

HUNTERS POINT SHIPYARD
RESTORATION ADVISORY BOARD MEETING MINUTES
25 OCTOBER 2007

These minutes summarize the discussions and presentations from the Restoration Advisory Board (RAB) meeting held from 6:00 to 8:30 p.m. Thursday, October 25, 2007, in the Alex L. Pitcher, Jr. Room at the Southeast Community Facility. A verbatim transcript was also prepared for the meeting and is available in the information repository for Hunters Point Shipyard (HPS) and on the Internet at <http://www.bracpmo.navy.mil/bracbases/california/hps/default.aspx>. The list of agenda topics is provided below. Attachment A provides a list of attendees. Attachment B includes action items that were requested or committed to by RAB members during the meeting.

AGENDA TOPICS:

- (1) Welcome/Introductions/Agenda Review
- (2) Approval of Meeting Minutes from the September 27, 2007 RAB Meeting
- (3) Navy Announcements
- (4) Community Co-Chair Report/Other Announcements
- (5) Regulator Update
- (6) HPS Environmental Program Update
 - Potential Schedule to Support Early Transfer
 - What's ahead for 2008 Projects
- (7) Technical Assistance Grant (TAG) Update
- (8) Subcommittee Reports
- (9) Community Comment Period
- (10) Adjournment

MEETING HANDOUTS:

- Agenda for October 25, 2007, RAB Meeting
- Meeting Minutes from the September 27, 2007 RAB Meeting
- Navy Monthly Progress Report, October 25, 2007
- Power Point Presentation, HPS Environmental Program Update
- July 29, 2002 Asbestos Airborne Toxic Control Measures (ATCM) for Construction, Grading, Quarrying, and Surface Mining Operations
- Technical Review Subcommittee Meeting Minutes from October 11, 2007

Welcome/Introductions/Agenda Review

Marsha Pendergrass, facilitator, called the meeting to order at 6:05 p.m. Ms. Pendergrass welcomed everyone to the meeting. All attendees introduced themselves and the organization they represent. She confirmed that there was a quorum of community RAB members present to conduct business at the meeting.

Approval of Minutes from the September 27, 2007 RAB Meeting

Ms. Pendergrass said that approval of the minutes is needed for the RAB meeting on September 27, 2007. Leon Muhammad, Community RAB Co-Chair, stated that he has a comment on Page 4 of 15 to ensure a statement is correct. Line 39 regarding HV-12 stated that "Ms. Brownell

1 replied that one theory . . ." Ms. Brownell did not say "theory," she said "I guess." There is also
2 a statement from Ms. Brownell that "the asbestos readings from HV-12 are from traffic," She
3 did not say "traffic," she said "trucks." Mr. Muhammad stated that he would like to make sure
4 those statements are corrected. The RAB meeting minutes with the revisions were approved
5 with two abstentions and were accepted into the record.

6 Ms. Pendergrass addressed the status of the action items:

7 **Carry-over Item Number 1:** The RAB will draft a letter to the San Francisco Mayors Office,
8 the Police Chief, and the Police Department based at HPS stating that police officers are still not
9 complying with speed limits at the shipyard. The letter will request a written response from the
10 police department. Mr. Muhammad indicated that he would need approximately another week to
11 complete this action item. This action item will be carried over until December 2007.

12 **Carry-over Item Number 2:** Prepare statement clarifying the distinction between Navy and
13 RAB activities at HPS, and Lennar and Citizens' Advisory Committee (CAC) activities with
14 redevelopment at former Parcel A. Robert Van Houten, RAB member, stated that he provided a
15 copy of a document "The Myth Busters," in response to this action item. It is not an official
16 statement but "The Myth Busters" will be developed as part of the HPS program for the future.
17 He asked RAB members to review and provide feedback on the initial myth buster prepared.
18 Raymond Tompkins, RAB member, asked for time for the RAB to review the statement and
19 provide modifications. Ms. Pendergrass explained that a statement has been prepared and that
20 completes this action item. Dr. Tompkins replied that he does not agree; the appropriate way to
21 address this action item would be to allow RAB members to review and comment on the myth
22 buster statement. Ms. Pendergrass noted that this action item was completed and will be
23 removed from the table. A new action item will be listed for the RAB members to review and
24 provide comments on the myth buster statement. Dr. Tompkins will be listed as the author of
25 this action item and to follow up to ensure it is satisfied, with December 6, 2007 listed as the due
26 date.

