

**MARE ISLAND NAVAL SHIPYARD
RESTORATION ADVISORY BOARD (RAB) MEETING MINUTES
HELD THURSDAY, SEPTEMBER 7, 2006**

The Restoration Advisory Board (RAB) for former Mare Island Naval Shipyard (MINSY) held its regular meeting on Thursday, September 7, 2006, at the Mare Island Conference Center, 375 G Street, Mare Island, Vallejo, California. The meeting started at 7:08 p.m. and adjourned at 8:53 p.m. These minutes are a transcript of the discussions and presentations from the RAB Meeting. The following persons were in attendance.

RAB Community Members in attendance:

- Myrna Hayes (Community Co-Chair)
- Wendell Quigley (Mare Island resident)
- Paula Tygielski

RAB Navy, Developers, Regulatory and Other Agency Members in attendance:

- Michael Bloom (Navy Co-Chair)
- Henry Chui (EPA)
- David Godsey (Navy Lead RPM)
- David Clark (Navy RPM)
- Gil Hollingsworth (City of Vallejo)
- Daniel Murphy (DTSC)
- Chip Gribble (DTSC)
- Linda Rao (SF Water Board)
- John Kaiser (SF Water Board)
- Steve Farley (CH2MHill/Lennar)
- Michelle Trotter (DTSC)
- Cris Jesperson (Weston)

Community Guests in attendance:

- Bob Bancroft
- Alona Davis
- Michael Sanchez (CH2MHill)
- Michael Foster (Sullivan)
- James Porterfield

RAB Support from CDM:

- Darlene McCray (CDM)
- Doris M. Bailey (Stenographer)
- Wally Neville (audio visual support)

I. WELCOME AND INTRODUCTIONS

CO-CHAIR BLOOM: We'll go ahead and get started. I'm assuming Myrna will show up. We can go around with introductions. I welcome everybody to our -- actually it's our August RAB meeting for -- but we're having it this week because of the Labor Day holiday. I'm Michael Bloom with the Navy, and I'm the BRAC Environmental Coordinator and the RAB -- Navy RAB co-chair. And can we go around the room and introduce ourselves?

Attendees introduce themselves as requested.

MR. KAISER: John Kaiser, Water Board. And I'd like to take this opportunity to introduce somebody new. Replacing Agnes Farres is Linda Rao. She's been with the Water Board now for about ten years, working within the surface water arena. And maybe you want to tell them a little bit about yourself while we have this opportunity.

MS. RAO: Sure. I came most recently from NPDES, permitting discharges south of Dumbarton for all the cities there. And worked on regional monitoring projects variously throughout the state. And am real pleased to be working with everyone.

CO-CHAIR BLOOM: We'll go ahead and get started with our first presentation. It's a presentation by the Navy. I'd like to introduce Dr. Michael Foster from Sullivan Consulting Group. And he's going to talk about our F1 investigation that we're going to be conducting discussing the additional sampling. And David Clark, in the back, is the project manager for the Navy working on the project.

II. NAVY PRESENTATION: *F1 Investigation Area Additional Sampling* Presentation by Dr. Michael Foster, Sullivan International

MR. FOSTER: Thank you, Michael. It's been a long time since I was here. I think it's 2000 since I was -- that's the RAB presentation. I recognize some faces here, and good to see them again, and always enjoy coming back to Mare Island. I'm currently a project manager with Sullivan supporting Dave Clark for investigation work in investigation area F1. And this evening I am going to give a short presentation on -- to describe the Navy's planned investigation work that we hope to conduct in the next few months in investigation area F1. The work has three parts to it. The sampling will include some confirmation sampling for the site inspection work in investigation area F1. We're going to do some additional soil and groundwater sampling for investigation of the UST sites in F1. And we'll also be conducting characterization and verification sampling for PCBs in the investigation area. The purpose of this work is -- there are three parts to the purpose. It will be to basically confirm the findings of the prior PA/SI -- or preliminary investigation site inspection work performed in investigation area F1. And then to basically advance the closure status of the under-ground storage tank and PCB program work in investigation area F1. The results of this work -- the plan is to incorporate the results in the next version of the F1 RI, which will be a draft final. So we're going to complete this work and then report the findings in the next version of the F1 RI report.

So first, I just want to describe the site inspection sampling we plan to perform. Again, this is intended to validate or confirm the findings of the 1995 preliminary assessment site inspection report. That report basically investigated over one hundred buildings, and most of the property in area F1, and other areas at Mare Island, but included F1. And then, based upon the review of the historical uses of the building and the other records for the area, then selected or recommended sites for investigation in the remedial investigation report. As a result of that PA/SI report, 33 buildings or areas were subsequently investigated in the remedial investigation, and they are reported -- the results of that investigation is reported in the RI report. But, as part of the agency review, there was additional discussion of some of the sites that were not investigated, and there

was some revision or re-review of the PA/SI. And as a result of that, and subsequent discussions between the agencies and the Navy, an additional fifteen buildings have been decided to undergo some limited additional site inspection sampling, with the intent of confirming that the findings or the recommendation for no further action at these sites will be confirmed. The findings of these -- of this investigation will be reported in the next version of the RI. In the event that additional contamination or unforeseen contamination is encountered, the possibility of additional investigation may need to be considered in the remedial investigation. But if the 1995 study is -- if the results of that or the findings are confirmed, then the results will be reported in a fairly straightforward and concise manner in the next version of the RI. The selection of the fifteen buildings was a collaborative process between the Navy and the regulatory agencies. There was a review of the historical uses of the buildings, review of historical photos such as this. This shows some of the buildings in investigation area F1. A53 and 73 were ordnance production buildings that are now demolished, and there's very little evidence or footprint of them now at the site. And they were demolished in 1985, several years prior to the original PA/SI. And this pier building here was a storage building, and that has been removed. And some of the other buildings are still present at the site.

The sampling itself, the work plan is -- that will be presented this week entails that at each of the fifteen buildings we'll sample two locations, and at each of those locations we'll sample at two depth intervals, as that's a total of four samples per building for soil. And then if groundwater is encountered, we'll sample and analyze one grab water sample at each building as well. The samples of soil will be analyzed for volatile organic compounds, semi-volatile organic compounds, petroleum hydrocarbons, metals, explosives, and PCBs. Sampling is going to be conducted using a direct push rig, that's a Geoprobe type rig. Each of the locations will need to be cleared by munitions experts to make sure that we avoid potential interaction with buried munitions. Area F1, as a former ordnance production area, has concerns for munitions at the site, and so there is a requirement to screen or clear or perform anomaly avoidance prior to drilling. This map of investigation area F1 just shows the buildings that have been selected. On this map also, so that the buildings are labeled -- those are the sites that we're going to be sampling at. Also shown on here, the colored areas are the subareas that are reported in the remedial investigation report. And I do that just by way of explanation or to note that the remedial investigation was not conducted as a fence line to fence line investigation. It did not cover investigate or sample all the way within this red outline of the investigation area. It identified 33 buildings for investigation or potential sources. And those buildings were then -- basically we organized them into these six subareas. And the subareas are really only of significance for organization in the report. There is no grouping on origin of contaminants or anything like that, it was just a geographic way to organize the report into chapters, and to have maps that weren't long, skinny maps, but were maps that could contain a few sites at once. So if you are reviewing the RI report, I just provide that information for you to help guide your review. The underground storage tank sampling there are three -- yes, Chip.

MR. GRIBBLE: In reference to guide and review of the report. Do we have an approved work plan for the sampling yet?

