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Project Number 5278

Mr. Robert X. Krivinskas
Remedial Project Manager
Northern Division, Naval Facilities Engineering Command
10 Industrial Highway, Mail Stop 82
Lester, Pennsylvania 19113

Reference: CLEAN Contract No. N62472-90-D-1298
Contract Task Order 218

Subject: Minutes
May 15, 1996 RAB Meeting

Dear Mr. Krivinskas:

Enclosed is a copy of the minutes from the Restoration Advisory Board meeting held on May 15, 1996. Also enclosed is a red line/strike out version of the charter that reflects the consensus reached at the May 15 RAB meeting.

If you have any questions regarding these matters, please contact me at (508) 658-7899.

Very truly yours,

Betsy Horne
Community Relations Specialist

Enclosures

c: Dr. D. K. Abbass
Mr. Alfred Arruda, Jr.
Mr. Robert Belenger
Ms. Elizabeth Bermender
Ms. Mary A. Blake
Dr. David W. Brown
Mr. Anthony D'Agnewica
Mr. W. E. Fenton

Mr. Robert Krivinskas
Northern Division
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c: Mr. Francis J. Flanagan
Hon. June Gibbs
Mr. Dennis F. Klodner
Mr. Joseph McEnness
Mr. Howard L. Porter
Mr. Paul D. Russell
Mr. Charles Salmond
Mr. Keith Stokes
Mr. John Torgan
Ms. Claudette Weissinger
Mr. Paul Kulpa, DEM
Ms. Kymberlee Keckler, US EPA
Ms. Sarah White, US EPA
Ms. Mary Pothier, CDM
Mr. Tim Prior, USF&WS
Mr. Ken Finkelstein, NOAA
Capt. Farrell, NETC
Mr. James Barden
Capt. Wyman, NETC
Mr. David Sanders, NETC
Mr. Brad Wheeler, NETC
Newport Public Library
Middletown Free Library
Portsmouth Free Public Library
Mr. John Trepanowski, B&RE, Wayne
Mr. Michael Turco, B&RE, Wayne
Mr. Liyang Chu, B&RE, Wilmington
Mr. Gordon Bullard, B&RE, Wilmington
File 5278-3.2 w/o enc./9.4 w/enc.

NAVAL EDUCATION AND TRAINING CENTER
RESTORATION ADVISORY BOARD MEETING
MAY 15, 1996

MINUTES

On Wednesday, May 15, 1996, the NETC Newport Installation Restoration Program Restoration Advisory Board (RAB) met for another in a series of orientation sessions. The meeting goals were to hear presentations on the Narragansett Bay area's geology and the progress of the RAB's orientation activities. Also scheduled was a review of the draft RAB charter.

Eleven of the 18 RAB community members attended: Kathy Abbass, Bob Belenger, Liz Bermender, David Brown, Tony D'Agneica, Billy Fenton, June Gibbs, Joe McEnness, Howard Porter, Chuck Salmond, and Claudette Weissinger. Also attending were Paul Kulpa from the Rhode Island Department of Environmental Management; Sarah White, EPA Community Relations Coordinator, representing EPA Remedial Project Manager Kymberlee Keckler; Dr. John King, University of Rhode Island Graduate School of Oceanography; Navy personnel Captain Jon Wyman (Navy Co-chair), Jay Rollin (NETC Public Affairs), Robert Krivinskas (Naval Facilities Engineering Command, Northern Division), and Brad Wheeler (NETC Environmental Affairs). Community members absent were: Al Arruda, Mary Blake, Frank Flanagan, Dennis Klodner, Paul Russell, Keith Stokes, and John Torgan.

The meeting, held at the NETC Officer's Club, began at 7:10 pm. Joe McEnness, the Community Co-chair, welcomed the RAB and reviewed the evening's agenda. Agenda items are denoted in the minutes by the underscored headings.

