

15.05.00.....
1D-00230

RESTORATION ADVISORY BOARD MEETING

BE IT REMEMBERED, that the
above-captioned cause came on to be heard on
this the 28th day of ^{May}~~June~~, 1996,
beginning at approximately 6:30 p.m. before
the Honorable COMMANDER PHIL WORKS, Acting
Chairman presiding, when and where the following
proceedings were had, to wit:

MELISSA A. MITCHELL
Post Office Box 1462
Southaven, Mississippi 38671

A P P E A R A N C E S

Commander Phil Works, Acting Chairman

George R Harvell, Jr., Co-Chairman

David Porter

Brian Donaldson

Dr. David Wyatt

Frieda Ellerbrook

Jim Kingsbury

Robert Smith

Frank Ryburn

Jim Ferguson

Phil Whittenburg

P R O C E E D I N G S

* * * * *

COMMANDER WORKS: Good evening.

I'm Commander Works. I'm the XO of Naval Support Activity for those of you who might have not met me. I'd like to welcome you to our May meeting of the Restoration Advisory Board. I'd like to welcome all the board members. I thought the Mayor was going to sit here, too. He's going to leave me up here by myself.

We've just got a few items to bring you up to speed on tonight, and probably the news that Frank Ryburn and Jim Ferguson have from last week and Phil Whittenburg there. It was a little more exciting than what we had. So we'll move right through the environmental things here. Mayor, do you have anything, sir?

MAYOR HARVELL: You said it all.

COMMANDER WORKS: David?

MR. PORTER: I just have a few items I wanted to go over with everyone as far as general updates since the last time we met. We've talked a lot about SWMU 67, which was called the horse pasture dump up here just north of the riding stables (indicating). Since we met

the last time, we've had -- the Activity has had their contractors go in and clean up the area and really didn't find anything there of significance.

There were a couple of containers there one of which had what appeared to be water in it and it was tested, and both have been disposed of and that's going to be an area that will be no further action. So we can get that cleared out of the way.

We talked last time about the fact that there was quite a bit of underground storage tank work to be done this year as well as next year and the following year. The Army Corps of Engineers have been on site for the past couple of weeks removing some tanks. There were, I think, three above ground tanks that were taken out and cleaned and given to the city for reuse. In addition to those, there are several underground tanks that they're going to be taking out, and we also have another contractor that we just negotiated a contract with this past Friday that will be doing some more underground tank removal, and that should be underway within the next couple of months.

1 Since the last meeting, the community
2 or the Reuse Committee approached the Navy about
3 leasing a parcel of land here in the southwest
4 corner of the base. I think at the last meeting,
5 we talked about this parcel over here
6 (indicating), which was about 25 acres, and the
7 Reuse Committee had a tenant that seemed to be a
8 hot prospect that was going to put in a
9 distribution warehouse over here, and we had put
10 together a FOSL for the lease, a Finding of
11 Suitable to Lease for this parcel over here and
12 had gotten that signed, and right after that, the
13 city also approached us for another 15 acres down
14 through here (indicating). I don't know if you
15 can see it on this map, but the combined area is
16 about 35 acres, and the Reuse Committee had found
17 a tenant for this area -- this new area down
18 here, a commercial laundry facility, a facility
19 that washes basically commercial uniforms, and
20 it's strictly a water process. It was not going
21 to be a solvent dry clean or anything that uses
22 solvents.

23 So the BRAC Cleanup Team put together a
24 Finding of Suitability to Lease for that combined
25 area which was basically a revision of the one

1 that had been done previously, and that Finding
2 of Suitability to Lease was signed last week, last
3 Thursday. So hopefully we're moving ahead with
4 the lease of that area.

5 As far as the lease of the airfield
6 goes, as you recall, we had done a Finding of
7 Suitability to Lease some time ago, last
8 September, and it was basically just for the
9 airfield or the runway itself and extending out
10 about 100 feet from runway and included the apron
11 area and the new hanger, the A-4 hanger, as well
12 as some other structures inside the airfield area
13 and also support structures outside that area.

14 The community approached us a couple of
15 weeks ago with the definite footprint of the area
16 that they wanted to lease which was somewhat
17 larger than the FOSL that we had originally done,
18 and in order to meet the time frame that the
19 community was hoping to have the lease signed,
20 what we decided to do was to lease that portion
21 that we had already done the FOSL for and we'll
22 license the area around that that we have not yet
23 done the FOSL for, and then as soon as we
24 complete the FOSL for the entire area, we will
25 amend the lease.