MR. FOSTER: We'll be submitting that plan this week.

MR. GRIBBLE: So we should be talking about reviewing the work plan, not the report?

MR. FOSTER: I was -- my references to reviewing the report were kind of a background note for just -- I know that the RI is a broadly applicable document.

MR. GRIBBLE: And just so -- I'm sorry to -- I want to stay in practice so I don't get criticized. I'm sorry to interrupt, I just want to make sure it's clear. So you're submitting, next week, a work plan. And that's a draft, a draft final, what?

MR. FOSTER: It will be a simple work plan that will identify the locations of the sampling that were discussed and -- on the site walk that was attended by the Navy and the agencies. And then it is a -- it's basically an addendum to the F1 RI work plan that was reviewed.

MR. CLARK: I would add, though, it looks like this.

MR. GRIBBLE: And a question to Michael or whomever, so is this a -- what's the review period on this? Is it a 60 day, is it a draft?

CO-CHAIR BLOOM: We're asking for a very short review. Just a few pages to look at the buildings. We're probably going to ask for twenty days.

MR. GRIBBLE: Twenty days, so twenty divided by a few, that's about --

MS. TROTTER: Ten.

MR. GRIBBLE: Okay. Thank you.

MR. FOSTER: All right. There are three underground storage tanks in investigation area F1 that have not received formal closure from the Water Board. We plan to perform additional groundwater at two of those sites, A225 and A267, following comments by the Water Board on the draft -- on the closure report submitted several years back now. The -- they requested additional characterization of the groundwater. So we'll be installing one monitoring well at each of those UST sites, basically at the center of where the former site was, because the tanks have now been removed. And then based -- the wells will then be sampled. And based upon the results of the sampling, the need for additional sampling or monitoring will be assessed. The third UST is building A16. That is a site that falls in the category of not located. And what that means is that there were building records from the Navy that indicated that at some time there was a fuel oil tank at the building. There was a survey done to locate that underground storage tank using basically a probe survey. And that probe survey was performed down to a depth of eight feet, and the tank was never found at the anticipated locations. And as a result of that the -- that tank falls in the category of not located, and should not require additional monitoring based upon the protocols that have been applied so far for closure at Mare Island.

So the plan sampling for this sum of USTs will include the two monitoring wells at these two sites. The locations of those just shown on this map here, A225, 267 and A16. Moving onto the PCB sampling. The Navy will be performing additional characterization and verification sampling of PCB sites in investigation area F1. In 2003 the Navy performed a PCB data gap survey of all the

PCB sites in its retained property to assess what additional information was needed to either be able to justify -- or to show that the Navy was in compliance with TSCA, the Toxic Substances Control Act. That act requires that PCB concentrations -- sites with PCB equipment, do not have levels of PCB exceeding one milligram per kilogram in high occupancy areas. So the survey, which was reported in an internal report, which I believe a copy was sent -- or a courtesy copy was sent to regulatory agencies as well, made several -- made one of three recommendations based upon the data gap survey. It was that the site or the characterization of the site indicated that no additional work was needed. Sites -- a second outcome might be that additional verification or characterization sampling would be needed to demonstrate compliance with TSCA. Or third category, that additional abatement activities were warranted.

The additional sampling is going to address the second category, sites at which additional characterization or verification sampling was needed. And the report made very specific recommendations and detailed proposals on where those samples should be taken. And basically the plan is -- the work plan is going to follow through directly on the recommendations of that document. The buildings planned to be surveyed or sampled are shown here. The types of equipment that were subject to the survey at the time were transformers, rocker arm units on the -- right there, switch units, and transformers. The report included very detailed CAD drawings of the details of the site where abatement had occurred, where previous sampling had occurred, and the concentrations. And then for each site there were specific recommendations for where and how many additional samples would be needed to meet or to fulfill the requirements under TSCA for characterization and verification sampling. And in general -- and there are quite a lot of variations on it -- but in general, characterization sampling is done prior to abatement to establish how extensive is any PCB contamination, if any. And the requirements for that are generally sampling on a three meter regular grid spacing. Or for very small areas, a minimum of three samples must be taken. And on the left is an example diagram of a site with a small area where we've proposed to take three samples to meet the requirements for a small area.

Verification sampling is the term used for sampling after abatement activities have occurred. So if you go to a site and characterize the site, identify an area that needs abatement, then abatement or cleanup is performed, then you have to come back in and do confirmation or verification sampling at a 1.5 meter grid spacing. And this is an example of the grid sampling proposal for this site which has had abatement, basically scabbling, scraping of concrete floor. And the sampling will be performed on basically porous surfaces, so concrete, wood, soil at these sites. Let me check the notes here. The proposed schedule for this work. The PCB sampling we hope to start in the next week or two. And it has very little mobilization time for that because it's simply surface sampling, and there's no clearance for munitions concerns, and there's no drill rig needed, it's all sampling. So that is hoped to start and complete in September. The UST sampling, we hope to install those wells later on in September. And then following review and agreement with the agencies on the SI sampling locations and work plan, we hope to be able to perform that sampling work in October, 2006. And the work plans or the separate addendums are actually -- they're very brief sampling plans because all of the typical sampling plan methodologies are the same as in the remedial investigation. So we are basically maintaining the same sampling methodology protocol. And we will be simply adding locations to the sampling to -- and the aim is to try and cut review time and preparation time for the SAP so that we can get out and perform the work and move on with the remedial investigation report. Any other questions or comments? Yes, Chip.

MR. GRIBBLE: So after you do the sampling at the PCB sites, are you going to move right into the -- any cleanup for these PCB sites that might be appropriate under your -- as you put it -- self-implementing program?

MR. FOSTER: I'm not privy to the plans for that at this time.

MR. GODSEY: Right now we would probably complete the characterization of these sites. And then we will look at what other sites we have Navy retained property wide and include those. And eventually scope out a contract with a consultant to go out and do all the remediation abatement at once. It's definitely more economical and efficient to do it that way. But you also know we're in early transfer negotiations with Lennar, and so we would probably -- these samples would figure into the overall cost of the PCB portion of that early transfer.

MR. GRIBBLE: So assuming that the early transfer continues to move forward -- and as far as I know there's no reason not to assume that -- is it the Navy's plan to have that -- actually do that PCB work as part of the early transfer under the ESCA that you're -- your schedule doesn't call for you to do that, but that that would be done under an early transfer?

MR. GODSEY: If you mean the outstanding PCB work on the Navy, yes.

MR. GRIBBLE: Yes.

MR. GODSEY: That would be a scope within the early transfer and would be included as part of the ESCA work package.

MR. GRIBBLE: Okay.

CO-CHAIR BLOOM: Thanks, Michael.

MR. FOSTER: Thank you.

CO-CHAIR BLOOM: Next, another Michael. Mr. Michael Sanchez from Lennar CH2M Hill. They're going to talk about their indoor PCB site work plan.

**III. LENNAR MARE ISLAND PRESENTATION: *Interim Removal Action Work Plan for Indoor Polychlorinated Biphenyl (PCB) Sites*
Presentation by Mr. Michael Sanchez, CH2MHill**

MR. SANCHEZ: Bear with me one moment. The folks from Sullivan were kind enough to let me use their projector. Thank you. As Steve mentioned earlier, my name is Mike Sanchez, I'm a project manager with CH2M Hill. I'll be presenting an interim removal action work plan that we've completed for sites on the eastern early transfer parcel of Mare Island. So, a little quick agenda for this part of the presentation. I'll describe the purpose of the interim removal action work plan. We have a process we go through for getting work done under this work plan. Give a quick summary of the sites that we've included. And give a brief schedule. And then we'll open it up to

questions. So the purpose of completing this work plan was to provide a process for evaluating sites, identifying cleanup goals, and selecting sampling and removal action procedures.

