

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

PROPOSED PLAN PUBLIC COMMENTS MEETING  
FOR NAVAL INDUSTRIAL RESERVE ORDNANCE PLAN (NIROP)  
FRIDLEY, MINNESOTA

Thursday, August 22, 2002 6:00 p.m.  
Fridley Municipal Center

Reported by: Shannon R. Forester, Adams Court  
Reporting (763) 421-2486

**COPY**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

NIROP Fridley Partnering Team  
in attendance

Jeff Meyers, US Navy

Craig Thomas, US EPA

John Betcher, MPCA

Mark Sladic, TtNUS

Venky Venkatesh, CH2MHill

1                   MR. MEYERS: This is a public  
2 meeting to talk about the Proposed Plan for  
3 Operable Units 2 and 3, and I'll define what  
4 that means in just a little bit here, for the  
5 NIROP Fridley Plant, Fridley.

6                   My name is Jeff Meyers, and I work  
7 for Naval Facilities Engineering Command. We  
8 manage the cleanup for the Naval Sea Systems  
9 Command or NAVSEA. They own the property,  
10 and we just do the work for them. And NAVSEA  
11 is represented by Mr. Jerry Peterson.

12                   The purpose of this public meeting,  
13 we will present our preferred alternative for  
14 addressing soil contamination in OU2 and OU3  
15 and solicit public feedback. That's one of  
16 the requirements of the federal law is before  
17 we can make a decision, we have to give the  
18 public an opportunity to comment. That's why  
19 we put an ad in the paper and why we have the  
20 public commentary.

21                   We make decisions as a team. We  
22 entered into a partnering arrangement with  
23 the MPCA and the EPA Region 5 out of Chicago.  
24 And these are the members of our team:  
25 Myself; Craig Thomas of the EPA Region 5;

1 Dave Douglas from the MPCA, he's not here;  
2 John Betcher from the MPCA, who is here; and  
3 then two guys that do all the work. They're  
4 the contractors. One is Mark Sladic, he  
5 works for Tetra Tech NUS out of Pittsburgh,  
6 and Venky Venkatesh from CH2MHill out of  
7 Cleveland.

8 Here's a picture of the plant.  
9 I've got another later slide showing OU2 and  
10 OU3, but basically OU2 is all this soil in  
11 the North 40 area -- and I'm too short to  
12 reach up to the building, but OU3 is the soil  
13 underneath the main plant, the portion of the  
14 building that the Navy owns. And I have a  
15 map showing that.

16 Location map: The plant's right by  
17 East River Road by the river. And I'm sure  
18 you know where that's at.

19 This is a map especially just to  
20 show what we own and what we don't own. This  
21 little dotted line here, we own above that.  
22 And so UDLP owns this land down here and this  
23 small portion of the building, and UDLP also  
24 owns along this fence line. And again, this  
25 proposed plan only deals with the Navy's

1 owned areas, not with UDLP's.

2 I mentioned this previously, the  
3 scope of the Proposed Plan, OU2 -- or  
4 operable unit, that's the term that we make  
5 up to look smart, I guess, but that is the  
6 land outside the main building, and OU3 is  
7 the land underneath the building. And we're  
8 combining the decision on these two because  
9 administratively it makes sense.

10 History of the site: NIROP Fridley  
11 is like any other industrial facility. They  
12 generated various wastes, and some of those  
13 wastes, such as solvents or chemicals, they  
14 disposed of on site in pits and trenches. So  
15 they're nothing special in that regard. They  
16 kind of followed the standard practice of the  
17 day.

18 Previous actions: This kind of  
19 summarizes. There's been a lot of  
20 contaminated soil and drums, some containing  
21 liquid, some not, that we've excavated from  
22 the area, starting as early as 1983 and as  
23 late as two months ago. So this decision  
24 that we're making is not -- we're  
25 incorporating things we've already done.

1           Instead of lumping all this into kind of a  
2           more final decision, when we found stuff --  
3           for example, we found some drums underneath  
4           the ground using some geophysical techniques,  
5           magnetic anomaly -- is that correct, Mark --  
6           to try to locate where the drums are. So we  
7           got rid of the worst stuff, the stuff that  
8           could continually contaminate ground water.  
9           And also some soil hot spots that would pose  
10          kind of an unduly affecting risk, making risk  
11          unacceptable in a certain area, and we'd go  
12          out and grab that. So we've done quite a bit  
13          of removal, over a thousand cubic yards of  
14          soil and quite a few drums that we've  
15          excavated. Like I said earlier, just two  
16          months ago.