1 So that's one thing that the BRAC
2 Cleanup Team will be working on the next couple
3 of months is a FOSL for that new larger area for
4 the airfield, and I'm sure you'll hear more about
5 the lease situation later tonight.

6 I did have one administrative issue,
7 and that is that we're spending approximately 600
8 dollars a meeting now for the court reporter and
9 for the sound system, and it had been brought to
10 the attention of the BRAC Cleanup Team that
11 possibly we could do away with both of those
12 items.

13 We do have someone from our contractor
14 with Ensafe tape recording the meeting and
15 producing minutes, which is what you receive
16 every month after the meeting. The court
17 reporter does an actual transcript of the meeting
18 that goes into the depository. We're wondering
19 if at this stage as a group how often the actual
20 transcript is used, if ever, and whether or not
21 the meetings -- meeting minutes which is the two
22 or three-page item that you get after the meeting
23 would be sufficient.

24 MS. ELLERBROOK: I don't know of a
25 time that we've ever called for the transcript,

1 have we?

2 DR. WYATT: Why did we start with
3 the transcript in the first place?

4 MR. PORTER: Well, that's a good
5 question. I don't remember.

6 MS. ELLERBROOK: Well, I think it
7 was because we did not know what our minutes
8 would -- how we would obtain minutes if we did
9 not have the court reporter, but I think not
10 having someone to, you know, take notes and
11 transcribe it, I think that -- did we discuss
12 that like at the second or third meeting about
13 not having the court reporter and some of us felt
14 that we did want some record of what had taken
15 place?

16 MR. PORTER: I do believe that's
17 true.

18 MS. ELLERBROOK: And I think just
19 to have a record of what we had discussed was the
20 reason that we kept the court reporter, but
21 you're saying, David, that the minutes that we
22 get each month -- I mean each time we have a
23 meeting are actually prepared at Ensafe?

24 MR. PORTER: Separately.

25 MS. ELLERBROOK: Separately? Why

1 have them, you know, that's like ---

2 DR. WYATT: We obviously have a
3 redundancy in the system. We have three systems
4 any two of which would be all right, but I'm
5 wondering, there may have been something more
6 than just -- you know, how do we protect
7 ourselves if we're taking our own minutes.

8 COMMANDER WORKS: We'd still be
9 taping it all? Right; David?

10 MR. PORTER: Right. We'd still be
11 taping it.

12 DR. WYATT: Are they at a quality
13 that would be -- I've never listened to them. I
14 don't know. I may sound like Donald Duck.

15 MR. PORTER: I've never listened
16 to the tape recording either.

17 MS. SUZORE: It's fine.

18 MS. ELLERBROOK: It is.

19 MS. SUZORE: It's clear enough.

20 DR. WYATT: Well, you know, that
21 scares the hell out of me.

22 MS. ELLERBROOK: I have no
23 objection.

24 DR. WYATT: Well, I -- you know,
25 I'll go with the consensus, whatever. I'm just

1 wondering if there's any legal implications or if
2 we're having to model something that has been set
3 at some place that we may not know about and
4 we're changing the rules.

5 MR. PORTER: Well, I can tell you
6 it's done in a variety of ways with other
7 Restoration Advisory Boards. Some have court
8 reporters and some take minutes by hand. Some
9 take tape recordings. There's no set policy.

10 DR. WYATT: And this 600-dollar
11 saving accrues to who, the taxpayers or ---

12 MR. PORTER: Yes, to the Navy and
13 the taxpayers.

14 DR. WYATT: There's my answer.

15 MR. PORTER: Thanks.

16 COMMANDER WORKS: Are we all in
17 agreement then, we'll go with the recording and
18 minutes then?

19 MS. ELLERBROOK: With Ensafe.

20 COMMANDER WORKS: With Ensafe?

21 MS. ELLERBROOK: Yes.

22 COMMANDER WORKS: Okay, do you
23 have any other items, David?

24 MR. PORTER: No, that's it.

25 COMMANDER WORKS: Bob Smith.

1 Bob's got a report on the findings from the SWMU
2 66 drum samples.

3 MR. SMITH: In the April meeting,
4 I kind of gave a summary of what we had done at
5 SWMU 66 which is the radar disposal area. It was
6 located off the inactive runway in a ravine. We
7 had found, I think, 54 drums in various
8 conditions, a lot of them rusted, looked like
9 garbage cans, but we went in and collected
10 sediment samples from the ravine as well as soil
11 samples from the same area. Our soil samples
12 were collected from the banks of the ravine where
13 there were drums -- high concentration in the
14 drums. Y'all can't see it from here, but if you
15 want to come up and look later, here's the
16 location of the drums as well as the sample
17 number (indicating), and we've got the results.

