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MINUTES FOR BASE REALIGNMENT AND CLOSURE CLEANUP TEAM MEETING HELD 4
DECEMBER 1997 KANSAS CITY MO
1/9/1998
CCI

DEPARTMENT OF THE AIR FORCE
AIR FORCE BASE CONVERSION AGENCY

December 23, 1997

MEMORANDUM FOR DISTRIBUTION

SUBJECT: Meeting Minutes of the Richards-Gebaur BCT
(Revised 1-9-98 per BCT concurrence on 1-8-98)

Place: 15471 Hangar Road, Kansas City, Missouri

Date: Thursday, December 4, 1997

Attending:

John Fringer, BEC
Guy Frazier, MDNR
Kay Grosinske, AFCEE/ERB
Don Kerns, MDNR
Robert Koke, EPA Region 7
Dr. Stan Hewins TCAT (subcontractor to WPI)
Robert Lodato, AFBCA/OLQ
David Malecki, KCAD
Michael Steinle, KCAD
Syd Courson, CCI

AGENDA ITEMS

(Bold face highlights action items, persons responsible and applicable due dates.)

Item 1 (November 1997 Minutes)

Robert Koke pointed out that he had attended the AFBCA quarterly meeting in Northern Virginia, and asked that the November minutes be corrected to reflect that.

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Don Kerns of MDNR questioned a reference to MDNR having comments on TCAT consultant Stan Hewins' summary of the Sept. 25 meeting in Jefferson City between Air Force and state representatives.

Hewins said he wanted comments about his written summary on how to proceed at this point toward satisfying the state and federal requirements for cleaning up Richards-Gebaur and closing the base.

Kerns said he didn't have a problem with accepting something that Hewins wrote, but he saw no reason to comment on what he termed a presentation by Hewins. Hewins replied that the goal was to reach consensus how to proceed, and Kerns asked if that was not the purpose of the BCT meetings.

Robert Koke of EPA also shared Kerns' reluctance. (Koke at the January BCT meeting asked that the minutes reflect that he could not comment because he was an environmental engineer and Hewins was an expert on toxicology. Koke said that meant he is not Hewins' peer and therefore not qualified to approve his presentation.) After approximately two hours of discussion, the Air Force agreed to withdraw its request for comments. Hewins said that to close the loop on fulfilling his commitment to the Air Force he will present his summary to the Air Force, with a notation that EPA and the state believes what was discussed follows the process in general, and that he will reference the December BCT meeting minutes to adequately present EPA and MDNR views.

During the discussion, Hewins said that he proposed an approach on some things in his summary, and Kerns repeated that the BCT had agreed the approach should be CERCLA.

Fringer said the document and its proposed approach was based on CERCLA, but Kerns said that while it may have been based on CERCLA it also was just one interpretation. Fringer said he did not think there was much room for interpretation. He referred to EPA Region 7 using EPA Region 3 screening levels.

Koke interrupted, saying that those tables were guidelines. He said that at the top of the screening levels table it stated the table should not be used without site-specific information and verification.

After the Air Force agreed to withdraw the request for comments on Hewins' summary, Fringer renewed the Air Force's request for the state's ARARS. Kerns said to send a formal letter and Fringer said he would do so, both to MDNR and the EPA.

During this discussion, Kerns and Frazier told the Air Force that the state may not have ARARS that will cover every situation on a site-by-site basis. Fringer said that in the absence of a state ARAR the question will default to federal requirements.

Kerns objected to this, saying that the issue should be resolved through negotiation between the Air Force and the state. Frazier also said that the letter requesting ARARS would be routed to various other state agencies and sections, and MDNR could not say when a response would be forthcoming. Koke also pointed out that he would have to submit the request to EPA attorneys, and that he had no way to pinpoint a response date.

**The Air Force dropped its request for comments on the summary. Fringer will request, in writing, that the Air Force and EPA furnish lists of their respective ARARS as soon as possible (No specific date identified).
The November 4, 1997, minutes were approved.**

Item 2 (October, 1996, Minutes Comments from MDNR)

Kerns said Bob Geller of MDNR did not approve the October, 1996 minutes when approval was sought at the April 1997 BCT meeting because he had not received them. Kerns said Geller received a summary at the April meeting, and then received the full minutes. **Kerns said Geller agreed to approve the October 1996 minutes as long as the transcript was attached as part of the minutes record. BCT concurred.**

Item 3 (Radiation Survey Findings)

Fringer had estimated the final report would be circulated to BCT members by Nov. 20, but this target date was missed. Robert Lodato said he now had the copies of the final report and passed them out to BCT members. **Discussion of the report was tabled until the Jan. 8, 1998 BCT meeting, and a date of Jan. 19, 1998, was set for comments from MDNR and EPA.**

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Item 4 (Stressed Vegetation-Steam Bleeder Line)

Frazier said the list of chemicals that were used in the steam bleeder line did not list quantities and dilution, so he does not have sufficient information to say whether further investigation is necessary at this time. He said the information doesn't show any reason for further investigation. But, he added, "I'm not going to certify that that ground's clean for kids to lick or anything like that." He said a quick way to resolve this would be a good practice NFRAP.

Grosinske said that a consensus was reached at the November BCT meeting that there was no need to do NFRAPS on areas of concern. Frazier said it either needs further investigation or closure, and he wasn't going to say it was clean. Frazier said he just means he doesn't have anything on which to base a further investigation.

Fringer pointed out the only clue that something might have been wrong was the stressed vegetation, which returned quickly once the steam line was shut down.

Additional discussion brought no agreement until Kerns asked what happens if something shows up in the future, and Grosinske replied, "Then we'll deal with it in the future."