17                         And I've got some pictures of that.  
18          This just shows you excavation of one. You  
19          can see some soil, there's a drum.

20                         And here's another view showing  
21          some -- you can see a drum that's been  
22          excavated right here, along with some soil.  
23          Here's what we did -- we did this two months  
24          ago. We had one hot spot in the North 40,  
25          which basically caused the whole area,

1 because of the way we categorized the risk,  
2 caused the whole area to be unacceptable in  
3 surface soil, so we removed that, about  
4 35 cubic yards. Just to give you an idea,  
5 there's, looks like, a small Bobcat backhoe  
6 kind of thing, to give you an idea of the  
7 size of the excavation.

8 Remedial investigation, that's the  
9 process we use to investigate the nature and  
10 extent of contamination, what contaminants,  
11 where are they held, where have they been  
12 released, how far have they migrated. And we  
13 started an RI for OU2 in '93, and we started  
14 the OU3 RI in '95. And part of the RI was  
15 installing ground water wells, took a lot of  
16 samples, evaluated and analyzed them. And in  
17 May, three months ago, I guess, May 2002,  
18 these two RIs, the associated supporting  
19 documents were approved by both EPA Region 5  
20 and the MPCA.

21 Now a big part of the RI is a risk  
22 assessment. That's when we estimate the  
23 potential risk to people who could come into  
24 contact with site contaminants. We've placed  
25 the focus on future construction, because

1           again, we're talking about soil. And the  
2           worst case would be somebody who digs a hole  
3           to build a footer, and we wanted to look at  
4           somebody that could be exposed to that. So  
5           we look to future construction. And again,  
6           for surface soils, for just a worker, a guy  
7           who mows the lawn, we might take kind of an  
8           average of soil contamination across the  
9           site. But if he's going to build a footing,  
10          we assume that he'd put the footing in the  
11          worst possible place. So we're very  
12          conservative in how we develop these exposure  
13          scenarios. And the whole risk assessment is  
14          fairly complex. No way I can explain it. We  
15          do have a risk assessor here who did the  
16          work, and any technical questions he can  
17          answer.

18                           In fact, I'll show you where you  
19          can find this information. It's part of the  
20          administrative record, which is any documents  
21          relating to the decision that we're going to  
22          make, any document supporting that is located  
23          at the MPCA office in St. Paul. And here are  
24          just the two cover sheets of the two  
25          documents that contain most of the risk, RI

1           for OU3 and supplemental RI report, which  
2           includes OU2.

3                       I mentioned the exposure scenarios  
4           we used. I'll go to the last book first. We  
5           looked at residential from the screening  
6           level. We didn't go through the whole  
7           process. And there would be unacceptable  
8           risk to residential. Typical industrial  
9           worker, that would be -- that could be a guy  
10          mowing the lawn. Inside the building it  
11          could be just a worker operating a lathe or a  
12          forklift. Minor frequent and major  
13          infrequent construction workers, the  
14          difference in these two is just exposure  
15          duration and length of time. These are the  
16          guys that we assume would be digging a footer  
17          or building a foundation and being exposed to  
18          the most highly contamination levels.

19                      To summarize the risk, we updated  
20          to include removal actions. What I mean by  
21          that is we had one hot spot that we factored  
22          into the calculations. When we removed that,  
23          we then took that data point out of the risk  
24          assessment and reran the model, came up with  
25          a new number. And we did that to verify the

1 removal of that hot spot, for example, what  
2 we did two months ago, and gave us the  
3 desired effect. So we have a kind of  
4 pre-removal action risk summary and we have a  
5 post-removal action summary. And we got what  
6 we wanted, we removed the worst stuff in  
7 subsurface soil, and that's OU2.

8 The basic summary from the risk  
9 assessment, there are unacceptable risks to  
10 the minor frequent and major infrequent  
11 construction worker in several subareas. We  
12 just kind of divvied up this area and  
13 subareas to make the risk calculations  
14 manageable. So it's not a meaningful  
15 boundary. It's not a property boundary or  
16 anything. We just had different subareas,  
17 kind of -- it's part of the process. The  
18 risk in subsurface soil was at six feet below  
19 ground surface in OU2 and under the former  
20 plating shop floor in OU3. So I'll get back  
21 to that six feet in a little bit here.

22 Clean up alternatives: I mentioned  
23 that we kind of proactively removed stuff as  
24 we found it, and that made the development of  
25 alternatives much simpler. We had one

1 alternative, no action, which is what the  
2 federal statute requires for comparative  
3 purposes. And that's really no further  
4 action because obviously we've done a lot of  
5 work in the past. The cost would be zero  
6 because we wouldn't do anything.