This is kind of general. This is all general information, and we will be completing site specific work plans. So, now that we have a general work plan out there one may ask, what's the process for each site? So for each site we'll write a cleanup. Complete a notification for the EPA. And do a cleanup plan for the DTSC. Submit it to them for review. Address any comments. And then schedule up the work. Following the work we'll clear the implementation notification cleanup report. So now we're moving on to some sites. So now moving onto some sites. So in investigation area C1 we have eleven sites and nine buildings. Here's a list of those sites. And all of these sites are basically on building floors, and the media that the PCBs are in are asphalt, concrete, tile, and wood. Here's a basic outline of IA-C1, investigation area C1, and the distribution of the sites across the IA.

All right. Building 117 is a wonder arch located outside the official building. This is an example -- just to kind of give an example of how big the buildings are. So building 121. So while that building looks really big, we're really talking about a transformer room that's maybe the size of this table. So even though the buildings are big, you shouldn't get caught up in that. We're talking mostly about smaller sites. And so here's an example of building 271 where we describe the ground floor. That's actually a fairly -- a much smaller area and not the entire floor. And this is an example here of one of those rooms that I was talking about as in building 85 AL-02. These are other sites that are in IA-C1. So one of the things to look at is -- this is building 89. As you can see it's the floor of the building, however, as I described earlier, when we say the floor of the building, we don't mean this whole floor. We're looking at specific sample locations that are discrete and we can find. In IA-C2 we have seven sites in eight buildings. Again, these are all on the floor of buildings, and the media that the PCBs are in are concrete, sediments, tile, and wood. Here's how the PCB sites are distributed throughout IA-C2. So this is, again, an example of something I want to show as far as -- building 106 is actually a very large building. However, we're looking at just specific portions of the floor. It's kind of harder to see, but right here there's actually just a really small PCB location sample there that we're going to look at and possibly remediate. It's, you know, pretty small. Again, floor area, where you can find specific sample locations. These are the other sites within the IA that we'll be doing work at. More sites in IA-C2. Again, more examples of just building size. However, sample locations are very discrete, we can find them and go back and remove elevated concentrations. IA-C3, we only have three sites in three different buildings remaining there that require removal action. And these sites are all in concrete and soil. This is -- they're actually all just in this little portion here of the investigation area. So this is an example of building 720. It's a little bit smaller of a building. Here's the floor that's existing there now. 730 is a smaller electrical building, again about the size of this table. So moving onto the schedule. The removal actions at all these different sites that we just went through rather quickly is -- we'll probably get notifications and work plans into the agencies starting next week. We'd like to turn them around and start working in November. And we anticipate work may go through April of 2007. As I stated, we're currently working on notifications and cleanup plans. Hope to start submitting them next week or the week after. And that's it. Any questions?

MR. CHUI: For these PCB sites you'll also be taking air samples inside these buildings, right?

MR. SANCHEZ: I think that's open for discussion in regards to the DTSC as far as the future use of a site. If it were to be, maybe a small transformer room that was never going to be inhabited, maybe it wouldn't make sense to have an air sample in there. But that's really on a site specific basis, and wasn't covered under this remedial action work plan for each site regarding air samples.

MR. GODSEY: Mike, what's your cleanup criteria?

MR. SANCHEZ: Our current goal is to have each sample -- each confirmation sample location come back at less than 0.74, which is the industrial PRG. And that's applicable to all of these investigation areas. None of them are in a residential area.

CO-CHAIR HAYES: Well, I am glad that Dave asked about the cleanup levels because, again -- Steve, I guess, you're representing Lennar CH. There isn't any -- there aren't any numbers in here, and so I'm glad that Dave asked that.

I'd really like to have you go back to the days when there are some numbers in here to give us an idea of what you're shooting for. A couple of things that I'd also like to note. I couldn't figure out on the schedule what role the public is going to play or the RAB is going to play in your process. It just sounds like it's pretty much focused on the agencies.

MR. SANCHEZ: Currently I believe it is. I don't think we have a public review period. The public review period came and went for the actual work plan. And I don't have the actual dates for those with me right now, but that was open for public review.

CO-CHAIR HAYES: All right. So now you're just with the agency. And just for curiosity, what's a wonder arch?

MR. SANCHEZ: It's one of those building that's kind of a circle.

MR. FARLEY: Like half -- a quonset hut.

MR. SANCHEZ: Quonset hut, wonder arch, or corrugated steel building almost.

CO-CHAIR HAYES: Quonset hut. All right.

MR. GRIBBLE: I'm not sure I understand that. You have a removal action work plan that you did for PCB sites --

MR. SANCHEZ: Yes.

MR. GRIBBLE: -- with DTSC, and that was approved. Now these are site specific work plans that don't need a formal approval like a RAP, or a removal action, but it's the specific -- it's the detailed work plan?

MR. SANCHEZ: Correct.

MR. GRIBBLE: And you're not making those available to the public?

MR. SANCHEZ: Those will go through all the agency reviews.

MR. GRIBBLE: I think the point I'm trying to make is, once upon a time -- it sounds like it was once upon a time -- all of those documents, big or small, were supposed to be placed in -- at locations where public members could look at them if they chose. And it sounds like that's not being done. I mean, I think they're supposed to go in the RAB trailer and in the RAB library too. I mean they're part of the public record.

CO-CHAIR HAYES: JFK Library.

MR. GRIBBLE: So that if you're not doing that, I don't know how that ever happened.

MR. CHUI: Yeah, I think they were part of the distribution list. You should get copies of all the PCB work plans.

MR. SANCHEZ: Yeah, they're definitely on the distribution list.

MR. GRIBBLE: I'm not talking about Myrna, I'm talking about the RAB members and access for the public which would be the library and the RAB trailer. Not that I'm not talking about you, I'm talking about more than you.

CO-CHAIR HAYES: Yeah, the point is that the reason you're here, I suspect, if I recall right, this is a Restoration Advisory Board meeting. And the Restoration Advisory Board purpose, as I recall, as I remember it, is to have involvement by the community members of the RAB, or any other member of the public, early and often in the decision-making process. So I supposed that was why Lennar had this on the schedule for you to give a presentation about. So I was just curious, when it has the process, and it has -- the DTSC and EPA has an opportunity to make comments on these detailed plans but it doesn't show the RAB, then why are we seeing this presentation if we aren't going to have any role?

MR. SANCHEZ: I think this is to follow the public comment period. So we had this general work plan that we submitted out -- we submitted for public comment. And while that work plan listed all the sites that I just presented here, it didn't present necessarily the exact information for each site. It gave general guidelines of what we were going to do at each sites -- at sites.

MR. FARLEY: To clarify, Myrna, two pieces to this. One is there was a formal public comment period which has already come and gone. But in terms of the actual site specific work plans, the RAB members that are on the standard distribution list for documents will receive the documents and have an opportunity to comment in that time period.

CO-CHAIR HAYES: Okay.

MR. FARLEY: So we could have presented it better. But the RAB will not be excluded, and certainly will receive the documents so that if you do have comments you can share those.

CO-CHAIR HAYES: All right. Well, I think that would just be good to start inserting the RAB back in the RAB presentations.