18 The ravine did not have any impact at
19 all. We saw no analytes detected above the
20 risk-base concentration for residential area.
21 The only area that did have anything exceeding
22 the RBC was Sample Point 10 on the bank. It was
23 at a 0 to one feet interval, and it had evaluated
24 levels of polyaromatic hydrocarbons which are
25 common in incomplete combustion, asphalt, and

1 we've seen it in a lot of places around the base.

2 Of the four compounds detected in that
3 one sample, one did exceed the industrial RBC,
4 not significantly, but it did exceed, and that's
5 basically it. There wasn't a whole lot found and
6 very little impact.

7 MS. ELLERBROOK: What did they do
8 with the barrels?

9 MR. SMITH: The drums are still in
10 place. The Activity has planned to haul them off
11 as scrap.

12 MR. DONALDSON: I think what is
13 our plan is to do a delivery order to the
14 contractor and have them clean out the barrels,
15 and then we'll do some soil removal as well,
16 probably go back and take a few samples, make
17 sure it's cleaned up, but we're not -- we're just
18 planning on having it cleaned back for industrial
19 use, not going all the way back down to
20 residential levels, and we'll leave it at that.

21 COMMANDER WORKS: Okay, thanks.
22 Let's see. Next is Jim Kingsbury from U.S.
23 Geological Survey talking about bioremediation
24 around North 126.

25 MR. KINGSBURY: I'll be presenting

1 some preliminary data from SWMU 7, which as the
2 Commander Officer said, is the hanger on the
3 north side of the base. There have been several
4 rounds of wells installed up there and there were
5 some hits of TCE at that location, and these were
6 generally in the fluvial deposits aquifer which
7 is the water table aquifer, and it's a sand and
8 gravel unit and the well ranges in depth from 40
9 to about 85 feet.

10 In the upcoming corrective measures
11 investigation, there will be some various
12 remediation techniques that will be addressed,
13 and one of those is intrinsic bioremediation, and
14 we went out and collected some data to get some
15 background information to see if there was a
16 potential for intrinsic bioremediation at that
17 SWMU.

18 If there are any questions while I'm
19 talking, please feel free to interrupt. With
20 chlorinated solvents and -- well, let me start
21 with a slight definition of bioremediation.
22 They're a naturally occurring bacteria in many
23 ground aquifer systems, and these bacteria are
24 capable of transforming organic compounds into
25 other organic compounds, and hopefully in some

1 instances to less harmful environmentally and
2 also for humans less harmful compounds, but in
3 the case of chlorinated solvents, the bacteria
4 aren't actually eating the solvents. They're
5 eating organic material that naturally occurs in
6 the aquifer, and during the course of that
7 process, the organic solvents are reduced and
8 changed into daughter products, and in this cute
9 little diagram, we have a bacterium eating a
10 carbon ring organic molecule, and during the
11 course of that, he needs to find places to put
12 electrons, and in certain situations, organic
13 solvents serve as receptacles for these electrons
14 and they successively lose chlorine molecules and
15 will be converged into other compounds that
16 aren't nearly as harmful as the original
17 chlorinated solvent.

18 Here's a general scheme for PCE and
19 TCE, Tetrachloroethane and Trichloroethene. Of
20 note is the daughter product, DCE. It has three
21 forms. It's just different placement of chlorine
22 and hydrogen molecules -- sorry -- atoms on the
23 molecule, and this compound has also been
24 detected in some wells at the SWMU. So it is an
25 indication that there might be some

1 bioremediation occurring.

2 One question that hasn't fully been
3 answered is if this solvent -- which this is also
4 a solvent -- if this solvent was used originally,
5 in which case it might not indicate that there is
6 any bioremediation, but after the transformation
7 to DCE, it goes on down into vital chloride and
8 then finally into ethane and CO2.