27 Navy Announcements

28 Keith Forman, HPS Base Realignment and Closure (BRAC) Environmental Coordinator (BEC),
29 stated that there is no RAB meeting scheduled for November 2007. The next HPS RAB meeting
30 is scheduled for Thursday, December 6, 2007. The Navy and regulators will meet on
31 Wednesday, December 5, 2007 for the HPS BRAC Cleanup Team (BCT) meeting.

32 Community Co-Chair Report/Other Announcements

33 Mr. Muhammad indicated that he attended several meetings in October 2007, including one with
34 the San Francisco Board of Education. The Board of Education is very concerned with
35 environmental cleanup at HPS since several schools (George Washington Carver, Charles Drew,
36 Malcolm X, and Gloria Davis) are located adjacent to the shipyard. The board passed a
37 unanimous resolution regarding HPS cleanup, including activities other than those at the former
38 Parcel A. He indicated that there were Board of Education members who expressed interest in
39 becoming part of the HPS RAB, and he would like to know how to formally invite them to
40 participate. Mr. Muhammad stated that the principals of the schools also asked how to receive
41 information on HPS activities, and he invited them to the RAB meetings.

42 In response to a question from Ms. Pendergrass, Mr. Muhammad explained that in regards to the
43 Bylaws for the HPS RAB, he would like the Board of Education to be included on the RAB in
44 the same capacity as the regulators. Ms. Pendergrass noted that the appropriate process would be

1 to bring this issue to the Membership, Bylaws, and Community Outreach (MBCO)
2 Subcommittee Meeting and discuss if there is a need to amend the Bylaws. This issue cannot be
3 discussed at the full RAB meeting until it has been addressed in the MBCO meeting. Mr.
4 Forman explained that RAB members are not appointed, so those interested would need to
5 submit an application to the MBCO Subcommittee and be voted onto the RAB.

6 Mr. Muhammad asked if Mr. Forman plans to discuss and clarify issues discussed in the media
7 and at the meetings in October 2007 in regards to development at Parcel 49 starting in nine
8 months. He indicated that he had e-mailed Mr. Forman regarding this issue. He also asked for
9 clarification regarding mention of a petition from the City of San Francisco (City) for a waiver
10 for Parcel E-2. Mr. Forman responded that he e-mailed Mr. Muhammad that these statements
11 are rumors and are not true, so they are not covered in his presentation. He had not even heard of
12 these rumors until Mr. Muhammad's e-mail, but he can attempt to clarify any further rumors
13 during the question-and-answer period after the presentation.

14 **Regulator Update**

15 Mark Ripperda, EPA, introduced himself, Erich Simon with the San Francisco Bay Regional
16 Water Quality Control Board (Water Board), and Tom Lanphar with Department of Toxic
17 Substances Control (DTSC). He explained that the regulators role at HPS is to regularly meet
18 with the Navy, review and comment on all Navy documents produced for HPS, and be involved
19 in the decision-making process. The regulators ensure the Navy achieves cleanup levels that are
20 protective of human health and the environment. Dr. Tompkins and other RAB members have
21 asked that a regulator update be added to the RAB meetings to keep the RAB members informed
22 of regulator activities and positions.