MR. FARLEY: Yeah, it wasn't intended to exclude anybody, I made a note --

CO-CHAIR HAYES: It's just beginning to feel like it is because month after month I have to say these snotty things and, you know, the tone of voice isn't very nice and things like that. But I'd like to see some data. And I'd like to see the RAB context, how the RAB is going to play. So I don't know if it's your leaders or your -- you know, or where the buck stops, but that's just my thoughts. I appreciate the presentation.

MR. SANCHEZ: Okay. And I'll take that feedback back.

CO-CHAIR HAYES: And I appreciate the work that you're doing, but it's just that I'm the process queen.

MR. GRIBBLE: So are you also putting copies in the RAB trailer and the library?

MR. FARLEY: Yes.

MR. GRIBBLE: You are. Okay.

MR. SANCHEZ: Okay. Any other questions?

MR. PORTERFIELD: RAB trailer, what's its location? Here on the shipyard somewhere?

CO-CHAIR HAYES: It's the old phone place by 535. But it's also in the JFK library in the public the reference library has the entire set of the documents. That's a federal repository for all the documents produced for the cleanup at Mare Island.

CO-CHAIR BLOOM: Thank you.

MR. SANCHEZ: All right. Thank you very much.

CO-CHAIR BLOOM: We are on public comment period. Any public comment? No. Okay. Next on the agenda is a ten minute break. We can take our ten minute break.

(Thereupon there was a brief recess.)

IV. ADMINISTRATIVE BUSINESS (Myrna Hayes and Michael Bloom)

CO-CHAIR BLOOM: All right. Next on the agenda is administrative business and announcements. And as far as -- I don't have any announcements. But as far as business, does anybody or will anybody have any comments on the July 27th RAB minutes? Everybody should have received those. If you do, please get them to myself and/or Myrna. We appreciate it.

And that's it on that topic.

V. FOCUS GROUP REPORTS

So we'll move right along to the focus group reports. And community -- I'm not -- is that still vacant?

CO-CHAIR HAYES: Uh-huh.

a) Community

Vacant.

b) Natural Resources (Jerry Karr)

CO-CHAIR BLOOM: Natural resources, Jerry.

CO-CHAIR HAYES: I just might note that Jerry did e-mail that he has a conflict with an Audubon California board meeting tonight, so guess who got priority.

c) Technical (Paula Tygielski)

CO-CHAIR BLOOM: And Paula?

MS. TYGIELSKI: Nothing to report.

d) City Report (Gil Hollingsworth)

CO-CHAIR BLOOM: Okay. Gil?

MR. HOLLINGSWORTH: Nothing to report.

e) Lennar Update (Steve Farley)

CO-CHAIR BLOOM: And Steve?

MR. FARLEY: Something to report.

CO-CHAIR BLOOM: All right.

MR. FARLEY: Two handouts. One is a two-sided sheet that shows the status of our deliverables. The other is our eleven by seventeen handout that we use every month. Let me go ahead and start with the information in the lower left corner of the handout, documents in review. We are -- we've received comments on the draft remedial action plan for C2 from DTSC. And what's remaining now is for agency comment and regional board comments on the C2 RAP. We have an indication from the board that we should see comments within the next couple of weeks. The draft RAP for

IA-B.2 is now in the public comment period. The draft RAP plus the neg dec and initial study documents were all delivered to the library last week. The public comment period ends on the 5th of October. And there is a public meeting scheduled for September 13th, so next Wednesday for that -- for the IA-B.2 RAP.

CO-CHAIR HAYES: And where is that?

MR. FARLEY: I think it's at the library.

CO-CHAIR HAYES: Will we be noticed of it?

MR. CHUI: Actually it's been sent out, you should have got it.

MR. FARLEY: Myrna, if you don't have the notice and/or fact sheet, would you let me know and I'll make sure that you get it? You should have it because it went out at the same time. Okay. In terms of upcoming public comment periods. The IA-C2 RAP, that's out a few months before that public comment period. But as I mentioned -- and just to reemphasize -- we are in the public comment period for the B-2 RAP, and it ends on October 5th. Significant upcoming documents. The final IA-B.2 RAP is slated for November of this year. Environmental site closure status, those numbers haven't changed from last month. No new issues, no new milestones identified for tonight's meeting. Let me then go to the upper left corner of the handout where you see a map showing IA-B.2. That represents the area covered by the IA-B.2 RAP. The crane test area, which is the area to the west labeled as B.1, will be handled under a separate decision document.

In the upper right corner is an insert map showing a few things. The green lines represent the groundwater elevation -- average groundwater elevation. The yellow areas are areas where a removal action, excavation of dirt was done either by the Navy or by CH2M Hill some time ago. And the purpose of the inset is to show you, in the lavender circles and in the blue squares, where we will -- we're going to be doing some additional soil gas monitoring and some additional groundwater monitoring. Now, we talked about this a couple of months ago in the RAB meeting. We mentioned that we were going to be doing this. And that the driver for this investigation was essentially the height of the water levels. We were waiting for those water levels to drop sufficiently to collect representative soil gas data around those former tank locations. We've had a discussion with the regional board and the DTSC, and we expanded -- actually expanded quite significantly the scope of work for the soil gas and the groundwater monitoring, and this is the current plan. There are probably a couple of small modifications moving a couple of these lines or these locations around a little bit. But, in general, this is the program that we're planning on implementing, and that work will probably take place in late September or October. In the lower portion of the handout is a label that says triangle area. This is an area that I reported on once before, and that Neal reported on last month. And there were 16 excavations that we were performing within the triangle area. The triangle being defined by dry dock one, dry dock two, and the Mare Island Strait. These are 16 relatively small excavations for lead, PCBs, TPH. And the work is almost done. We've completed about 80 percent of the excavations, they're backfilled and paved, and we've done off-site disposal of about 60 percent of the materials. We still have some additional work to do with the remaining soils before those materials can be disposed of. The blue

circles -- the open circles that are in C1, C2, and C3, if you'll look in the legend on the lower right corner of the handout, represent the PCB sites that are included in the presentation that Mike just gave. I just wanted you to see what the distribution was across those three IA's. And I think that's all I have. Any questions?

CO-CHAIR HAYES: What's the status of the land use control progress?

MR. FARLEY: The last --

CO-CHAIR HAYES: Or is there progress?

MR. FARLEY: To be honest with you, Myrna, I don't know. Neal is out of the country, and the last -- not on purpose -- the last -- the last discussion I had with him was a couple of weeks ago following the last RAB meeting. And to the best of my knowledge, I'm not aware of any new news coming out of that process. That's really a process between Lennar and the City and the Guardian Trust.

CO-CHAIR HAYES: Gil is shaking his head no.

MR. HOLLINGSWORTH: Well, if it's with the City, we haven't done anything in months on it.

CO-CHAIR HAYES: Are you supposed to be?

MR. HOLLINGSWORTH: (No verbal answer.)

CO-CHAIR HAYES: No comment?

MR. HOLLINGSWORTH: No comment.

CO-CHAIR HAYES: Well, I keep asking.

f) Weston Update (Cris Jespersen)

CO-CHAIR BLOOM: Thanks, Steve. Cris.