9 This table just has a little bit of
10 information. What we're trying to get a handle
11 on is if the conditions in the aquifer, primarily
12 the oxygen conditions in the aquifer were
13 conducive to bioremediation of TCE. This shows a
14 gradation of what is a redox potential, and you
15 have a high redox potential if you have a lot of
16 oxygen, and when your aquifer system goes to
17 anoxic or without oxygen, you get a more reducing
18 or a lower redox potential, and for TCE
19 degradation usually occurs in this range, in the
20 sulfate reduction or methanogenic range, and so
21 we're looking for a system that has no oxygen for
22 degradation of TCE.

23 During the course of installing the
24 wells at SWMU 7 and both rounds, a lot of data
25 have been collected. We know a lot about the

1 thickness of the aquifer and the makeup, and
2 samples were collected of soils during the
3 drilling for data such as total organic carbon,
4 permeability, voracity, and all those data can
5 help us to evaluate the efficiency of bio --
6 intrinsic bioremediation.

7 Also groundwater samples were sent off
8 for specific parameters such as methane, sulfate
9 and some other parameters, and these help us
10 figure out what redox potential we're in. In
11 this last quarterly round of sampling, we went
12 out and did some field measurements of dissolved
13 oxygen, sulfide, dissolved iron and methane, and,
14 again, this was to constrain the subsurface
15 environment to see if it was conducive to
16 bioremediation. Water levels were measured in
17 all the wells to give us a handle on the
18 direction of groundwater flow and some sort of
19 flow path.

20 This is kind of a rough map of the
21 SWMU 7 area. Here is N-126 right here
22 (indicating), and groundwater flow is generally
23 to the west and north. Tentrometric surface
24 contours kind of wrap around like that so flow is
25 this way and that way, and we chose this set of

1 wells to sort of approximate groundwater flow
2 direction from east to west. This is kind of a
3 staggering amount of numbers on this table, but
4 what we focus on is DO, numbers which are all
5 very low, anywhere from three milligrams per
6 liter down to less than point 1. So we do get
7 anoxic conditions, and anything below a point 5
8 is probably low enough oxygen not to worry about,
9 but the important things, we did have a little
10 bit of sulfide and two wells where methane showed
11 up, and that indicates that we are in an
12 environment where we may see degradation of the
13 TCE. So that points that there -- locally there
14 are parts of the aquifer that are conducive to
15 degradation of TCE.

16 Just a summary, we still need to pin
17 down whether or not bioremediation is occurring.
18 There's some evidence that it may be occurring,
19 but if it is occurring and if this is a viable
20 alternative of cleanup of the site, we need to
21 know if it is occurring faster than the movements
22 of contaminants in groundwater in which case the
23 contaminants would be contained to the site and
24 not pose a threat to any offset areas or any
25 discharge points.

1 So these questions are going to be
2 addressed in the corrective measures study as are
3 some other remediation strategies, and I'm sure
4 you'll be hearing some more about this at a later
5 date. Are there any questions?

6 MR. CHAPMAN: Yes, do you have any
7 preliminary estimate of groundwater velocities?

8 MR. KINGSBURY: Not as of yet.
9 It's probably on the order of anywhere from a
10 foot to two feet per day, something like that.

11 MAYOR HARVELL: How many well --
12 test wells did you-all drill to determine the
13 groundwater flow direction?

14 MR. KINGSBURY: Well, there are a
15 number of wells out there. There are 18
16 clusters, and some of those are paired, an upper
17 well and a lower well, and the scope of the size
18 of the areas increase over time as different
19 pockets of contamination have been discovered,
20 and all of those together form a good picture of
21 the groundwater flow system, but they weren't all
22 installed originally to figure out the ground
23 water flows.

24 MR. CARMICHAEL: The rate and
25 movement of water out there is less than we

1 initially thought it was. In the area there last
2 summer we did a pumping test to try to get rates
3 and that kind of stuff, and we were expecting to
4 see numbers that were much higher than what we
5 did come up with of five feet per day, and that's
6 not a total velocity. That's the area that the
7 water moves through in the formation, and the
8 velocities are probably on the order of tens of
9 feet which may be as much as one to two feet per
10 day. So it's fairly slow.

11 MR. KINGSBURY: Any other
12 questions?

13 (Brief pause.)

14 COMMANDER WORKS: We have a
15 presentation on the sample results from the fuel
16 storage tanks in the southwest corner of the
17 field.