23 Mr. Ripperda stated that one of the concerns the RAB has had is what happens with an early
24 transfer. What is the legal authority the regulators would have over a new entity conducting
25 cleanup at HPS, in this case potentially the City of San Francisco Redevelopment Agency
26 (SFRA)? With an early transfer the regulators would sign a legally binding agreement with the
27 City called an Administrative Order of Consent, which provides legal authority for regulator
28 oversight of the City's cleanup activities. The regulators can then issue penalties if deadlines are
29 being missed, or stop work orders if work is not being performed properly. In addition, the U.S.
30 Government retains all decision-making authority, so a document like a Record of Decision
31 (ROD) is prepared and signed by the U.S. Government. The Navy and EPA have not worked out
32 an agreement yet, but it would be either the Navy preparing a ROD with oversight from EPA, or
33 the Navy would pass that responsibility to the EPA. Consequently, EPA would be making
34 cleanup decisions that would then be implemented by the City and its developers and
35 contractors.

36 Mr. Ripperda reviewed other projects at HPS where the regulators are providing oversight. The
37 RAB has been interested in the landfill at Parcel E-2. The regulators recently received the
38 Radiological Addendums for Parcel E-2 and several other parcels and are in the process of
39 completing reviews. The regulators almost always provide feedback on all the Navy's
40 documents and activities for HPS. The Navy and regulators meet regularly to resolve comments
41 and issues and documents usually go through at least two iterations. EPA does have some issues
42 with the Parcel E-2 Radiological Addendum, the first being that the Navy has not really assessed
43 the contents of the landfill in past reports. EPA wants to know what is currently in the landfill,
44 the current risks from the landfill, and how the cleanup will address those risks. As previously
45 discussed by Dr. Tompkins and Peter Palmer, TAG Advisor, there is a presumption that a cover

1 over the landfill would make the site safe. The Navy and regulators will have to work through
2 resolving these issues.

3 Mr. Ripperda stated that in the original Parcel E-2 Feasibility Study (FS) the Navy evaluated
4 excavation of the entire landfill, which would cost hundreds of millions of dollar, or constructing
5 a cover over the landfill. Other options somewhere between entire excavation and a cover were
6 not evaluated. The HPS RAB and RAB meeting attendees have certainly expressed a desire to
7 see the entire landfill excavated and removed from the community. Mr. Ripperda explained that
8 his personal opinion is that Parcel E-2 is too large for a complete excavation of the landfill.
9 Consequently, the regulators are working with the Navy on an intermediate option such as
10 excavation along with shoreline and/or conducting hot spot removal. A cover over some portion
11 of the landfill, however, is a safe option.

12 Mr. Ripperda indicated that anyone who would like to discuss issues further can approach him
13 during the break or after the RAB meeting. He and the other regulators can also be contacted by
14 phone or email to discuss any of the environmental activities at HPS.

15 In response to a question from Barbara Bushnell, RAB member, Mr. Ripperda explained that
16 with an early transfer, regardless of who is in control of HPS property, the regulators would still
17 have full legal authority for oversight at the same level that is currently provided with the Navy.

18 Dr. Tompkins asked for an explanation of the distinction in oversight responsibility between the
19 former Parcel A and parcels that would be transferred with land and deed restrictions. What
20 would the safeguards be for property with land and deed restrictions? Mr. Ripperda responded
21 that the former Parcel A was transferred to the City several years ago. The parcel went through a
22 delisting process where it was removed from Superfund, because the Navy and regulators agreed
23 that there were no remaining chemical contaminants present due to the Navy's past operations on
24 the former Parcel A. The current community concerns for the former Parcel A are from
25 naturally-occurring asbestos that is part of the bedrock that underlies the parcel. The regulatory
26 process that oversees construction activities at the former Parcel A is administered by the Air
27 Resources Board and the City, not by the regulators for the HPS environmental program. The
28 regulators for HPS have authority over man-made chemicals that are present due to Navy
29 activities or tenant activities while the Navy owned the property, not naturally occurring
30 chemicals. If parts of HPS get transferred early, the legal mechanisms to enforce remedial
31 decisions for cleanup would be the same. Remedial decisions may involve excavating soil,
32 treating groundwater in place, constructing a cover over the landfill, deed restrictions to prevent
33 digging into or penetrating the cover, and restrictions prohibiting pumping and drinking
34 groundwater.