MR. JESPERSEN: Would you hand these out to the audience members? I think the RAB members all have them. While he's handing our handout to the members of the audience and everybody, we achieved a very significant milestone on August 3rd and August 4th, and that was the approval of the area H1 remedial action plan record of decision and RCRA closure plan. That's almost four years of work in the making. And it's a big milestone for us. And as part of that document we selected a cleanup approach to put an engineered cap over the 72 acre portion of H1. And I just want a minute to thank Chip and Dan. Both you guys and your staff, we had a pretty aggressive schedule here to get where we needed to be this summer. I know you guys put in a lot of work, along with my staff, on conference calls, meetings, including some on the weekends. And I just want to say thank you guys for working with us to get where we needed to be at the finish line.

MR. GRIBBLE: We love you too, Cris. And I just wanted to point out that actually it kind of sounds like it took us two days to sign the document, but -- August 3rd and 4th -- but actually we did it in record time, we did it in one day.

MR. JESPERSEN: I should also thank the Navy, I think you came out on your day off to facilitate signing that.

CO-CHAIR BLOOM: Thank you very much, Cris.

MR. JESPERSEN: Once the ink was dry on the signature line, we moved onto the next item on the list and that was to start construction on the area H1 containment cover. And we're going to be doing probably about two-thirds of H1 this summer. We just didn't have enough time in the construction season to get all the work done since we also have a significant amount of material that we have to pull out of some wetlands areas that have hot spot contaminations, and consolidate under the cap. So we've got several hundred thousand yards of material we're having to bring over to that area and build up the subgrade. And you'll see in the photograph here in the lower left hand corner some of the work that's undergoing.

If you follow the caption from right to left, the right is the completed subgrade. That's whatever clean material we've brought in to get the grade up so it will appropriately drain. And in some areas we had to bring in seventeen to twenty feet of fill material to get the grades where they need to be. You can see the next layer over, the next item with the black material is the geocomposite gas inventory layer. And the dirt looking area there, that's about a twenty foot long roll of some of the geocomposite material. Going further to the left, the white material is the geocomposite clay layer. And then on the far left you can see some the HDPE geomembrane layer. So there's a lot of work that's involved in putting those various layers down, a very rigorous quality controls process that we have to go through. So the welds on the material go through destructive testing. We pretty much have a checklist that we have a lot of rigorous procedures that we make sure everything is put in there right so it works as designed. And then finally, in the picture here on the upper right, we put on top of the completed geocomposites, two feet of clean fill for a couple of reasons.

One, it protects the material, and then eventually we'll hydroseed the top layer of that so that we've got a nice stable material that doesn't erode. Again, as you can see, that's a lot of work involved in that, if you're bringing ten or fifteen feet of subgrade up, all the work in the geocomposite layer, and then putting another two feet of imported fill on top of that. So it's an ambitious program for us to get through this summer. And I know Dave mentioned at the break -- and Michael -- take a look at what's going on, it's pretty impressive.

CO-CHAIR HAYES: Are we going to have a chance to take a look at it?

MR. JESPERSEN: I'll be happy to organize something. Doing this through the end of October is the current schedule. We can talk and put something together for the RAB. The other item we continue to work on is the investigation of anomalies in the Western Magazine area. We've identified over 6,200 magnetic anomalies in there. And to date we've pulled out 378 live ordnance

items, and just under 3,200 inert munitions debris items. And just recently we found some things we haven't seen before. The two 20-millimeter anti-aircraft gun magazines that have 60 rounds in 'em. And then we find the usual assorted twenty millimeters and fifty caliber small arms as well. Again, had a major milestone this past month with signing the RAP ROD, made us happy. And we are working hard to get the cap done on our schedule.

CO-CHAIR HAYES: So how many mice did you end up finding?

MR. JESPERSEN: Just the two.

CO-CHAIR HAYES: Two.

MS. TYGIELSKI: Two whole marsh mice?

MR. JESPERSEN: Two whole marsh mice. You're here for all the major milestones now that Jerry's gone.

CO-CHAIR HAYES: We treat you right at the beginning.

CO-CHAIR BLOOM: Exactly.

MR. TYGIELSKI: There were only two?

MR. JESPERSEN: We caught a few -- fifty or sixty normal field mice. Any other questions?

MR. QUIGLEY: Yeah, I have one.

MR. JESPERSEN: Sure.

MR. QUIGLEY: Well, on this site, how much material has been added to this old dump site, and how much more will be added from other areas?

MR. JESPERSEN: Right now it's designed, I believe, about a half million yards of fill material that we brought in to meet the design grades, both subgrade material, and then the cap material that goes above the geomembrane and geodeposit.

MR. QUIGLEY: What is the proper expected --

MR. JESPERSEN: I should append that with one thing. We are looking to bring -- I'm probably fuzzy because Dwight's not here tonight -- but I believe it's around 80,000 cubic yards of what we call hot spot material from some of the areas outside the containment barrier of the slurry wall, that's part of some wetlands reengineering we have to do. And some material's going to be brought inside the slurry wall, and some of the area is going to be capped and consolidated, and that will be in the subgrade layer.

MR. QUIGLEY: How long is this area good for in time with this -- under this construction, with the clay and the three foot of dirt on top? And how long is this good for?

MR. JESPERSEN: I believe in the presentation we made here two or three months ago, the typical engineering studies show it should be applicable for 500 years. There will be periodic reviews, and there's ongoing maintenance to make sure that the integrity of the cap is maintained.

MR. QUIGLEY: But you said there's another 80,000, you said?

MR. JESPERSEN: 80,000 yards of material that we'll bring inside the containment layer.

MR. QUIGLEY: That you're bringing in from other areas?

MR. JESPERSEN: From H1.

CO-CHAIR HAYES: From the landfill, consolidating it inside the containment area.

MR. QUIGLEY: Yeah, I'm just wondering what areas of the island they're bringing this from.

CO-CHAIR HAYES: It's from the landfill, but outside that containment -- that little 72 acres.

MS. TYGIELSKI: Part of the landfill has walls around it and a cap over it.

MR. QUIGLEY: Right.

MS. TYGIELSKI: And there's a few spots that aren't in the containment area that are, you know, gross enough to move 'em in and get 'em to make sure that they're contained.

MR. JESPERSEN: Area H1 is roughly 200 acres, and the historic RCRA and historic facility landfill is about 73 acres. And we constructed the engineered barrier back in 2004, what's called a slurry wall around the area that we intend to cap, the 73 acres. And we already brought material from outside that barrier in investigation area 02 -- which is IR area 02 and IR16 that was contaminated. We already brought that back inside the area that we intended to cap. And this fall there are also some other hot spot areas in adjacent wetlands within the area H1 that we intend to excavate and bring within the area that's going to be capped.

MR. QUIGLEY: Okay. Thank you.

MR. GRIBBLE: Wait, now let me clarify a couple of things. You asked about how long this is supposed to last, and Cris said 500 years. That's not quite -- there's more to it than that. The 500 years really is a figure and it's an approximate figure of the life span -- the design life of the material itself. But it does not mean that that remedy is going to last for 500 years. The remedy is supposed to last for infinity. And the only way that we get it to last for infinity is that we have regular maintenance required, upkeep, frequent inspections. And there will be replacement of features, as needed, when they do fail. So, in reality, we don't expect anything to last forever. But the only way that we can make that remedy, containment last forever is to work on it constantly.

So when there's an earthquake and there may be a slight, some -- some magnitude of a failure at some point, Weston will be required to go back and do a repair. If there is a -- some kind of a burrowing animal that gets in beyond the radar of the trapping program, they're going to have to go in and do whatever kind of repair. If there's too much water coming through the cap, they're going to have to pull out the cap, rip it out, and put in a new cap. And that does happen, by the way. The DTSC has gone back to other facilities and made them redo the entire cap because the infiltration was too excessive. If the slurry wall fails in some way, they'll have to go back and do a repair. So it depends on what happens, what fails. And then we'll have to work out a fix to keep that remedy in place.