NARRAGANSETT BAY AREA GEOLOGY

Dr. John King of URI prefaced his presentation by stating it would focus on how sediments arrived in the area and how that information played a part in the geophysical investigations URI has been conducting for NETC. John displayed an overhead of North America 18 thousand years ago, showing the ice sheet covering the northern portion of the continent that lay up to a mile thick. Water that is now in the oceans was then captive in these glaciers; the area we know as the continental shelf was above the water line. As the glaciers melted in fits and starts, they released moraines (masses of material such as rocks and soil) that we can see as distinct elevations such as at the Charlestown moraine. The melting also released fresh water that filled low lying areas. The accompanying sediments form the basis of the bottom of Narragansett Bay.

The first area to fill was the East Passage, and then about 6 thousand years ago, West Passage. The present configuration of Narragansett Bay was established approximately 5 thousand years ago. URI has used acoustic imaging to create a map of the surface of the bottom sediments and their distribution. Because sediment levels change slowly over time, mapping exercises need to be repeated only every 40 to 50 years. The surface map is used

to create a photograph-like image, one of which was demonstrated for the McAllister Point Landfill area.

This activity can help establish a baseline - a snapshot of the features and properties of the sediments at a given time. The baseline allows a study to measure changes in those characteristics over time.

URI collected sediment samples off McAllister Point Landfill that showed that the farther from shore they went, the finer the sediments. Metal contaminants are associated with fine grained material, so, for instance, more contamination would be found in mud than in sand. He discussed an overhead showing sediment quality guidelines for different contaminants.

The highest levels of contamination entering the bay are at its top, near the Fields Point sewage treatment plant and industrial discharges coming down the river. The lowest measured concentrations are at the end of the bay near the Atlantic Ocean. Discharge permit conditions and other efforts to regulate contamination can be seen in the reflected decrease in metals levels in bay sediments.

URI also uses a sediment dating technique by analyzing cores for lead 210, which has a half life of 22 years. Burrowing bay organisms can skew the results so coring is conducted in areas not inhabited by deep burrowers.

Using this information and a variety of techniques, URI has mapped contaminant concentrations throughout Narragansett Bay. For lead, they have identified sites that are above and below levels of concern. Off McAllister Point Landfill, it is clear that metals are there and are continuing to accumulate, although not far off shore concentrations drop. Core samples taken off the coast of Derecktor Shipyard show various layers of copper close to the dock areas. Lead was found at high concentrations throughout the Shipyard area, indicating that the source of lead contamination was both from the Shipyard and up-bay locations.

During and following Dr. King's presentation, RAB members asked a variety of questions.

Comment: Why should we be concerned about the contaminated sediments if levels drop sharply off shore?

Response: McAllister Point Landfill is an on-going source of contamination to the bay. Certain types of contamination bioaccumulate in the food chain. The risk assessment will analyze and evaluate this process to determine whether the health of the environment or people is of concern. The RAB will review the risk assessment document.

Comment: Has URI conducted companion studies on the ability of these contaminants to bind with the sediments?

Response: Yes. No thick layer of sediments has been discovered.

Comment: How old is the sediment between the Derecktor Shipyard docks?

Response: The area was last dredged in the 1970s; tributyltin (used as an antifouling paint on boat bottoms) has only been used since the 1970s. Since the upper 3 feet

of sediment contain TBT, we deduce that that level has been present since the 1970s. Also PCBs were used beginning in the 1920s so their presence is another indicator.

Comment: How can you be sure an investigation has used good measurement techniques?

Response: Each study is accompanied with quality assurance/quality control data that can indicate just how good the data is. Recent data are of high quality (and EPA's oversight contractor, Camp, Dresser, and McKee, is present to ensure studies are conducted correctly). Some data from older studies are not of as high a quality.

Comment: How many people are on the URI study team?

Response: Although there are several teams, the sampling team is comprised of about 5 people. They use a sampler that actually grabs sediment in a clamshell like motion.

Comment: At what depths does URI sample sediment?

Response: At McAllister Point Landfill, some sampling stations are dry at low tide; the deepest station is in 40 to 45 feet of water.

DISCUSSION OF TEAMWORK GROUND RULES

Joe reviewed a revised version of the team ground rules, asking that everyone at least agree on two points: that each person present is interested in the NETC IR program and that the Navy is committed to carrying out the program.

Because of time constraints, Joe McEnness announced that the orientation status report would be postponed to allow time to address the RAB charter.