35 Mr. Ripperda explained that the decision-making stage for future reuse has not been reached for
36 all the parcels at HPS. It is known, however, that there are still contaminant hotspots throughout
37 the shipyard that would need to be excavated. There is groundwater contaminated with solvents
38 and petroleum products that still needs to be addressed. The shipyard itself is built on fill
39 material and the property was used historically for industrial operations. Consequently, as
40 mentioned before by the Navy, the only way to make it pristine would be to excavate and remove
41 the entire shipyard. What the regulators are looking for is to have the soil hot spots excavated
42 and the groundwater contaminants cleaned up that could migrate and contaminate the Bay. The
43 remaining low level contamination would be addressed by constructing a cover and establishing
44 deed and activity restrictions for future reuse.

45 Sudeep Rao, RAB member, asked if there is some point where HPS property would shift from
46 EPA federal oversight to state oversight with early transfer. Mr. Ripperda replied that the way

1 the law was originally written is that no closing military base could be transferred until all
2 cleanup is complete. As time went by, however, Congress decided that some property could be
3 transferred early, but for a Superfund site not until the Governor of California and the EPA
4 administrator agrees to that transfer. That means that the Governor, the State agencies, and EPA
5 all have to agree that the process for continuing cleanup is appropriate, and the State agencies
6 and EPA have the same authority for oversight after the early transfer. The way the law is
7 written the U.S. Government, either the Navy or EPA, still has to select the cleanup remedy after
8 an early transfer. If a base is not a Superfund site the State agencies (DTSC and the Water
9 Board) have lead oversight and EPA has minimal involvement.

10 Dr. Tompkins asked for an example, if after early transfer residents felt that dust was emanating
11 from Parcel B from contractor work on the property, would EPA and the State agencies be
12 responsible for enforcement or would the San Francisco Department of Public Health be
13 responsible for enforcement similar to the former Parcel A. There are many laws that look good
14 on paper, but enforcement and compliance of the law becomes an issue. Mr. Ripperda responded
15 that EPA and the State agencies would provide oversight for dust issues from activities on Parcel
16 B, and the Bay Area Air Quality Management District (BAAQMD) would also be involved. The
17 former Parcel A is no longer part of the HPS Superfund site because there are no longer man-
18 made chemicals present from Navy activities so current work being done by the developers is
19 considered a normal construction project.

20 Mr. Lanphar stated that one important issue to reiterate is the cap or cover over the entire
21 shipyard that Mr. Ripperda mentioned earlier. Chein Kao, a former HPS RAB member, was
22 concerned with the condition of the fill material and remedies to address that material.
23 Consequently, DTSC has been asking for a remedy that would address the fill material and that
24 is going to be a cover. Future construction activities that would penetrate the cover to work with
25 the soil beneath would be working with contaminated hazardous soil. That is why there would
26 be direct regulatory authority and land use restrictions over working with that material and why
27 the cover is part of the remedy.

28 Mr. Lanphar explained that Parcel B, for example, has evolved to the point where the cover is an
29 action that covers the entire parcel. As redevelopment progresses, there will be a risk
30 management plan that requires oversight or approval for certain activities on HPS property. The
31 former Parcel A is different because there was a no-further action decision. There are also land-
32 use covenants and institutional controls that would cover the property in perpetuity for the
33 remaining HPS parcels. For example, if an area in Parcel B was redeveloped in 2035 and the
34 cover had to be removed for excavation of the soil that work would have to be approved by the
35 regulators. As the institutional controls would be written, if soil is excavated that would trigger
36 an action and the regulators would be contacted. There would also be yearly inspections and
37 regular reports that would be sent to the regulators. As long as there is a State of California, the
38 regulators are going to be involved with the HPS property.