CO-CHAIR HAYES: If I could note something about -- you should distinguish when you're talking about the material whether you're talking about the horizontal or the vertical containment portion, because the materials are completely different. And I would say that bentonite is probably not going to lose its effectiveness in infinity. I can't see that it's going to do some greatly -- I mean that's a -- much less likely to fail even than the manmade product on the top.

MR. GRIBBLE: Everybody's entitled to their own opinion.

MR. QUIGLEY: So then this 72 acres actually will never become open land?

MR. GRIBBLE: That's -- unless, I mean it could if Weston or the Navy or some other entity in the future wanted to propose changing the remedy, we would entertain that. And the way that would happen --

CO-CHAIR HAYES: They don't seriously entertain it, because we've tried for several years.

MR. GRIBBLE: Excuse me, can I finish, please? We would entertain that. If they wanted to do that, and that would be a cost, there would have to be a change in the existing remedy. In short, the cap would have to be redone and made more robust.

MR. QUIGLEY: So then in the general plan, the new plan, then we -- they have provisions for routing a bike path, walking path, whatever, around the 72 acres being that they can't go through it?

CO-CHAIR HAYES: No. No.

MR. GRIBBLE: I'm not sure.

MR. QUIGLEY: Well there is no plans -- this is supposed to be an open area, correct?

CO-CHAIR HAYES: It will be open, it won't be accessible under DTSC's --

MR. QUIGLEY: Okay. Well, okay. How do I -- it's not going to -- there's going to be a fence around it, and the common public is going to be directed to a new area. We will not be able to walk across it or --

MR. GRIBBLE: That's correct.

MR. QUIGLEY: Or anything like that, because it's going to stay this dump; right?

MR. GRIBBLE: That's correct.

MR. QUIGLEY: And so from what I thought I read in the original plan, there would have been a walking path going somewhere on or around this. Has that all been thrown out too now?

MR. GRIBBLE: It was never thrown out. Weston retracted that proposal.

CO-CHAIR HAYES: That's not true.

MR. QUIGLEY: I see.

CO-CHAIR HAYES: The public never agreed to that with DTSC. So we could argue all night, but in the original --

MR. GRIBBLE: You could argue but -- you know what, let's do something here.

CO-CHAIR HAYES: In the original plan --

MR. GRIBBLE: Let's let Weston tell us what happened, or the Navy tell us what happened.

CO-CHAIR HAYES: I don't think it's productive.

MR. GRIBBLE: Well, then, if you want to contradict us, then -- I mean there's your answer right there that you might accept. And I'm telling you that they withdrew that proposal.

CO-CHAIR HAYES: That's not what they told us.

MR. GRIBBLE: They have an opportunity to tell me I'm wrong, but they've yet to do that in public.

CO-CHAIR HAYES: Well, why go up against DTSC? You guys have been muscling this project from day one. The RAB members, the community has worked really hard to make alternatives, and you go back and blame Weston and the Navy when we, the public, brought you opportunities to meet with us, to talk candidly, to offer options, to talk about and discuss things before the decision was made. And the agencies just continued to smugly say, well, they can build us a better Cadillac or a Hummer or a Jaguar or -- and it's those guys that aren't letting you have your park. But the truth is, the City of Vallejo actually colluded with you. They don't want that area thirteen, that was a pipe dream as far as they're concerned. They don't have any management ability to manage that as recreation and open space, so they really went along with you as well. I mean it's been a big collusion, and it hasn't been open to the public. The community doesn't know about it, in general. Newspaper articles haven't been written about it. So you can say, oh, well, it was actually Weston, or it was actually the Navy who are the bad guys, but this is a collective process that failed to meet the goal of the reuse plan. And you can roll your eyes at your boss over there,

too, if you want, that's your prerogative. But the fact is, I believe the agency failed to meet the community and to candidly converse and talk with us about alternatives that would work for the community, that would work for the city, and work for the responsible parties. I think we made a tremendous effort, and the agency pulled back and took it into the political back rooms. That's my opinion and my experience because I met privately with some of your staff at the highest levels. They asked me to come meet with them, and then after that nothing ever transpired the way -- they just came on a fishing expedition. And then, in the end, made decisions without bringing it back to the RAB, without bringing it to the broader community, and just used the power of the regulation to sidestep trying to also have the eloquent solution of the community having open space and access to that open space. You will be looking at an open area that will be nicely native grass, cover grasses, flowers, covered. It will be a nice looking place from your view.

MR. QUIGLEY: So then the fence is now no longer a --

CO-CHAIR HAYES: The fence will be there, but it will be -- you'll have grasses behind that. You're not going to see equipment. And it's going to be an undulating type of a hill we understand from the design. But the public has been, once again, on Mare Island, aced out of public access to this area.

MR. QUIGLEY: Well, I wasn't privy to all of this information that you have, and now I'm getting filled in with a little more. And I do -- being that I'm on the island and kind of have been elected as a spokesperson kind of here -- I do, when I leave these meetings, I go and I talk to the rest of the people on the island, especially people who have purchased property that will look over this area. I being one of them. So I am still not clear exactly what's going to happen. I'm not clear on what has happened, the debates that have gone on. I do know that we have not been a part of it, or I would have tried to have been there, I guess, if I'd have known. But I'm still -- is Lennar itself still going to have some areas that are going to have access for bikes or trails or anything? Is Weston going to have any other areas with bikes and trail? Or has a lot of this gone by the wayside through back room discussions?

CO-CHAIR HAYES: Lennar -- one of the plans that Weston put forth was to do a joint trail system with Lennar from your property, and Lennar declined and, in fact, put a fence up where you might have gone on a trail. So there's been a lot of effort made to try to make a trail system that could link and have options of going on part of the landfill area. But in the end, a lot of players stepped back and just went to what I believe was the very bottom rung of the, you know, the bottom line. And it really wasn't -- I'm just not defending Weston and the Navy, but as far as my experience, they've -- they came to the table, they frequently came up with ideas and possibilities, and they were shot down routinely by the agency, and actually by Lennar when they tried to link parcels together. So --

MR. QUIGLEY: What I'm getting at when I'm listening to you talking then, pretty much all of the trails have been excluded from this, there will be none?

CO-CHAIR HAYES: I wouldn't be so -- well, from area H1 there's never an intent -- when you look at that recreation open space, that's as far as the picture was painted in '94. Anything that you saw in any propaganda from your purchase of your house was purely speculative. No one had

made a trail system, and no one had put anything on paper except for marketing playing with images. There is no condition anywhere in any document that said you got to have a trail, it's just that we were expecting that to be a 92 acre kind of open land that would have public access. But the final remedy doesn't allow for any public access on the landfill area. So whatever other trails you were marketed with on the island, that's a decision of the developer and the City of Vallejo planning department. It isn't a cleanup decision. It isn't a decision of Weston or the Navy or DTSC. Only that parcel that had a cleanup problem --

MR. QUIGLEY: That's interesting, because in our bus trip with Weston when they took us to the sites, they had showed us areas that they were going to be developing into an open area for a walking site -- and you were there. So that's interesting that you say that they haven't proposed that.

CO-CHAIR HAYES: For the landfill there was a proposal that was presented -- and you were here -- it was shot down by the agency as not being protective enough of human health and of the cover itself.