CHARTER REVIEW

Betsy Horne, Community Relations Specialist from Brown & Root Environmental, led a review of the charter draft, emphasizing that a RAB is not an official entity until after it has ratified and signed a charter. She suggested the RAB walk through the draft paragraph by paragraph, discussing issues and making changes. A copy of the revised charter will accompany the meeting minutes. If they agree with the sense of this evening's discussion, the members can ratify and sign the charter at the next RAB meeting.

Beginning with an agreement that the RAB should consider the charter a living document and assume it will require changes over time, the RAB took over an hour revising the charter. As 9 pm approached, the time the RAB agreed to have its meetings end, Kathy Abbass made a motion to extend the deadline to finish the charter revisions. The motion was seconded by Tony D'Agnew. The motion carried by voice vote.

Broad issues raised and addressed:

representation, both by RAB members and of other groups. Discussion focused on whether each individual should just represent one group (such as the Navy League) or a broader universe. Everyone wears a number of hats in life; the suggestion was that that should also be the case on the RAB. A question arose as to whether all effected groups were represented on the RAB and if not, how they could be accommodated. The consensus was that Joe's suggestion of establishing sub-committees to address issues like this should be undertaken.

- outreach. Members recognized the need to maximize the methods used to identify concerns and issues in the outlying community while also having individual RAB members report back to those groups. Information on the RI program is disseminated through newspapers and will be distributed to the site mailing list as material is generated. A fact sheet on the RAB members and the charter will be mailed once the charter is signed.
- membership numbers and diversity. After discussions about manageable group sizes, the RAB established 20 as the maximum number of community members. The charter will continue to emphasize the need for diversity in experience/expertise, race, gender, and ethnicity. Discussion also focused on whether other regulators could/should be added to the regulatory member list.
- document review. The RAB will review documents in their draft form, before the material is released to the public. RAB members should soon be receiving a copy of the schedule for document delivery from Bob Krivinskas.
- subcommittees. They may be established to address representation and outreach issues, as well as performing as a panel to review and make recommendations among new RAB community member applicants. The application form may also need to be revised.

NEXT RAB MEETING

The next RAB meeting, a bus tour of the high priority sites, will be held on Wednesday, June 19. RAB members should meet in the parking lot at the NETC Officer's Club no later than 5 pm. The tour should take approximately 2 hours. Members will complete the evening by resuming the meeting at the Officer's Club, signing the charter, and celebrating that milestone as part of the social hour. Any member who is not able to make that date and time should notify Brad Wheeler (841-6375) to arrange for alternate accommodations on another day.

Captain Wyman made announcements about the Historical Society-sponsored walking tour of Coasters Harbor Island and a Navy Band concert, both scheduled for Saturday, May 18.

The formal portion of the meeting concluded at 9:35. A social hour with refreshments followed.

NAVAL EDUCATION AND TRAINING CENTER INSTALLATION RESTORATION PROGRAM

RESTORATION ADVISORY BOARD MISSION STATEMENT AND OPERATING PROCEDURES

1.0 PURPOSE and FUNCTION of the RESTORATION ADVISORY BOARD

The purpose of the Restoration Advisory Board (RAB) is to promote community awareness and obtain constructive community review and comment on environmental cleanup and restoration actions of the Installation Restoration (IR) Program underway at the Naval Education and Training Center (NETC). The RAB will serve as a key mechanism to disseminate information about the IR Program and to ensure that various concerns about environmental restoration from the diverse interests within the community are heard. The RAB acts as a forum to discuss, ~~and exchange, and disseminate~~ information regarding cleanup between NETC, regulatory agencies, and the community, and it acts to foster partnership among the community and government. It provides an opportunity for the public to participate in the NETC cleanup process and to provide input to decision makers. All RAB meetings will be open to the public.

NETC has developed a Community Relations Plan that outlines the community involvement program. The RAB supplements the community involvement effort. This Mission Statement and Operating Procedures will be included in the next update of the Community Relations Plan, which is available at the public information repositories located at the Newport Public Library, the Middletown Free Library, and the Portsmouth Free Public Library Association.