39 Ms. Brownell stated that the HPS property would be transferred to the SFRA not the City of San
40 Francisco. The long-term vision or concept for the property is that at some point in the future,
41 when the transferee (the SFRA) has implemented all of the remedies with regulator oversight and
42 approval, the role of the regulators would diminish. That could be three, four, or ten years in the
43 future, but at some point the regulators would have approved all the relevant documents for
44 cleanup.

45 Mr. Rao stated that as the Redevelopment Authority and the Planning Department have been
46 planning for transfer, cleanup, and integration of three sites, India Basin C, HPS, and Chemistry

1 Park, they have not been including the federal EPA in distribution of documents. EPA may
2 know of these plans unofficially, but are not formally included in that process. Mr. Ripperda
3 replied that two of the sites mentioned are not Superfund sites so EPA has no legal authority for
4 oversight. DTSC provides oversight for cleanup of those sites. HPS is the only Superfund site
5 mentioned.

6 Mr. Forman stated that Mr. Muhammad mentioned some issues he had heard from community
7 members, some of which Mr. Forman had no prior knowledge of. He recommended taking five
8 minutes before starting the presentation to answer questions and clarify the Navy's position. Ms.
9 Pendergrass responded that it makes sense to stay on topic with the Navy's presentation followed
10 by questions and answers on that presentation. An update can be provided on any other issues
11 that are impacting HPS once all of the RAB agenda items are completed.

12 **Hunters Point Shipyard Environmental Program Update (Presentation)**

13 Mr. Forman explained that the Navy started dialogue at the September 2007 RAB meeting
14 regarding plans for approximately the next twelve months for the early transfer process. He
15 noted that some of the dates listed in this presentation are inaccurate. Those events and dates,
16 however, will be clarified when the Master Schedule is submitted within the next two weeks.

17 Mr. Forman reviewed the Navy's position on what would need to take place for early transfer to
18 occur, including activities the Navy would complete with coordination from the agencies. There
19 is a schedule for HPS called the Federal Facilities Agreement (FFA) that lists all the
20 Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)
21 milestone documents with the dates and review periods for those documents. The RAB Monthly
22 Progress Report (MPR) is a direct reflection of FFA documents that are referred to as FFA
23 deliverables. The Navy delivers the documents to the public and regulators with fixed time
24 frames for providing comments.

25 Mr. Forman explained that the Navy team has been working on a Master Schedule for the early
26 transfer that would eventually be integrated with the HPS FFA schedule. The Master Schedule
27 lists all the activities that would have to occur for early transfer of Parcel B, Parcel 49, and
28 potentially another portion of Parcel D.

29 Mr. Forman stated that the Navy's fiscal year (FY) 2008 started on October 1, 2007. The regular
30 FY 2008 Navy budget for HPS is \$37 million with potential additional funding up to \$28
31 million. The Washington D.C. budget process, however, does not mean that an agency has a
32 budget at the beginning of the fiscal year. Historically, the Navy has not received funding until
33 approximately January, so HPS is currently getting funding through continuing resolutions. The
34 Navy has to gauge when funding will be provided to award contracts and establish schedules for
35 fieldwork and other activities. The Navy BRAC office also has land sales revenue from other
36 bases across the country that were sold after cleanup rather than being transferred to the local
37 reuse authority. That revenue is currently funding new HPS contracts for FY 2008 that should
38 be awarded in the next few weeks.

39 Mr. Forman reviewed a list of goals for early transfer of HPS property. Early transfer of Parcel
40 49, which actually does not yet exist, is scheduled for November 2009. If the early transfer goes
41 forward, Parcel 49 would be established and new maps for HPS would be created showing the
42 parcel. Parcel 49 is part of Parcel D and is an 1190-foot by 900-foot rectangle that corresponds
43 roughly to the footprint for the stadium bowl. There would be other buildings and parking
44 associated with the stadium, but Parcel 49 only covers the stadium bowl. The Navy is also
45 considering potential early transfer of Parcel B scheduled for 2010.