18 MR. DONALDSON: Those of you who
19 don't know me, I'm Brian Donaldson. I recently
20 replaced David Williams with EPA. I've been on
21 board for about two months now. The city
22 recently requested the use of two fuel storage
23 tanks, Tanks 336 and 337. They're going to be
24 used possibly for the storage of non-potable fire
25 water. Both tanks are, I believe, 420,000

1 gallons and are both fed by gravity by two
2 pipelines there.

3 As a result of the request by the city,
4 Ensafe went out and took several samples. Eight
5 samples were taken around each one of the tanks,
6 and several other samples were taken along the
7 pipeline. The samples around the tanks were
8 taken at a depth of, I believe, 13 to 15 feet,
9 which is about the depth of the tank, and the
10 samples along the pipeline were taken at a depth
11 of about 10 to 15 feet, I believe, which is
12 approximately the depth of the pipeline.

13 In addition to the soil samples taken,
14 groundwater samples were also taken at the depth
15 of about 15 feet below the surface. Soil samples
16 were sampled for VOCs, volatile organic
17 compounds, and TPH or total petroleum
18 hydrocarbons. The groundwater samples were
19 analyzed for just VOCs.

20 The sampling results indicate that
21 there were some soil contamination along the -- I
22 believe it's the southwestern side. Do you
23 remember what number that was, Bob?

24 MR. SMITH: It's the other tank.

25 MR. DONALDSON: The other tank?

1 MR. SMITH: It's where those three

2 ---

3 MR. DONALDSON: Okay, and that
4 indicates there was petroleum contamination
5 there, and they did some further sampling and it
6 shows an area approximately 30 feet by 20 feet by
7 about 15 feet deep is contaminated with petroleum
8 products.

9 Also some contamination was detected
10 along the pipeline here, I believe around in this
11 area here (indicating). Is that right? No real
12 groundwater contamination was detected except
13 some Dichloroethane was found in Sampling Point
14 No. 3, which is right here (indicating).
15 Although it was found, we don't believe that it
16 has anything to do with the fuel storage tanks
17 because we really don't find that essentially
18 associated with petroleum products.

19 The one with Dichloroethane detected
20 was 2.2 parts per billion which is below the EPA
21 maximum contaminant level of 7. So probably
22 what's going to happen, I imagine some soil
23 removal might have to take place in the future.
24 However, I don't believe that's going to slow
25 down or prohibit the use of these tanks for

1 storage -- for non-potable storage of the fire
2 water.

3 I believe this tank, 337, takes diesel
4 fuel still and this one is ---

5 MR. SMITH: Empty.

6 MR. DONALDSON: --- empty. I
7 believe that's all I've got. Is there any
8 questions?

9 COMMANDER WORKS: Brian, is there
10 indication that 337 -- do we know that it's from
11 a leak or a spill at some point?

12 MR. DONALDSON: We really couldn't
13 tell. We don't believe it's from a leak because
14 ---

15 COMMANDER WORKS: There would be
16 more of it?

17 MR. DONALDSON: Yeah, you would
18 think they would be more associated with that.
19 So we don't really think it's a leak, possibly a
20 spill or something.

21 COMMANDER WORKS: Okay, and did we
22 not also take samples at Points 49 and 50 there
23 and those are clean?

24 MR. DONALDSON: Yeah, we had
25 samples I think right around 49 and 50 of TCE.

1 MR. SMITH: About a year ago.

2 MR. DONALDSON: About a year ago,
3 and this time it came up clean.

4 COMMANDER WORKS: Okay.

5 MR. DONALDSON: No questions?

6 (Brief pause.)

7 COMMANDER WORKS: I don't know who
8 this would be a good question for. Frank,
9 perhaps you -- were you planning on using those
10 tanks any time real soon or ---

11 MR. RYBURN: The result from the
12 industrial development board was if the lease is
13 proved and the prospects that we have comes in
14 there as a fire suppression secondary water
15 source -- I'll let Mr. Ferguson speak to you on
16 that.