2.0 MISSION STATEMENT and OPERATING PROCEDURES

2.1 BASIS and AUTHORITY for the MISSION STATEMENT and OPERATING PROCEDURES

The basis and authority for the Restoration Advisory Board Mission Statement and Operating Procedures are contained in the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended by the Superfund Amendment and Reauthorization Act (SARA) of 1986, particularly Sections 120(a), 120(f), and 121(f), and 10 U.S.C. 2705, enacted by Section 211 of SARA; the February 9, 1994 Department of the Navy memorandum entitled, "Establishment of Restoration Advisory Boards;" the April 11, 1994 Department of the Navy memorandum entitled "Restoration Advisory Board Workshop;" the October 18, 1994 Department of the Navy memorandum entitled "Establishment of Restoration Advisory Boards (RABs);" and the 5 December 1994 Department of the Navy memorandum entitled "Joint DOD/EPA Restoration Advisory Boards (RABS) Implementation Guidelines, September, 1994".

2.2 RAB COMMUNITY MEMBERSHIP and DUTIES

Membership of the RAB should be diverse and balanced and reflect a wide variety of concerns and interests in the community. RAB member participation ensures consistent involvement by the community in the cleanup process.

- a. Members must reside in, own property in, or serve the interests of the communities of Newport, Middletown, and Portsmouth.
- b. Members shall serve without compensation. All expenses incident to travel and/or attendance at RAB meetings and related events, and for providing review and input on technical documents, shall be borne by the respective members or their organization.
- c. RAB members are expected to attend all RAB meetings. If a member accumulates more than two consecutive absences without notifying either RAB co-chair (NETC co-chair, Community co-chair), the RAB co-chairs may ask the member to resign.
- d. RAB members will serve 2-year terms. Terms will be staggered to ensure that an essential core group of members is always participating on the RAB. Members may serve consecutive terms. Names will be drawn 23 months after establishment of the RAB to determine which RAB members will serve on the next RAB.

- e. The RAB will make every effort to recruit members of the diverse community in terms of personal and/or professional expertise/experience, race, ethnicity, and gender. Priority for membership will be given to local residents who are impacted/affected by the NETC. Community members selected for RAB membership will reflect the unique mix of interests and concerns with the local community. It is envisioned that the RAB will be comprised of 20 members, with diverse representation of individuals from the local community, such as:

- ~~Local residents/community members~~
- ~~Local reuse committees~~
- ~~Technical Assistance Grant (TAG) recipients~~
- ~~Local officials/agencies~~
- ~~Business community~~
- ~~School districts~~
- ~~Base employees/residents~~
- ~~Local environmental groups/activities~~
- ~~Civic/public interest organizations~~
- ~~Religious community~~
- ~~Other regulatory agencies~~
- ~~Labor organizations~~
- ~~Local homeowners organizations~~

- f. Applicants for RAB membership may apply at any time; new applicants will always be considered. Applications will be reviewed by a selection panel made up of RAB members. Applicants will be placed into nomination by the selection panel. Open nominations will take place every two years or as needed. Nominations are approved by a simple majority vote of the RAB members present at the meeting designated for nominee approval.

- ~~g. In accordance with Department of Navy (DON) policy, Technical Review Committee Community members will be converted to RAB members.~~

- hg. In accordance with DON policy, representatives from the Environmental Protection Agency and state regulatory agencies will serve on the RAB. Responsibilities include attending RAB meetings; serving as an information, referral, and resource bank regarding cleanup; ensuring that federal and state environmental standards and regulatory issues are identified and addressed; and assisting in the education and training of RAB members.

- ii. In accordance with DON policy, a representative from NORTHDIV will serve on the RAB. NORTHDIV assists in managing a variety of IR Program activities for NETC. Responsibilities of the NORTHDIV representative include attending RAB meetings; serving as an information, referral, and resource bank regarding cleanup issues; assisting in educating and training RAB members; and providing administrative support as requested by the NETC co-chair.
- iii. Members will review and comment on technical documents and plans associated with the ongoing environmental investigations and cleanup activities of the IR Program at NETC. RAB members will be informed of the public comment periods pertaining to specific IR Program documents and actions.
- iv. To facilitate the exchange of information and/or concerns between the community and the RAB, members are expected to serve as a liaison to local community members and interested groups.
- v. Members unable to continue to fully participate shall submit their resignation in writing to either of the RAB co-chairs.
- vi. If the majority of RAB members determines that a member is not performing his or her duties (has unexcused absences, willfully disturbs the orderly conduct of meetings, or performs functions that could cause a conflict of interest, etc.) that member may be asked to resign.