7 Alternative two, land use controls,  
8 I'll define those next. Cost, about \$1600  
9 per year. There's some costs that we incur  
10 every five years, so we just prorated them  
11 for a yearly cost. And that's how we came up  
12 with that.

13 I mentioned land use controls. We  
14 kind of have what I would call two types of  
15 land use controls. One's institutional  
16 control, which is administrative in nature,  
17 such as a zoning restriction, and an  
18 engineering control, which is a physical  
19 barrier. It could be a fence or it could be  
20 soil cover. These two together make up land  
21 use controls.

22 The preferred alternative is  
23 alternative two. That's no surprise. We  
24 effectively incorporate previous removal. So  
25 all the worst stuff we've already removed --

1 and we're taking credit for that, obviously,  
2 as part of this alternative. The property  
3 can only be used for industrial or restricted  
4 commercial use. And those definitions are in  
5 the Proposed Plan and come right out of MPCA  
6 guidance.

7 Industrial would be, Fridley, as it  
8 is now, restricted commercial could be a  
9 Walmart. It could not be a school, it could  
10 not be a senior center or a doctor's office.  
11 Those are actually examples in the guidance.  
12 So is restricted commercial, as opposed to  
13 unrestricted commercial.

14 Here are the two land use controls.  
15 No soil disturbance deeper than three feet  
16 below ground surface in these two areas,  
17 which I'll show on a map. The contamination  
18 that would cause an unacceptable risk is at  
19 six feet, and the land use control is three  
20 feet, so basically from three feet below  
21 ground surface to six feet is the buffer  
22 zone. Below six feet is where the  
23 contamination is. Without permission, the  
24 landowner could use three feet. With  
25 permission, you'd have to get permission from

1 the MPCA to go deeper than three feet below  
2 ground surface. If you went four feet below  
3 ground surface, it would not be an issue.  
4 Probably have to put the soil back. If you  
5 went ten feet below ground surface, you'd  
6 probably take some precautions, maybe  
7 personal protective equipment to avoid  
8 exposure. But again, the land use control,  
9 the people that would look at a work plan  
10 associated with going beyond three feet would  
11 be the MPCA.

12 Also, no disturbance of soils  
13 underneath the former plating shop floor.  
14 And that's also on the map. This is a big  
15 pit where there's two -- one is a pit that's  
16 been filled in; the other's not been filled  
17 in, it's a pit. So it's the bottom of the  
18 pit. That's the concrete floor. The actual  
19 land use control is the concrete floor,  
20 however thick it is. That is an engineering  
21 control which protects anybody from the soil  
22 underneath. The other side is backfilled.  
23 If it's backfilled, there would be no land  
24 use control over the new floor, just the old  
25 floor. This is the bottom of the pit. I

1 think one side is about eight feet, the other  
2 side is about four feet.

3 So, again, I want to emphasize that  
4 these are land use controls, but they can be  
5 managed. They can be -- probably it's not  
6 the word, I'm trying to think of a better  
7 word, but you can go deeper than three feet  
8 underneath the plating floor if you go  
9 through a process with the MPCA. And they  
10 will just make sure that you're protected.

11 You could also build a house on  
12 there if you wanted to, but you'd have to  
13 probably take it a step beyond the cleanup  
14 we've done, maybe excavate more areas. So  
15 nothing's prohibited; it's just that it's  
16 prohibited without some kind of action.

17 And this is a map, again; this is  
18 in the proposed plan, mentioned subareas.  
19 That's area A4 and A3. These are next to  
20 each other. But that area and the North 40,  
21 that's three feet land use control, and  
22 here's the former plating slop. There's  
23 actually some space in between. There's a  
24 big pit here, or one that was here -- I can't  
25 remember which side, it's filled in -- but in

1 the middle, that we could probably redefine  
2 the middle to remove the land use control.

3 One of the things we're required to  
4 do is evaluate the alternatives per federal  
5 law. We have these nine criteria. The first  
6 two criteria are called the threshold  
7 criteria. That means that you cannot select  
8 an alternative that does not satisfy these  
9 two criteria. One is overall protection of  
10 human health and the environment, and the  
11 other is compliance with applicable or  
12 relevant and appropriate requirements.  
13 That's just some requirement, could be  
14 construed as a cleanup standard, that  
15 decision-makers use, relevant, appropriate,  
16 or applicable. An MCL would be an example of  
17 an ARAR.