1 Mr. Forman explained that the western portion of Parcel D is being considered for early transfer
2 and is tentatively being called Parcel D-2. Parcel D-2 contains two buildings (Buildings 813 and
3 819) and a large parking area that were originally part of the former Parcel A. The property was
4 cleared for no further action with the exception of radiological concerns for the two buildings.
5 The Navy sees an opportunity for early transfer of Parcel D-2 because the only remaining issues
6 for the property are radiological clearance of the two buildings and removal of radiological
7 investigation piping that is currently located on the property between the buildings. The Navy's
8 Radiological Affairs Support Office (RASO) has completed radiological activities for the
9 buildings and prepared the closeout reports, and if review of the reports goes well the Navy can
10 move forward with preparation of a "No Further Action" ROD and a Finding of Suitability to
11 Transfer (FOST).

12 Mr. Forman stated that early transfer of Parcel 49, Parcel B, and Parcel D-2 are the three projects
13 the Navy will be focused on for the next twelve months. The ultimate goal for these early
14 transfers is to support a potential 49ers stadium for use starting with the 2012 football season.
15 The Navy's position will always be neutral regarding a sports stadium. The local community
16 and the City will be making the decisions on how to use the property once it's no longer owned
17 by the Navy. The proposal for early transfer, if it can be properly funded and all activities
18 completed in time, is a benefit for the Navy because funding would be available for a faster-
19 paced cleanup of the property. Consequently, whether a 49ers stadium is built or not, the early
20 transfer process will likely move forward. It would be up to the City to communicate progress
21 for the stadium plans to the community.

22 Mr. Forman explained that if the 49ers were to come to HPS there would be other issues like
23 parking that would have to be explored for other portions of the base. Stadiums today also have
24 other buildings like team headquarters and restaurants located nearby, and arrangements could be
25 made for temporary use of other HPS parcels with eventual permanent use if a stadium packages
26 does move forward. Again, the Navy is neutral on a potential stadium. The Navy's mission is to
27 fund cleanup activities and preparation of CERCLA documents and would need to know the
28 intended reuse of the property for that purpose.

29 Mr. Forman stated that Parcel D-2 contains two buildings, Building 813 a large multistory
30 building that the City may decide to reuse, and Building 819 which is a small pump house.
31 Building 813 would require a lot of repairs before it is usable. In the interim, there is a paved
32 area on the property that has been used as a lay-down area for construction activities on
33 adjoining property over the years.

34 Mr. Forman explained that Parcel B is a complex parcel. The MPR lists two documents out for
35 review for Parcel B, the Technical Memorandum in Support of a ROD Amendment (TMSRA),
36 which is a new type of Feasibility Study to support of an amendment to the ROD. The Navy, the
37 regulators, and the community have all reached the conclusion that the current Parcel B ROD is
38 not appropriate for the parcel. The Radiological Addendum for the TMSRA is also currently out
39 for review.

40 Mr. Forman reviewed the radiological activities for Parcel 49. He explained that the radiological
41 investigation is an investigation by excavation, which means removing all storm drains, sewer
42 lines, and associated soil. That is an expensive activity, but it ensures a thorough and complete
43 investigation. Excavation of Morrell Street was recently completed, and Mr. Muhammad was at
44 the shipyard recently and saw that the entire street had been removed. Excavation of Hussey
45 Street will be completed in the next few weeks. Cochrane Street is the next street scheduled for
46 excavation, and it is the most contaminated so it has the most potential unforeseen conditions.

1 Cochran Street will be followed by excavation of H Street, and utilities would need to be moved
2 before fieldwork starts there. Excavation of the main utility corridor along Spear Avenue would
3 be next and that would be a separate project. Spear Avenue has the deepest lines on the shipyard
4 and is also the low point for the sewer system. There are also eight buildings with radiological
5 concerns that will be investigated for Parcel 49. Laurie Lowman (RASO) has completed surveys
6 for most of the buildings and at least three buildings have been scheduled for demolition to
7 address radiological concerns. Demolition is a benefit for the City and the community because
8 there will be fewer buildings the City would need to demolish once the property is transferred.
9 There is also an advantage for the Navy because surveying and demolition means all the building
10 materials will be transported off site for disposal. A confirmatory survey over the ground where
11 the building stood is all that is then required to complete radiological activities for the building.