2.3 RAB STRUCTURE

RAB leadership is a joint responsibility.

- a. The RAB will be co-chaired by a representative from NETC designated by the Commanding Officer and by a community member elected by the community membership of the RAB (Community co-chair). The responsibility for presiding over each meeting will alternate between the co-chairs.
- b. The Community co-chair will be elected by a majority vote of the community members of the RAB. The RAB Community co-chair term will run for 1 year. A co-chair may serve more than one term, if elected by the RAB community members.

- c. The Community co-chair may be removed as a co-chair if it is determined that the co-chair is unable to perform required duties, is ineffective, or is detrimental to the RAB. Community co-chair removal is initiated by a majority vote of the RAB Community members ~~present at the meeting~~. The NETC co-chair must be present at such a meeting.
- d. Duties of the Community co-chair include but are not limited to ensuring membership participation in an open and constructive manner; ensuring that community issues and concerns related to cleanup are brought to the table; coordinating, preparing and distributing the meeting agenda with the NETC co-chair; assisting in the dissemination of information; and alternating chairing the meeting with the NETC co-chair.
- e. Duties of the NETC co-chair include but are not limited to the same duties as the Community co-chair, as well as ensuring adequate administrative support to the RAB; developing and maintaining attendance records; ensuring adequate creation, distribution to RAB members, and retention of all pertinent documents; ensuring that NETC considers and responds to comments made at RAB meetings; providing relevant policies and guidance documents to enhance operation of the RAB; referring questions and concerns regarding environmental issues that are not part of the IR Program, as well as non-cleanup issues, to the appropriate officials; publicizing all RAB meetings to the community; and maintaining the information repositories.
- f. The NETC co-chair will work with the Community co-chair and the RAB members to establish a process for public review and comment on documents, plans, and other pertinent information. The co-chairs will ensure that a process is in place so that advice and comments from individual RAB members on cleanup issues are forwarded to the proper officials.
- g. The co-chairs will work together to review and distribute minutes from all RAB meetings. Minutes will be available at the information repositories.
- h. Sub-committees and/or steering committees may be formed in the RAB to assist with RAB member selection (selection panel), to facilitate participation, or to address specific issues or other items pertinent to the RAB. A committee may be formed and its members selected by a majority vote of the RAB membership at the meeting the issue of a committee is raised.

- i. Although the RAB is not a decision-making body for the NETC, the RAB will vote on administrative procedural issues by having a motion made and seconded. A simple majority vote will carry the issue. For voting purposes, a quorum of RAB members must be present. A quorum is made up of ~~the a simple~~ a simple majority of RAB members in good standing. All positions on issues of concern will be noted along with the majority position and will be presented in the RAB meeting minutes. When a controversy arises regarding procedural motions, the RAB will settle these with a simple majority vote.
- j. The RAB will meet ~~at least once every two months~~ on ~~Wednesday~~ evenings. More frequent meetings may be held if deemed necessary by the RAB or if events and issues dictate a need. The RAB will, as required, consider the use of a meeting facilitator (professional or volunteer) during sessions involving especially complex and/or controversial issues. Notification of RAB meetings will be mailed to RAB members at least 72 hours prior to the date set for the meeting.
- k. RAB mailing lists will be updated on a regular basis.
- l. All meeting minutes, agendas, and other materials pertinent to the RAB will be included in the information repositories.

2.4 EFFECTIVE DATE and AMENDMENTS

- a. The effective date of this Mission Statement and Operating Procedures is the date the last signatory signs.

- b. This Mission Statement and Operating Procedures may be amended by a majority vote of the RAB members ~~present at the meeting that the issue is raised~~. Amendments must be consistent with the statutes stated in Section 2.1 (Basis and Authority for the Mission Statement and Operating Procedures) .

Captain Jon C. Wyman
NETC Co-Chair

Date

RAB Community Co-chair

Date

RAB member signatures