18 Then we have five criteria called  
19 the balancing criteria. You don't have to  
20 satisfy each one of these, but the idea is to  
21 get the best balance of alternatives that  
22 satisfies the most best. Long-term  
23 effectiveness and permanence, reduction of  
24 toxicity, mobility, or volume of contaminants  
25 through treatment.

1                   Short-term effectiveness, the big  
2 component of short-term effectiveness is  
3 worker safety during implementation of the  
4 alternatives. Implementability and cost.

5                   And then the last two are called  
6 the modifying criteria. Once we come up with  
7 a preferred alternative, then the state or  
8 community can modify what we do. State  
9 acceptance, we've got up to that point. The  
10 MPCA has agreed with our control alternative.  
11 Community acceptance, that's why we're here  
12 tonight. We're trying to get feedback,  
13 especially from the City of Fridley, because  
14 they have a big interest in this.

15                   This little table, alternative one  
16 and two against the nine criteria. No  
17 surprise. Alternative one, the two threshold  
18 criteria are not met; therefore, we cannot  
19 select that as an alternative. The one  
20 criterion that alternative two does not meet  
21 is reduction of toxicity, mobility, or volume  
22 through treatment. And again, I'll emphasize  
23 that a lot of the stuff that couldn't be  
24 reduced in toxicity has already been carted  
25 off and sent off and has been incinerated in

1 a landfill in Alabama. So we've actually met  
2 that in the past. But this alternative  
3 looking forward is not satisfied. Community  
4 acceptance, we're actually TBD.

5 Path forward, we're in the midst of  
6 public commentary. We welcome anybody in the  
7 public, the City, obviously, can make a  
8 comment from now to September 12. It can be  
9 official comment, you can call us, e-mail,  
10 whatever it is, and we'll write what's called  
11 a responsiveness summary, respond to each and  
12 every comment. Typically, the responsiveness  
13 summary is included in the Record of  
14 Decision, which is a legal document that  
15 would likely be used to select a remedy.  
16 There's still some issues that have to be  
17 resolved to the DOD and EPA. So we go from  
18 preferred to selected.

19 And I mentioned the Admin record.  
20 Any document that we use to justify to  
21 support this decision we're proposing to make  
22 is in the Admin record, and that's all in  
23 the -- it was in the library, but I think we  
24 had to remove it. So now it's in the MPCA  
25 offices in St. Paul.

1                   There's phone numbers in the  
2 Proposed Plan, and one of those phone numbers  
3 belongs to somebody at MPCA. Call him, and  
4 he can arrange to have you look at whatever.  
5 That's all I have.

6                   Just emphasize, the memo, based on  
7 that memo that I read from the City of  
8 Fridley, I want to emphasize again, you can  
9 go deeper than three feet or beneath the  
10 former plating shop. It's just that  
11 precautions and permission have to be  
12 obtained. So there's no flat-out  
13 prohibitions. These are just putting people  
14 on notice. Here's where the contaminants  
15 are; if you want to expose yourself to this,  
16 you have to take the precautions as  
17 appropriate. Depends on the contaminants.  
18 And all those -- the MPCA obviously is aware  
19 of what contaminants are where, and they can  
20 give you fairly good guidance on how you  
21 protect yourself. So we're not limited just  
22 to a parking lot. We can put a building on  
23 there.

24                   Any questions?

25                   MR. HICKOK: Jeff, Scott Hickok,

1 City of Fridley. And I was just going to ask  
2 the question, under the PCA, are there other  
3 projects that we could, for folks that aren't  
4 familiar with these kind of precautions, that  
5 we would take for contaminated soil, are  
6 there other projects that we might point to  
7 in the metro area and say, okay, this is a  
8 development that occurred, in spite of those  
9 precautions, and here's what they did to  
10 overcome the elements? Is there something  
11 that I can respond with if I got that kind of  
12 question?

13 MR. BETCHER: Yeah. And I'm  
14 John Betcher from the MPCA. The one site  
15 that I can think of that would be probably a  
16 very good example is the Joslyn Superfund  
17 site in Brooklyn Center, which is not too far  
18 from here. It's a site that was very  
19 contaminated. It was a former poultry plant  
20 site. It was very contaminated when we first  
21 started working on it.