MR. JESPERSEN: Myrna, to interrupt, I think what Wendell is probably referring to is our requirement under our agreement with the State Lands Commission to provide public access to the western levees along the two series ponds. And we do still have that requirement. There's a couple of issues that have to be resolved, but we're going to do that. One, that area thirteen on the map there is still owned by the Navy. We don't have a legal right to allow public access on there until the Navy transfers the property.

CO-CHAIR HAYES: If --

MR. JESPERSEN: If they do. The scenario I would envision -- and certainly I'm not speaking for Michael here -- is once we complete the landfill cap, like I said, that area thirteen there is roughly 200 acres, the landfill is 73 acres, potentially the Navy would consider transferring as clean, unencumbered property, the Delta between that -- outside the fence, and that's going to be wetlands and other just open areas that the public could potentially access to. And if that takes place, then we could actually complete our trail. Right now without having legal access or ability to access, we can't put a trail through that area.

CO-CHAIR HAYES: And the trail was a remedy for a separate environmental cleanup for the dredge ponds, not for the landfill. And that remedy still needs to take place. However, as Cris mentioned, those are wetland areas, and those are also regulated by an agency that isn't here tonight and you've never actually seen, and the responsibility to regulate endangered species habitat. And it may be that they decide, trump everybody and say we don't feel comfortable with the trail system going through endangered species habitat. That isn't anything that the city has any say in, or DTSC has any say in, or Weston or the Navy or even State Lands. The federal law trumps everybody else in that particular arena. So trail systems out on that western side are very complex. And I think it would probably be great if a team of folks, you know, talked that over with the folks -- your neighbors, if you'd like -- about some of those complexities, and clear the, you know, clear people's minds up about where they can go, where they -- where the potential, where the best potential is going to be for trails that are going to be, like, unencumbered by all of these -- some of these

problems. Because I know Lennar has, and the city has plans for some great trail systems through the parts of the island that aren't, you know, encumbered with either environmental issues for cleanup or endangered species. I know they do have plans for that.

MR. QUIGLEY: Thank you.

g) Regulatory Agency Update (Carolyn D'Almeida/Chip Gribble/John Kaiser)

CO-CHAIR BLOOM: All right. Chip, you're up, regulatory agency update.

MR. GRIBBLE: I've taken up enough time.

CO-CHAIR BLOOM: Okay. Carolyn is not here from EPA, she sent me an e-mail saying she wouldn't be able to attend. And, John, do you --

MR. KAISER: Sure, I have some comments.

CO-CHAIR BLOOM: Okay.

MR. KAISER: I'm filling in for Brian Thompson. He's sorry he's not here tonight, he's actually out taking a two day training in Sacramento. But what he did want me to mention here is that, for the Navy Mare Island portion, we provided comments on the RAP ROD for site seventeen or IR17. We also are receiving reports for review in the south shore area, that's IA-F1 and F2 that you heard about earlier. As far as Lennar Mare Island, the separate portion, we're reviewing reports that are -- that have been submitted for investigation area C2, and actually we plan to have our comments on that by mid-September. Actually I figure next week. We've also provided comments on a couple of UST sites. One of them is UST site 750, and the other one is UST sites 241 and 231. What that was all about is that we wanted some additional action to help us evaluate the reports. There's also an issue of what was previously referred to as an unidentified cistern, and I think it's cistern 65. Apparently that cistern has been located, and there's no further action pending on that. There's one other item, and that pertains to establishing screening levels for petroleum hydrocarbons. We've met both with Lennar Mare Island and CH2M Hill, their consultant, to further discuss the screening levels for the petroleum hydrocarbon sites, with the idea that we have to have some further discussion regarding the screening level of that for indoor air risk before we can really go further with that tier two screening level. That's -- that pretty much wraps it up on this one. Any questions on that? Okay.

VI. CO-CHAIR REPORTS

CO-CHAIR BLOOM: Thank you. Next are co-chair reports.

CO-CHAIR HAYES: The only thing I have to report is that I received a letter from the public participation supervisor -- I think of Michelle, Michelle's supervisor -- this week, indicating, as you probably already gathered, that DTSC has unilaterally made a decision, without any input from the RAB, even though Mr. Murphy said that we were going to have a conversation about it before the decision was made, to have public meetings on decision documents now no longer be in any way

associated with the Restoration Advisory Board. Not held beforehand and not held during the meeting. And so -- and no specific requirement that RAB members be notified that the meeting is going to take place. So, if you want to be notified, you should definitely make sure with Michelle that you're on a list if you'd like to attend decision document meetings, because those will no longer be associated with the RAB. And they also sent -- a rather bizarre part of the note was that they had read a lot of e-mails and had a lot of phone conversations that they had listened in on or weighed in on or something, about us being confused, or some of us being confused about what a Citizen Advisory Group is compared to a Restoration Advisory Board.

And I don't know, is there anybody in the room who doesn't know that this is a Restoration Advisory Board meeting and it's actually hosted by the U.S. Navy? They actually sent this notice explaining what a Citizen Advisory Group is. And maybe they want to give a presentation sometime on that. But if you don't know -- as far as I know, it's the equivalent -- it's a -- required at a non-military site, a private site. For example, technically, if the community is interested, you can have a similar type of forum to this at a private site where there's environmental cleanup taking place. Is that right, Michelle?

MS. TROTTER: That's correct. It has to be pre-approved by the department. But, for instance, if you're familiar with Zeneca, which is around kind of the corner here, that is actually a Community Advisory Group.

CO-CHAIR HAYES: And also actually Benicia at Tortolo had a Citizen Advisory Group. So the context in which I've had that conversation is in -- and maybe I can clarify this for the agency representatives and you can take it back to your people. But I haven't seen any e-mails or any -- had any phone conversations where I've been confused about it. But if other people -- your staff is, the context has been in the fact that we are doing a really special kind of a dance here at Mare Island that we negotiated as members of the RAB in supporting the early transfers that would make the properties private. And for everybody involved we decided at that time, the regulators, the responsible parties, the Navy, and the new responsible parties who are private, that the best thing to do would be to continue to hold the Restoration Advisory Board meetings, one meeting, and try to weave in the environmental cleanup issues and documents that were -- and processes of those private parties into one meeting -- into one process. So my point has been, at times here, that if the -- that can't still be melded together, and we have three really supportive folks, you know, organizations working as a team right now helping to pay jointly for the meetings, the transcriptions, you know, investing money in this single meeting, that if any one of those responsible parties, private parties wants to say, secede from participating fully in the RAB process, then they will need -- there will be the opportunity for the citizens who are interested in the environmental cleanup at that private property to petition DTSC for a CAG. That's the public's right. So that's the context in which we've had the conversation about what's a CAG and is one appropriate here, is one necessary here. And we've had a long history of it. We started talking about it when the first early transfer started being talked about in 2000. So I don't mean to keep you here all night, but I think that DTSC staff -- if they had circled back around with any one of the RAB members, probably wouldn't have sent quite -- such a patronizing letter as I interpreted it. So again, it's a challenge to DTSC to come back to the community, circle back around with us and not kind of fall back on, you know, the back room conversations. But come back to us, so you're here at the table, but let's continue the dialogue. That's my -- my comments on the letter that I received.

MS. TROTTER: Well, I'm Michelle Trotter. I actually work with Diane Fowler who actually wrote the letter. And she asked me to address the RAB this evening just to let them know that she was not able to attend, but she would like your comments and concerns, and she would be happy to meet with the RAB and/or individuals to talk about this. So I believe her phone number and contact information is on the letter, and I would strongly suggest, if you have questions or concerns, to please direct them to her.