Kerns said, "We don't see anything in there that says we need to require you to do something else right now," and asked if that brought it to closure, at least temporarily. Grosinske said the Air Force could accept that.

Item 5 (Statement of Work Contract Status)

Grosinske said the Air Force has had additional meetings with the potential contractor, and is **still shooting for a Dec. 15 date to award the contract. She said this should "give us a draft final work plan in time for the January BCT meeting."** She also **said the contractors will attend the January RAB and BCT meetings.**

Kerns asked what the work plan would entail. Grosinske said the contractor will examine data already collected and consolidate it into a report that will include everything that has been done since the process started. She said data gaps will be identified, and they will review and rewrite NFRAPS. She said they plan to go to Jefferson City to review state documents and they also plan to visit with the Corps of Engineers, and possibly EPA.

Kerns said for them to call and they'll schedule a time. Koke said any EPA records that are not administrative will be available as well.

Item 6 (POL Yard Status)

Kerns said he has asked the state UST section to state whether it considers the POL Yard a UST.

Kerns, Fringer and others began discussing if facilities already removed should be counted when determining the percentage of underground material.

Courson interrupted, saying, "This discussion really has no bearing right now because you're waiting for the UST section to make its determination of what counts. Basically, this was on the agenda because we thought we might have an answer by now. If we don't have an answer, let's stay away from it."

BCT members agreed, but Fringer said he still expected MDNR comments on the issue by Dec. 19. **Kerns and Frazier said if that is what Fringer wants, they will respond by Dec. 19, even if it is only to say that UST hasn't made its decision. The issue was tabled until the Jan. 8, 1998 BCT meeting.**

Item 7 (Circulation of EPA Region 3 Screening Tables Document Title and EPA Superfund Chemical Data Matrix)

BCT agreed that the Superfund Chemical Data Matrix was not germane. The EPA Region 3 Screening Table document title and other details were provided by Koke.

Item 8 (Old Business/New Business/Comments)

Frazier said MDNR had some problems with a letter from Fringer, which was supposed to have been listed as an agenda item. Kerns said the letter "really annoyed them," and that MDNR will have a written response to Fringer's letter.

Fringer said it was meant to simplify, not to tell MDNR what to do or to anger Kerns and Frazier. He said, "I was just trying to simplify the list of documents we would expect you to review." Kerns said, "That is usually done by conferring with us, and coming to some kind of agreement."

Kerns also said MDNR did not have some of the documents. As an example, Kerns cited the second item on the list, the PA-SI for the Belton Training Complex. Frazier added that the Air Force letter asked for a response, by Jan. 20, 1998, on a document MDNR doesn't have. Frazier also pointed out that the document was included in a list of documents awaiting distribution by the Air Force. Fringer said that was a mistake and deleted the item.

Kerns also pointed out that that Item 6, a request for a review by March 2, 1998, a closure report on UST Building 962, dated December, 1995, didn't make any sense. He said, "On Jan. 25, 1996, our UST people sent to you a closure concurrence for that site. You already have closure concurrence from the UST people." Lodato said he would look through his files and see if it was there.

Frazier told Fringer, "If you want us to review the documents, John, let's come to agreement at the BCT meeting, because there's information there. If you're going in a certain route, and you're needing to change priorities, we can better do that ... face-to-face. If you want to send these letters and tie up time and review comment back and forth, we can do it, but it's wasting time and effort and money that could be spent better on actually getting something done."

Frazier also said the letter asked for comments on the EPA Superfund cleanup goals by Dec. 19, 1997. He said they had never agreed to comment on those goals. Hewins agreed, saying he was not aware the Air Force had asked for MDNR's comments.

Hewins returned to the cleanup-up level issue. He pointed out that the State Health Department toxicologist said he "signs up" to the EPA Region 3 screening levels, and he asked Kerns and Frazier, if they could, by reference, accept his conclusion. Frazier said, "We look at what they present. It may or may not apply."

Hewins tried at length to get Kerns and Frazier to accept the State Health Department position. He asked, "If you rely on the Department of Health for human health guidance, on human health issues, as far as human health issues go, then they are the final word, is that not true?"

Kerns said, "No. Not for MDNR." He said the Health Department could not speak for MDNR. Hewins asked, "For human health evaluation of risk for human health purposes, do you rely solely on the Department of Health?" Kerns replied, "No. No. No."

Hewins asked, "If you (MDNR) don't have a toxicologist, and you don't have a person who is qualified to talk to specifically human health issues, then how can you say 'No'?"

Kerns said, "I just said it, didn't I? It depends on the scenario."

Similar questioning continued until Koke expressed his frustration with the continuing series of similar questions.

Fringer said the Air Force can't even get cleanup levels from the state, and Hewins said he was not badgering, but "just pointing out that what he (Fringer) thinks is site characterization is not what he (Kerns) thinks it is. And if we keep going back and forth, we're out of money, and we still don't even have..."

Kerns interrupted, "And we cannot say anything different just because you're out of money. ... That's not my problem. I cannot change my values, my laws, my regulations, my professional ethics, to do what you want."

Fringer said, "We just want to have all the ARARS before hand to be able to consider. Then ... we're going to do what's is reasonable and legally defensible, and evaluate all conditions at the site as well as the ARARS."

Returning to the letter requesting comment on documents, **the Air Force and MDNR agreed that the Air Force would check the documents list to make sure the state has them, and to clear up some confusion as to how the documents are identified. The check and resubmission will occur as soon as possible.**

Meeting adjourned.

Minutes compiled and submitted by:


Syd Courson