22 We actively worked on remediation  
23 with the responsible parties for almost ten  
24 years. And at that time a developer, a  
25 potential developer, came on board who showed

1       some interest in the property. And currently  
2       we were able -- they entered the VIC Program  
3       as a leasor of the property. And they  
4       developed plans for manufacturing warehouses  
5       and showrooms to be developed on the site.  
6       And we were able to work with the existing  
7       contamination in the soil that was there and  
8       also alter the ground water around it by  
9       changing the well location and piping and  
10      things like that.

11               And we were able to succeed in two  
12      phases of development of the site. One, the  
13      first site is the Midwestern Distribution  
14      Center for Wickes Furniture Company, and the  
15      second site includes the offices and  
16      warehouse and showroom for Toro Manufacturing  
17      for their commercial mowing equipment. And  
18      there's also a third phase of development,  
19      which is actively being marketed. And at  
20      that point that site will be completely  
21      developed.

22               There was some TIF financing  
23      involved in that, which Brooklyn Center  
24      negotiated with a developer to fund the  
25      additional cleanup that had to be done to

1 make that site safe for development. It's  
2 located right off France Avenue and 100,  
3 Highway 100, near Twin, Middle Twin Lake.  
4 And you can go out there, drive out there and  
5 observe what the developments look like.

6 But that's been a real successful  
7 development of the Superfund site, utilizing  
8 the Voluntary Investigation and Cleanup  
9 Program to move it into a productive site.  
10 It's probably the best example that I know  
11 of. There are other examples as well.

12 MR. MEYERS: Would Medtronics be a  
13 good example?

14 MR. BETCHER: I'm not sure exactly  
15 how much cleanup had to be done. I don't  
16 believe that was a Superfund site. There may  
17 have been some other contamination there, but  
18 I don't believe that was a Superfund site.

19 MR. HICKOK: We did have the Bland  
20 Murphy facility here in Fridley, which is  
21 probably another good example of a Superfund  
22 site that now is developed for warehouse and  
23 manufacturing, a pretty successful site,  
24 similar precautions made to that site, I  
25 would imagine, that we'll be seeing here.

1                   MR. BETCHER: Right. It's possible  
2 to do. I mean, depending on the site and the  
3 risks that are present there, there may be  
4 some restrictions in how you develop the  
5 site, or there may be some particular  
6 precautions that you have to take. I know at  
7 the Joslyn site, we were very interested in  
8 maintaining the ground water remedy that was  
9 there. And we were successful in doing that.  
10 It just sometimes takes a little creative  
11 juggling to do it.

12                   MR. HICKOK: Thank you.

13                   Jeff, one other question that I  
14 had: On the zoning, in your presentation it  
15 talks about kind of that enforcement or  
16 administrative side of it, and currently the  
17 land is zoned for industrial. And the  
18 expectation, so I'm clear, is that commercial  
19 or industrial is the expected continued  
20 zoning, and the local government would be the  
21 enforcement agency to make certain that that  
22 happens. And if anything else were to  
23 happen, then, of course, it would go through  
24 the proper channels for certifying it as able  
25 to be used for something else. Is that a

1 good way to state that?

2 MR. MEYERS: First of all, it's  
3 actually restricted commercial, not  
4 unrestricted commercial. Those are two  
5 separate definitions in the guidance. And  
6 they're fairly specific, they're fairly  
7 long-winded. So the lawyers would help you  
8 out if you have a question. But that's kind  
9 of the layered effect, that the City would  
10 have zoning authority, as usual, but the Navy  
11 also is responsible as well to make sure that  
12 the property is not used for something that  
13 the conditions will not allow.

14 So we wouldn't take over, you know,  
15 Fridley's authority, but we would count that  
16 as a, like a layer, kind of an extra  
17 precaution to make sure.

18 MR. HICKOK: Okay. I don't know  
19 how many are with the Navy or with the EPA.  
20 How many people here in the room that are  
21 residents are here for citizen input?

22 MR. LUND: Just me and him.  
23 Scott Lund, Mayor of Fridley. And I'm going  
24 to ask for a little backpedaling here  
25 because, as you probably saw, I snuck in a

1 little late. So maybe the question has  
2 already been posed or redundant.

3 And I guess the first question, the  
4 obvious question, in the memo I noticed from  
5 the City, that there wasn't any alternative  
6 discussion for excavation or for soil  
7 remediations, other than if we take out the  
8 cost factor, which I'm sure is astronomical.  
9 Why not, why isn't that an alternative?

10 MR. MEYERS: Okay. Well, I'm glad  
11 you asked that, sir.

12 Basically what we said earlier is  
13 that we've been proactive at the site. When  
14 we found, for example, a drum using magnetic  
15 anomaly or we found a hot spot because of the  
16 sample, we went and removed it.