17 COMMANDER WORKS: Okay.

18 MR. RYBURN: I'm on the Airport
19 Authority. I'm also with the industrial
20 developmental board too, but in this instance,
21 the Airport Authority signed a lease last
22 Wednesday, a 25-year lease which we were told on
23 the telephone because Mr. Whittenburg and
24 Mr. Ferguson had faxed various concepts of it to
25 Charleston, that it was in agreement with them,

1 and I signed it as chairman of the Airport
2 Authority. Mayor Harvell and Captain Mallory
3 signed it concurring with it, and it was Fed Exed
4 to Charleston who in turn we're told Fed Exed it
5 to Washington the next day, and we have not heard
6 from it since.

7 One of the reasons -- one of the major
8 reasons that we signed the lease, and it is not a
9 perfect lease -- I don't think I've ever seen a
10 perfect lease, but this one had one or two
11 clauses in it that we could not have lived with
12 over the long haul. For example, one of them was
13 a clause that said the Government may cancel this
14 lease without liability.

15 From where I sit trying to sell or
16 influence an investor into spending a
17 considerable amount of money out there and hand
18 them a lease saying the Government can cancel
19 this without liability at their own discretion is
20 a pretty difficult thing. I think -- I've never
21 been able to do it, but we had to have a legal
22 ownership or procession position prior to May 31
23 to be eligible for the Military Airport Program
24 which is vitally important to us because the FAA
25 will not recognize it without a legal interest in

1 it, and this is the last year of the Military
2 Airport Program. So if we didn't -- if we don't
3 get in under the wire by May the 31st, that's
4 going by the board, I do not believe that
5 Congress is going to renew the Military Airport
6 Program. You know in this day of budget cuts and
7 everything, I think it would be most difficult.

8 The reasoning behind signing the lease
9 with what we consider are some imperfections was
10 the fact that we're told -- and he has done
11 exactly what he's promised so far, David there --
12 that within five or six months, you're going to
13 be able believe to transfer title to the property
14 to us. If that be true, then these imperfections
15 are minor, they're a mute question. If it drags
16 out two or three years on that transfer, then
17 we've got problems even with this lease. I'm --
18 I don't want to put you on the spot, but does it
19 still look like, David, that you can transfer the
20 airfield?

21 MR. PORTER: Well, what we've
22 talked about before is that we can't transfer any
23 property before the Environmental Impact
24 Statement is completed and the ROD is signed.
25 There are portions of the facility that are

1 transferable in basically the green areas that
2 we've talked about before. There are -- there is
3 the issue of groundwater, and we've talked about
4 that extensively, and we have talked about the
5 possibility of some sort of innovative transfer
6 situation where we transfer the land surface
7 while retaining ownership of the groundwater
8 until we get the groundwater cleaned up or
9 there's a possibility of somewhere drawing a line
10 around the apron area where we know that beyond
11 that we don't have any groundwater contamination.

12 I don't know if that's answered your
13 question completely, but, yes, there is a
14 possibility of transferring part of the airfield
15 once the Environmental Impact Statement and the
16 ROD is signed.

17 MR. RYBURN: How long do you
18 foresee before the EIS is completed?

19 MR. PORTER: The day that I'm
20 being told now is November of this year. I have
21 heard that there is a backlog from the secretary
22 in the office -- secretary of the Navy's office,
23 and there has not been a fast turnaround of
24 Environmental Impact Statements associated with
25 BRAC facilities. Hopefully that's not going to

1 be the case here. I don't know how to answer
2 that other than to tell you what I've been told
3 and that's November of this year.

4 MR. RYBURN: We'll sure count on
5 that because, as I said, if this strings out two
6 or three years, then we're going to be 10,000
7 feet on our back without a parachute because
8 we're not going to be able to interest any
9 investors with a substantial money in there the
10 way this lease is structured.

11 COMMANDER WORKS: I understand.
12 This one concern wants to start construction in
13 January; correct?

14 MR. RYBURN: Yes.

15 COMMANDER WORKS: Well, we'll
16 certainly do everything in our power to put push
17 that along.

18 MR. RYBURN: Thank you. I have
19 nothing but confidence from people on the local
20 level who have handled it.

21 MAYOR HARVELL: David, you said
22 that on the airport footprint is November. Is
23 that correct, what you're shooting for, the clean
24 bill of health on that?

