
) ss.
COUNTY OF SUFFOLK)

I, JENNIFER MAUE, a Registered
Professional Reporter, do hereby certify that the
foregoing Matter, taken at the time and place
aforesaid, is a true and correct transcription of my
shorthand notes.

I further certify that I am neither
counsel for nor related to any party to said action,
nor in any wise interested in the result or outcome
thereof.

IN WITNESS WHEREOF, I have hereunto set
my hand this 6th day of February, 2002.


JENNIFER MAUE