17 So here's just kind of a summary of  
18 things that have been done. We removed quite  
19 a bit of contaminated soil, a number of drums  
20 that contained liquids. Those are obvious  
21 things you want to get out of the ground.  
22 And we also, I believe, used historical  
23 records to the extent they were available, to  
24 try to find the worst stuff. So we've done  
25 all that. So there's no surface soil problem

1 for industrial workers. That's important  
2 for, I think, the PCA and EPA as well, is to  
3 not have any restrictions on the surface  
4 soil.

5 So there's no restriction from an  
6 industrial standpoint on the surface soil,  
7 and we removed a lot of the stuff that was  
8 deeper that would cause a ground water  
9 problem. So the only thing that's left,  
10 really, is just kind of spacially distributed  
11 various tips of things, like carcinogenic  
12 PAHs that could come from the railroad  
13 tracks. Most of the worst stuff, if not all  
14 the worst stuff, is gone. And what we've  
15 left is six feet of clean soil and then some  
16 contaminated soil underneath it. And that  
17 applies in the North 40 area. Underneath the  
18 building there's this one area, the bottom of  
19 the pit, underneath where they used to plate  
20 metal.

21 So I think we've tried to address  
22 the stuff that we could. The cost factor,  
23 obviously, this is stuff we can get our hands  
24 on, especially in the North 40. Like I said,  
25 we've got six feet of clean soil that can be

1 used without precautions.

2 MR. LUND: Has there been any  
3 studies as to what's left over and it's  
4 permeated, it's widespread, it sounds like,  
5 about remedial -- letting nature take its  
6 course? About how long before we get to  
7 where it's diluted to the point where it's  
8 really harmless? Has there been anything?

9 MR. MEYERS: From a ground water  
10 standpoint?

11 MR. LUND: Yes. Are we talking ten  
12 years, a hundred years, forever?

13 MR. MEYERS: Okay. From a ground  
14 water standpoint, yes. We're looking at some  
15 things to do with the ground water. We have  
16 a pump and treat system for containment now,  
17 and we're looking at continuation, in part  
18 using enhanced natural attenuation or  
19 injecting vegetable oil or some iron to  
20 reductively dechlorinate the TCE from  
21 something that's bad to ethene and ethane,  
22 harmless. And that's the process that we're  
23 helping along. We will look at -- probably  
24 in two years we're going to consider doing  
25 underneath the building in the main plan.

1 Now that's for ground water.

2 Now the scope of this is soil. And  
3 these are contaminants that aren't  
4 dilutable-type things. When the solvents and  
5 things have gone to ground water, for certain  
6 they will naturally decay, if I can use the  
7 word "decay." But we're enhancing it as we  
8 speak, and we're going to look at expanding  
9 that program in part, maybe, to the plan  
10 itself.

11 MR. LUND: And these are probably  
12 alternatives that have already been looked  
13 at, so again, it may be somewhat redundant,  
14 but just for my own piece of mind and when  
15 the question gets posed to me, such things as  
16 burning the soils to burn out the  
17 contaminants. Of course, that's a form of  
18 air pollution, I suppose, but in fact I have  
19 purchased soils in the past that were once  
20 contaminated but burnt.

21 MR. MEYERS: Yeah. We actually  
22 sent some soil down to Emile Alabama to burn  
23 it. But I guess you could do it two ways:  
24 One, you could excavate the soil, which would  
25 be a phenomenal undertaking, and then burn

1       it. But if you put exposed cPAH agents,  
2       would they -- could you effectively destroy  
3       those with incineration? Yes? And the other  
4       would be like soil venting or injecting vapor  
5       in the ground. Those are effective if  
6       there's still some TCE problem, so that might  
7       be effective. But for the kind of compounds  
8       that we have out there, that would be hard.

9               MR. THOMAS: Especially for the  
10       soil under the building.

11              MR. MEYERS: Right.

12              MR. THOMAS: There's no easy way to  
13       get to it.

14              MR. LUND: Other than excavate it  
15       out, right?

16              MR. THOMAS: Well, under the  
17       foundation of a building like that, it would  
18       be very difficult to do.

19              MR. LUND: So the area that's got  
20       the residual contamination is basically that  
21       on --

22              MR. MEYERS: Well, there's two  
23       areas -- three, depending on how you look at  
24       it, I guess. And they're fairly limited.

