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MINUTES FROM RESTORATION ADVISORY BOARD MEETING DATED 11 MARCH 2003
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3/11/2003
RESTORATION ADVISORY BOARD

CHARLESTON NAVAL COMPLEX
RESTORATION ADVISORY BOARD MEETING
March 11, 2003, 5:30 p.m.
The Olde North Charleston Meeting Place
1077 East Montague Avenue
North Charleston, SC

Web site for meeting minutes, fact sheets and other
Restoration Advisory Board documents and information:
<http://www.efdsouth.navfac.navy.mil/environmental/rab/chas>

RAB MEMBERS

Bobby Dearhart	Community member
Wilburn Gilliard	Community member
Don Harbert	Community Co-Chair
Tony Hunt	Navy Co-Chair
Lou Mintz	Community member
Arthur Pinckney	Community member
Wannetta Pratt	Community member
Dann Spariosu	U.S. EPA
Jerry Stamps	S.C. DHEC

VISITORS

Genesis Pratt	Community member
Kevin Tunstall	Community member
Rob Harrell	Southern Division
Jo Cherie Overcash	S.C. DHEC
Gary Foster	CH2M-Jones
Dean Williamson	CH2M-Jones
Keith Johns	EnSafe Inc.

Introduction and Administrative Remarks

Tony Hunt opened the meeting and asked the RAB members and visitors to introduce themselves. There were no comments on the minutes of the January 2003 RAB meeting. Mr. Hunt announced that these would be posted on the project web site and noted that the web address will appear on all future versions of meeting minutes. Visitors and RAB members were invited to ask questions during and after the meeting.

Subcommittee Reports

Mr. Hunt advised that the community relations subcommittee had not held a meeting this month.

Questions/Comments from RAB members and Visitors

Mr. Pinckney asked how the RAB affects the Redevelopment Authority (RDA) process. Mr. Hunt responded that different federal laws dictate the process for transfer. According to CERFA (Community

Environmental Response Facilitation Act), the property is transferred from the federal government to an agency dictated by the Governor. In this case, that agency is the RDA. Once the property is transferred into state hands, then state law can govern how the property is divided.

Mr. Hunt concluded by saying the RAB is set up to give the Navy guidance on cleanup decisions. When the property is transferred through early transfer, the Navy is still involved in continuing to clean up that land. Therefore, the Navy will still need community input.

Status of Finding of Suitability to Transfer

Mr. Hunt provided a brief summary of some of the documents required for property transfer.

The Navy is working on two documents at the same time that are required for Early Transfer: the Finding of Suitability for Early Transfer (FOSET) and the Environmental Baseline Survey for Transfer (EBST). The Navy has received comments from the SC Department of Health and Environmental Control (DHEC) on the most recent FOSET and has responded to those comments. Comments were also received from the Environmental Protection Agency, and the Navy is preparing a response. Once these comments have been resolved, the Navy expects to open the FOSET to public comment while at the same time addressing comments to the EBST.

The Navy will be working over the next month and a half to get the three-volume EBST document completed. They are hoping to have the EBST documentation complete at about the time the FOSET is approved, to streamline the transfer process.

Mr. Hunt reported that, parallel to the FOSET research, the Navy is working on "permit de-scoping," which looks at how the RCRA permit will apply to subsequent landowners after transfer. They have determined that the Navy will remain the permit holder. Further, the permit discusses the use of Brownfields agreements and also discusses the process the Navy would go through if new contamination were found.

Mr. Hunt noted that the Charleston newspaper recently reported on a property transfer moratorium. The Navy stopped any transfer of property because of recent legislation that gives the State Department and Border Patrol another chance to acquire property. This legislation gave these two agencies the opportunity to choose from the remaining property. Once this is decided, then the Navy can continue with the property transfer under the Economic Development Conveyance mechanism.

As part of this re-evaluation, the State Department has selected an additional ten acres. That footprint has been decided and the

survey report should be completed by next week. The Border Patrol has a desire for occupying Building 20 as an owner instead of a lessee. Once the footprint associated with Building 20 is resolved, then all the issues with the Border Patrol will be complete and property transfer can continue. The Navy is meeting with the Border Patrol this Thursday and should have some resolution.

Mr. Hunt said that the deadline for early transfer has been moved to July. After some discussion, it was decided that the possibility of a signing ceremony to celebrate this event would be discussed in a later meeting. According to Lou Mintz, the RDA does not have a reception planned.

Bobby Dearhart inquired if the property to be transferred to the City of North Charleston and the State Ports Authority is all the property left for the RDA to manage. Mr. Mintz responded that it will probably be three years before all of the property is transferred from the RDA to the other entities. The City of Charleston is hoping to get the first 149 acres in the next month or so. That property is part of Phase Three.

Mr. Mintz continued, noting that the RDA now owns 249 acres. The RDA can't transfer property to another party until certain obligations are filled and liabilities are assumed.

Mr. Hunt mentioned that the Corrective Measure Study documents for SWMU 9 and SWMU 39 are available at the project team house. Everyone is welcome to view these and make comments on those solutions for cleanup.

Mr. Hunt commented that the first two phases of property transfer had no land use restrictions, but Phase Three will have restrictions on use of groundwater because of petroleum contamination. The Navy is still doing corrective action on property they own.

The deeds for this property state the activities required of the Navy and the assurances the Navy is providing for closure on this property. DHEC and EPA are involved in this process. However, once the property is transferred to the City of North Charleston or the State Ports Authority, the EPA will have very little to say.

Mr. Mintz stated his conviction that the Navy base property will be environmentally clean when the cleanup is completed. He added that other land in the neighborhood has not been investigated, tested or remediated like the Navy base has been.

Mr. Hunt explained that an early approach for the cleanup was to leave all of the property in the Navy's hands until the land was cleaned to unrestricted use. The drawback of this approach was that the property would not be available for redevelopment for many more years. By implementing the early transfer, the Navy is

trying to put the property into the hands of the RDA so it can be redeveloped while the Navy continues the cleanup. When the FOSET is put out for public comment, everyone is invited to hear what the Navy is going to do in terms of continued cleanup and land use controls.

Redevelopment Authority Update

Mr. Mintz reported that the RDA is working with the City of North Charleston to facilitate getting the property into the City's hands.

Questions/Comments

In response to a question, Mr. Hunt told the group that the only snag during the cleanup process was finding some unexploded ordnance (UXO) in the landfill. The Air Force classified the ordnance as an intact three-inch anti-aircraft round. Mr. Hunt explained that a significant amount of trenching, to a depth of twelve feet, has been completed in the landfill, and everything found in the excavations has been documented. To date, that shell is the only anomaly found. He added that excavations will start this month in a much larger and very specific area to create an easement through the landfill where a water pipeline can be installed. The area will also be cleared by UXO specialists as an extra level of caution.

Mr. Hunt advised that SWMU 39 didn't react like they were expecting in response to hydrogen release compound (HRC) injections. With the electrical resistance heating technology, there was a great deal of mass removed and now CH2M-Jones is starting a follow-up remedy.

The next meeting was set for Tuesday, May 13, 2003.

The meeting was adjourned.