CO-CHAIR BLOOM: Thank you. For the Navy update --

MR. GRIBBLE: Michael.

CO-CHAIR BLOOM: Oh, I'm sorry, we have a question?

MS. TYGIELSKI: I'm just wondering if you -- if DTSC decides not to make some of the things presented at our RAB meetings, doesn't that mean twice as more meetings for you guys to have to go to?

MR. GRIBBLE: Are you asking me?

MS. TYGIELSKI: Yeah. I mean if there's -- if you're -- there's public meetings about various things that aren't presented as part of this forum, doesn't it mean that you'd have to go to this meeting and another one?

MR. GRIBBLE: I don't get tired of going to meetings. However, let me -- let me give you another answer. I would offer Dan Murphy to respond to that.

CO-CHAIR HAYES: Must have been why he attended.

MR. MURPHY: You're correct that a decision to hold public meetings -- and we have several of them -- how many do we have planned? Does anybody know how many -- have an idea how many we have planned over the next few months?

CO-CHAIR HAYES: We've always had a lot planned, let's say seven.

MR. GRIBBLE: One, two.

MR. CHUI: Four this year.

MR. MURPHY: So holding these meetings would be four meetings in addition to the department's involvement in the RAB meetings that are regularly scheduled. We believe that when we have public meetings on RAB meeting nights -- and especially since we seem like -- we believe that we're going to have a lot of public meetings in the next few months -- that they impact RAB meetings in ways that are not particularly constructive to you all. Or else we feel compelled to conduct our meetings in ways that we don't believe are consistent with the rules that we're required to conduct our meetings under. And so we -- that plus the fact that the department in almost every

other instance holds their public meetings separate from RAB meetings so as to ensure that they -- the distinction between the business and purpose of a RAB meeting, and the business and purpose of a public meeting is kept clear.

CO-CHAIR HAYES: We've been doing it with no problem for several years early --

MR. MURPHY: Myrna, I was asked to --

CO-CHAIR HAYES: Oh, you're not finished?

MR. MURPHY: No, I'm not finished.

CO-CHAIR HAYES: Oh, well, let us know.

MR. MURPHY: What we've also suggested is that we're happy to impinge upon our friends at Weston and at CH2M Hill to make presentations to the RAB on all of the topics, and any topics that we're going to be talking about at public meetings, with the added advantage and feature for the RAB that you all can call the shots about how long you want them to take and things like that; that we don't feel constrained to keep going on and on and on and on, like some of our public meetings tend to go. That we can make shorter presentations to the RAB, if that's what the RAB wants. We can make longer presentations to the RAB if that's what the RAB wants. But we are able to tailor them in that way. That we also have offered to take any public -- any comments that the RAB makes at a RAB meeting about one of the projects that we're doing and treat them as though they're public comments given at a public meeting.

So you all get to decide how long they go and how much information you want. You get to decide how you want that information presented. If you want more data, you get more data. If you want more pictures, you get more pictures. You all can work that out in planning your RAB meetings. You can let it go as long as you need to or as short as you need to, and you still have the -- you still have the feature of being able to make comments there that would be considered right along with any other comment made by a member of the public in any other forum during a public comment period.

MS. TROTTER: Can I make just one point that, Myrna, just to clarify? Any public document that we go out for public comment through DTSC we have used, and always has been standard, the Navy's mailing list, which they have been generously giving us, which both CH2M Hill, Lennar, and Weston have used. So everybody should be on the mailing list. Please let me know if the recent fact sheet that Lennar sent out, that you did not receive a copy. I would be concerned to know. So -- and we get monthly updates from CH2M Hill regarding the mailing list.

CO-CHAIR HAYES: Well, I'd just like to respond that this is -- this is a radical change. And the behavior of DTSC at Mare Island regarding what was brought to us originally by DTSC as a really new and improved way to get the cleanup done, and to get public involvement, and that was called an early transfer. DTSC representatives were touting the value of an early transfer. We negotiated for months and months and months over how we were going to meld the work of three parties on one Navy facility. And this is a bad faith move on DTSC's part to unilaterally make a decision

about whether the public meetings were going to be held -- 18 many public meetings that weren't going to be able to fit into the RAB were scheduled from 6:00 to 7:00 prior to the RAB meeting, and we had public attend, we attended, it was convenient for all of us. And this is a decision that DTSC upper management has made. And, Dan Murphy, you gave me your word at the last public meeting on H1, after the meeting you said, let's have a meeting, let's talk about it, I'll get in contact with you. And today is the first day I've seen you or heard from you. I'm not trying to put you on the spot, but why not? So DTSC is alienating itself from the people who have been its greatest allies and its greatest champions in this community. And I've worked in this community for twelve years together with you. And this is confusing to me. So, again, I reported the letter as I received it.

CO-CHAIR BLOOM: Okay. I'll go ahead with the Navy report. The Navy completed our field work for the oil sump box investigation next to the DRMO area. And we're going to hopefully complete all of the field work at the DRMO by the fall of this year. There's some items that are in contracting right now to take care of -- to finish that work. And there's some pictures of what we did at the DRMO area recently on the front page. As John reported, we received comments for our Site 17 proposed plan from the agencies, as well as we also received comments on the tier two risk assessment approach from the Water Board. And then DTSC also provided comments on our Marine Corps Firing Range report. Other than that, I just want to say we had another meeting on the early transfer with all parties, with -- this time the regulatory agencies were involved in this room. And it was the first meeting. We all got together to discuss strategies and the next step. So that's where we're at. Discussions are continuing, and we're awaiting a proposal. Any questions?

CO-CHAIR HAYES: Regarding the DRMO, is this soil sampling related to that mysterious source of oil or -- that's been appearing? And when were you going to tell us about that?

MR. GODSEY: Well, we have -- okay. That area has been looked at for some time as being impacted by petroleum products in the subsurface. And right now we're -- there's three parties that are involved, as Lennar owns property in the immediate area, the Navy owns the DRMO site, and Weston, of course, under the ESCA is doing work on the landfill. Each of those represent a potential source of the petroleum in that area, and they all seem to be reaching a confluence there at that area. And so we're trying to figure out who is responsible for what parts of that area to clean up. And so we're doing -- each of us is doing our own investigations, and we'll bring the data together and then we'll sit down and figure out who will be actually -- how we'll assign responsibility for the cleanup.

CO-CHAIR HAYES: So is that what this soil sampling is here, is your part of that?

MR. GODSEY: Yeah. We're doing it along the railroad tracks out there on the switching yard just to the north of the DRMO site. We had brought in the backhoe to take some trenching to get a wider view of what the subsurface looks like.

CO-CHAIR HAYES: Okay.

CO-CHAIR BLOOM: Next is public comment. Any other public comment? No. Then with that, it is adjourned.

LIST OF HANDOUTS:

The following handouts were provided during the RAB meeting:

- Presentation Handout – F1 Field Investigations
- Presentation Handout – Summary of Interim Removal Action Work Plan for Indoor Polychlorinated Biphenyl Sites
- Weston Solutions Mare Island RAB Update August 2006
- Navy Monthly Progress Report Former Mare Island Naval Shipyard August 2006
- Lennar Mare Island RAB Update August 2006
- CH2MHill/Lennar Mare Island Deliverables Schedule August 2006

(Thereupon the foregoing was concluded at 8:53 p.m.)