25              Here's a picture of the site. The

1 red and blue areas, those were contaminants  
2 or spacially mixed and about six feet below  
3 ground surface. And so we have a three foot  
4 below the ground surface land use control so  
5 it gives us a pretty good buffer. And that's  
6 in those two areas.

7 And the only area underneath the  
8 building which would cause an unaccepted risk  
9 to a construction worker is this area right  
10 here, which is underneath the former plating  
11 shop. And one of those -- there's two  
12 plating shops. One of those is backfilled.  
13 So you could put a utility line in the  
14 backfill, as long as you weren't at what used  
15 to be the bottom of the pit. One's about  
16 eight feet and one's about four feet below  
17 the area. So those are the only areas where  
18 you have land use controls.

19 And across the whole area we have  
20 the categorical land use control, the zoning  
21 restriction -- that whole area, not just  
22 specific areas, but the whole area will have  
23 to be zoned restricted commercial or  
24 industrial.

25 MR. SLADIC: Mark Sladic of Tetra

1 Tech. I'm a Navy contractor. If I could  
2 help address the Mayor's question a little.

3 To clean up the land to completely  
4 unrestricted use, besides the cost factor  
5 that's already been identified, it's an  
6 operational plant, and you certainly would  
7 have to do some excavation from underneath  
8 the building, and even though you do some  
9 excavation from outside the building, there  
10 would probably be key areas that would impact  
11 the operation. That's certainly an aspect of  
12 it.

13 One of the bigger considerations of  
14 the Navy's requirement is to remediate  
15 property to the intended future use. And I  
16 think that they're very particular within the  
17 DOD to not proceed much beyond that usually,  
18 because in that case, then it looks like it's  
19 likely to benefit a particular entity, which  
20 would become maybe the next landowner or  
21 whatever, and that's a disproportionate use  
22 of tax money. So the government almost is  
23 under a very strict mandate to meet the  
24 expected land use and not exceed that. And  
25 then, of course, the obvious of not impacting

1 the operating plant, because then there'd  
2 be -- I can't even imagine the estimated cost  
3 of attorneys and whatnot for such an  
4 occasion.

5 MR. MEYERS: And again, the  
6 unacceptable risks of this stuff here are not  
7 to a typical industrial worker. So a guy can  
8 mow the lawn or operate a forklift without  
9 any unacceptable risk. Just to a  
10 construction worker that would be digging a  
11 foundation. So these are not infinite  
12 duration events. These are short duration  
13 and easily manageable. So if this site was  
14 involved, and you had to get to the soil  
15 beneath this plating shop or those two areas  
16 of the North 40, it could be managed.

17 Well, thanks for coming, sir, and I  
18 appreciate your attendance.

19 MR. LUND: Thank you.

20 MR. MEYERS: Thanks, Mr. Harris,  
21 for arranging all this.

22 MR. LUND: Well, it didn't sound  
23 like there was going to be a lot of comments.  
24 I figure you probably went over that again,  
25 but that's what we all get when the mayor

1 shows up late.

2 MR. SLADIC: One more relevant  
3 point, I think for Scott's benefit. One of  
4 the first things that Jeff identified was  
5 that the ground water pump and treatment  
6 system is independent of this activity, and  
7 the ground water pump and treat system is  
8 going to remain in operation. And we've been  
9 looking at ways to enhance that, which is  
10 some of the activity Jeff described, the  
11 vegetable oil. The ground water situation,  
12 of course, is one of the main red flags of  
13 that site, and the soil contamination I think  
14 is much less of a red letter or something,  
15 and I think that we advised Jeff accordingly  
16 there.

17 MR. LUND: Well, it appears to me  
18 that at least those that made the mistake or  
19 whatever, we weren't aware of those things  
20 being mistakes way back when, I understand  
21 that, but at least they've accepted some  
22 responsibility, or so it sounds like, other  
23 than another one of our neighbors with the  
24 ammunition dump over in Arden Hills, it  
25 seemed to me that they just denied having any

1 responsibility for a long time, and  
2 ultimately somebody had to start cleaning up  
3 that ground water and that mess.

4 So I appreciate that you have some  
5 concerns here and that you're working towards  
6 resolving those issues. I only asked the  
7 question basically because a constituent will  
8 come to me and say, if they made the mess,  
9 why aren't they cleaning it up. And the  
10 answer is that you're attempting to do so.

11 MR. SLADIC: Part of Jeff's  
12 presentation also highlighted that one of the  
13 reasons now it's our position not to do  
14 further action is that over the past, say, 20  
15 years, there have been well over a hundred,  
16 now nearly 200 drums removed, and it's  
17 documented in that presentation we handed  
18 you. Even with some photographs, it shows  
19 one of the precautions they had to take,  
20 obviously at great expense, while they  
21 excavated those drums and appropriately dealt  
22 with it.