25 MR. PORTER: November is when the

1 Environmental Impact Statement should be
2 completed.

3 MAYOR HARVELL: What about the
4 area outside the footprint of the airfield, the
5 other industrial area?

6 MR. PORTER: Well, the
7 Environmental Impact Statement covers the
8 entire ---

9 MAYOR HARVELL: So you're speaking
10 of the whole facility, all the land?

11 MR. PORTER: Right.

12 COMMANDER WORKS: And the
13 industrial site is in the green area there;
14 correct?

15 MR. PORTER: Parts of it. As far
16 as -- as far as the airfield itself, you know,
17 there are -- the bulk of it is within the green
18 area where we don't really have any concern, but
19 there is the issue of the apron area and the
20 groundwater contamination around the apron area
21 and the fact that we don't know exactly how far
22 the contamination in the fluvial aquifer extends
23 into -- into that area.

24 COMMANDER WORKS: Looks like most
25 of it is along the southwest corner of the ---

1 MR. PORTER: This area down
2 here (indicating)?

3 COMMANDER WORKS: Yes.

4 MR. PORTER: The same situation
5 really. As I was mentioning, I guess we have a
6 couple of options that we could talk about as far
7 as transfer once the ROD is signed, and that is
8 trying to transfer -- trying to somehow draw a
9 line in here where we could feel comfortable that
10 beyond that point, there isn't any groundwater
11 contamination and go ahead and transfer it by
12 deed or come out with some sort of innovative
13 land transfer situation where we transfer land
14 surface to retain ownership of the groundwater
15 until we clean it up, and that is the concept
16 that is initially seen as a possibility favorably
17 by both the Tennessee Department of Environmental
18 Conservation and also EPA, Region 4.

19 COMMANDER WORKS: Okay.

20 MR. RYBURN: If you can find any
21 way to transfer it, David, without having to go
22 to that innovative business -- they're still
23 arguing about the Civil War over there as far as
24 it being ---

25 MAYOR HARVELL: Well, Frank, we

1 can just let them keep the mineral rights.

2 COMMANDER WORKS: You never know.
3 They may find a gold mine under there some day.
4 Okay, Mr. Ferguson.

5 MR. FERGUSON: One of the things
6 just in case anyone is not clear on the city's
7 request, this tank, the Tank 337 is the one the
8 city had expressed an interest in mainly because
9 the industry, the distribution company that wants
10 to locate here on 25 acres has demanded an
11 incredible amount of water for their fire
12 protection system, and the idea is that after the
13 tank is cleaned up, we would fill it with water
14 and they would supply high pressure pumps that
15 would be connected directly to their sprinkler
16 system and that wouldn't work because we do not
17 have large water mains that approach this area,
18 and even the Navy's water main does not nearly
19 supply the adequate water they -- the Navy has a
20 six-inch pump main that they offered to work out
21 an arrangement with, but that's not adequate for
22 this industry. So if this can all come about and
23 the industry is still interested, then that would
24 be a way of meeting their needs.

25 Now, the other thing I'd like to touch

1 base on, David mentioned that we had requested an
2 additional area than what was covered in the FOSL
3 for airfield, and what that is is to provide the
4 basic footprint that FAA has decided they need in
5 order to have a self-contained airport within
6 that lease, and that would include the runway
7 protection zones primarily at each end of the
8 runway. That's the major addition of the FOSL.
9 There are some other small areas that were
10 included in the boundary now that will be in the
11 lease to the airport.

12 And, of course, the industrial board
13 also has an interim 25-year lease that was Fed
14 Exed to Charleston and then Fed Exed to
15 Washington. So for both of those, we are just
16 waiting, and in the case of the industry that's
17 looking at this 15-acre site here, I mean, we met
18 with them just this last week. They are
19 definitely interested. I mean, they would be
20 here to start the survey the day after the lease
21 is signed, and they are also the key to
22 triggering the almost 20 million dollars in
23 improvements that the State will put in here once
24 an industry has committed and is able to commit
25 when we can get a lease, and that would be the

1 improvement that will build the road all the way
2 from Paul Barrett Parkway through the Industrial
3 Park and connect back with Highway 51, and this
4 road is vitally important to the city because
5 it's what will make the Industrial Park a reality
6 here.