23 MR. LUND: Okay.

24 MR. MEYERS: I like the way we're  
25 headed. I think the whole team likes where

1 we're headed. It seems to be working, so  
2 they may expand the scale of that.

3 MR. LUND: I have one remaining  
4 question. Is this public hearing as a result  
5 of United Defense, the private contractor, no  
6 longer seeking to purchase the properties  
7 from the Navy?

8 MR. MEYERS: No, sir. This  
9 decision was made -- this proposal making  
10 decision was made independent of that. How  
11 that decision is implemented may be impacted  
12 by not having deed, which you would have a  
13 quitclaim deed if we sold the property. So  
14 how we implement these land use controls may  
15 be changed a little bit. But this is a  
16 requirement, this is a Superfund site, and  
17 this is basically a Superfund requirement, to  
18 have public input.

19 MR. LUND: Well, then the next  
20 question is: Is United Defense out of the  
21 picture at the moment or is it up for sale?  
22 There's been a sign out there for years.

23 MR. MEYERS: Let me just say this:  
24 I work for NAVFAC, which is Naval Facilities  
25 Engineering Command. Management cleanup,

1 basically, is what NAVFAC does. They were on  
2 the site, NAVSEA, Naval Sea Systems Command.  
3 They make guns and ships. And they're  
4 represented by Mr. Jerry Peterson, right  
5 here. And I think --

6 MR. PETERSON: The property right  
7 now is in limbo. We have an operating  
8 contractor in there. It's on a  
9 month-by-month lease. It's obviously open to  
10 plans for leasing it. We can't just throw  
11 them out on the street.

12 MR. LUND: You can't give them 30  
13 days' notice, hey, you're out, when they're  
14 on a month to month?

15 MR. PETERSON: We probably could.  
16 But at this point I think that we're going to  
17 negotiate with them to invest in the program.  
18 And at this point I don't know that they're  
19 actively marketing it more than they were  
20 before. I don't think anything's changed on  
21 that. It's just a -- right now it's a  
22 decision that they have to get over.

23 MR. LUND: Okay. Thanks.

24 MR. MEYERS: I do believe NAVSEA is  
25 still considered a surplus property.

1                   MR. PETERSON: Oh, yes. It's still  
2 surplus to the Navy's needs.

3                   MR. LUND: The thing is if they've  
4 got someone in the back pocket, like United  
5 Defense, you know, no matter who makes the  
6 offer, then they're just going to -- well, we  
7 got this offer on the table, you want to up  
8 it, you know, creating a pricing war.

9                   MR. PETERSON: I don't think we're  
10 worried about a pricing war.

11                   MR. LUND: Okay.

12                   MR. MEYERS: They're looking for a  
13 price.

14                   MR. LUND: Always in the back of my  
15 mind, I'm looking for let's fill the need,  
16 you know, if there is available property,  
17 especially in a community such as ours, in  
18 Fridley, where we have very, very little  
19 available land.

20                   MR. PETERSON: Yes. We certainly  
21 have sold excess buildings to people.

22                   MR. LUND: Well, we'll keep that in  
23 mind. Thank you.

24                   MR. SLADIC: I have one more thing  
25 for the mayor's benefit, is that the public

1 commentary extends till September 12, so any  
2 other questions that come up, there are three  
3 names within the back of that proposed plan,  
4 Jeffrey's, the MPCA representative, and the  
5 EPA representative. And there's phone  
6 numbers, fax numbers, e-mails, carrier  
7 pigeons --

8 MR. MEYERS: Right now the memo  
9 that I saw, we'll respond to that in a  
10 responsiveness summary. But if there's  
11 anything else, any changes --

12 MR. THOMAS: I'll make sure if  
13 there's any addendums, I'll mail you a copy.

14 MR. SLADIC: By the way, I applaud  
15 Mr. Harris as a fantastic representative of  
16 your community. He's been a great service to  
17 us for some number of years. He's a huge  
18 asset for keeping our team in communication  
19 with important people within the community of  
20 Fridley.

21 MR. LUND: Well, I'm certainly glad  
22 to hear that because now we see the other  
23 side of Mr. Harris. I knew deep down there  
24 was a good side of him.

25 MR. MEYERS: Thank you very much.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MR. LUND: Thank you.

(Proposed Plan public comments  
meeting concluded.)