7 Without access and without utilities
8 here, there's no Industrial Park, but the good
9 thing about this one industry that is so anxious
10 to begin is that the combination of being located
11 on Navy Road where we can build a temporary road
12 for their access, which is acceptable to them, we
13 can provide the utilities that are relatively
14 small cost, including tapping on to the Navy's
15 six-inch water line there. So that -- everything
16 works perfectly there if we can just get the
17 lease signed, and that's what we're all, I guess,
18 working to -- we've had some frantic two weeks
19 with it being sent off and now we just have to
20 wait, and as Mr. Ryburn said, you know, we're
21 certainly appreciative of the local cooperation
22 from the Navy that we've had, and we're also
23 just -- and I want the record to show this, that
24 we have been tremendously appreciative of David
25 Porter who has done just extraordinary efforts to

1 help us get the documentation and the things --
2 clearances that we need on these FOSLs for this
3 lease, and we certainly appreciate his efforts on
4 our behalf. Phil, is there anything else we
5 should mention?

6 MR. WHITTENBURG: No, I would have
7 to say that the industrial lease, they have
8 communicated back on that and they want more
9 environmental information on the industry itself.
10 We're currently gathering that information now
11 and recognizing the cooperation of the whole
12 environmental team, I should say. We certainly
13 appreciate that, and our contact is mainly with
14 David is the reason we single out David, but we
15 know that the priorities from time to time have
16 changed, but primarily they change because of a
17 change of priorities in the marketplace we have
18 in the industry.

19 The first industry that contacted us
20 isn't as ready to go as the second one, and,
21 therefore, we had already started the FOSL
22 process on the first one when the second one
23 became more important, and fortunately, they were
24 able to work that out by expanding the first one.

25 It's not an easy process for any of us,

1 but we do appreciate the cooperation and help
2 that we've had, and I guess we're going to need a
3 little bit more to get this industrial lease,
4 finished up.

5 COMMANDER WORKS: Well, as I said,
6 we'll certainly continue to provide all the help
7 we can, and I think I can speak for David and his
8 team too in keeping this moving along.

9 MR. RYBURN: I might add that all
10 the answering machines in Charleston and
11 Washington were working fine when we ---

12 COMMANDER WORKS: Okay, I think we
13 skipped one item here. Are there any reports
14 from the members on presentation to the
15 community?

16 MS. ELLERBROOK: There haven't
17 been any.

18 COMMANDER WORKS: No presentations
19 made? Okay, are there any questions from the
20 floor, any other issues?

21 (Brief pause.)

22 COMMANDER WORKS: Mayor?

23 MAYOR HARVELL: Let's adjourn.

24 COMMANDER WORKS: Okay, our next
25 meeting is scheduled for the 23rd of July,

1 Tuesday toward the end of July there. One other
2 issue I need to mention, too, Captain Mallory is
3 in Washington or else he certainly would have
4 been here to night, and I haven't talked to him
5 about this yet, but given the -- I've been
6 looking over the agenda for the last couple of
7 meetings and something we might consider for the
8 next one -- I'll certainly mention this to him
9 when he gets back, but I'd like the board to
10 consider maybe going to quarterly meetings. I
11 know just a year ago we were doing this every
12 month and then we went to every other month, but
13 we're getting to the point where there's a lot
14 of -- not a lot of new issues, and our
15 Environmental Team does have to travel -- we
16 bring folks into Charleston, of course, and all
17 across the state here for these meetings.

18 Certainly if y'all want to keep them
19 every two months, we can do that, but I'd like
20 you to consider going to quarterly meetings. We
21 don't have to discuss it now. It's just
22 something to consider, maybe an agenda item for
23 the next meeting.

24 THESE WERE ALL THE PROCEEDINGS HAD IN THIS CAUSE:
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STATE OF TENNESSEE:

COUNTY OF SHELBY:

I, MELISSA A. MITCHELL, Court Reporter and Notary Public for the State of Tennessee at Large, do hereby certify that I reported in machine shorthand the above-captioned proceedings.

I HEREBY CERTIFY that the foregoing pages contain a full, true and correct transcript of my said Stenotype notes then and there taken.

I FURTHER CERTIFY that I am not an attorney or counsel of any of the parties, nor a relative or employee of any of the parties, nor am I a relative or employee of any attorney or counsel connected with the action, nor am I financially interested in the action.

I FURTHER CERTIFY that in order for this document to be authentic and genuine, it must bear my original signature and my embossed notarial seal and that any reproduction in whole or in part of this document is not allowed or condoned and that such reproductions should be deemed a forgery.

THEREFORE, witness my hand and my official seal in the State of Tennessee on June 6, 1996.

Melissa A. Mitchell
MELISSA A. MITCHELL
Court Reporter and
Notary Public at Large

My Commission Expires:

November 3, 1997