12 Mr. Forman reviewed the environmental schedule for Parcel 49. He explained that the dates
13 provided are based on the very first draft of the Master Schedule. Once the RAB has received
14 the Master Schedule for review, many of the dates will have shifted. The Parcel D Feasibility
15 Study (FS) is near finalization and there have been two RAB presentations this year on Parcel D.
16 The next step in the CERCLA process is the Proposed Plan for Parcel 49, which is scheduled for
17 submittal in May 2008. The CERCLA documentation to date has all been for Parcel D, so the
18 Navy will be working with the regulators to establish Parcel 49 to move forward with the
19 Proposed Plan. The Navy will be making decisions about what the Proposed Plan will cover,
20 with other portions of Parcel D potentially included based on timing, project completion, and
21 future activities. If timing works out, the Navy would move forward with Parcel D activities as
22 far as possible and then accelerate Parcel 49 activities to meet deadlines.

23 Mr. Forman explained that treatment of groundwater plumes using zero-valent iron (ZVI)
24 technology in a treatability study (TS) is planned for two sites in Parcel 49. The Navy has
25 conducted multiple TSs at HPS over the years to test the effectiveness of ZVI technology in the
26 field. Consequently, the Navy has a lot of experience using ZVI to treat groundwater plumes in
27 different parcels with different hydrogeology and subsurface conditions. A work plan for the TS
28 would be prepared, a presentation provided for the RAB, and fieldwork tentatively scheduled
29 to begin in April 2008. The Navy plans to use a new form of ZVI with different methods that allow
30 more precise injections into the subsurface in intervals over shorter time frames that could
31 shorten the cleanup time. The groundwater plumes remain one of the challenges for Parcel 49
32 and the Navy plans to make as much progress as possible to treat those plumes before early
33 transfer, but that depends on conditions in the field.

34 Mr. Forman reviewed the radiological schedule for Parcel 49. Eight buildings will be surveyed
35 and three of those buildings are scheduled for demolition. Work Plans will be prepared and
36 surveys conducted for the remaining five buildings to determine the best methods for
37 remediation. The Navy is also working on the sewer and storm drain removal for Parcel 49, with
38 Morrell Street excavation complete, Hussey Street excavation near completion, and work
39 scheduled next for Cochran Street followed by H Street.

40 Mr. Forman reviewed the transfer documents scheduled for Parcel 49. A Finding of Suitability
41 for Early Transfer (FOSET) similar to a FOST will be prepared. The FOSET will be submitted
42 for RAB review and a RAB presentation provided. A Covenant Deferral Request (CDR) is
43 scheduled for submittal in August 2009 to support transfer scheduled for November 2009. In the
44 regular process for transferring property the Navy provides a CERCLA covenant, a commitment
45 that states that all the required cleanup actions documented in the ROD have been successfully
46 completed. In an early transfer the Navy cannot provide that covenant because cleanup has not
47 been completed, or the cleanup has not been proven to operate properly and successfully. That

1 covenant is deferred through the CDR, which is approved by the Governor and EPA who have to
2 agree that early transfer is appropriate and activities are on track to be protective. EPA
3 guidelines require submittal of the CDR for at least a 30-day public comment period and the
4 Navy would provide a RAB presentation. The CDR contains a lot of different components and
5 would provide a complete picture of the current status of the parcel, and the assurances and
6 activities EPA requires for the early transfer to move forward. A Finding of Suitability to Lease
7 and an Early Transfer Conveyance Agreement (ETCA) will also be prepared for Parcel 49 to
8 support early transfer.

9 Mr. Forman reviewed a list of CDR components. One of the important components is the
10 analysis of intended land use during the deferral period. The deferral period is the period
11 between when the early transfer occurs and when all necessary remedial actions have been
12 completed and the covenant can be finalized. The Navy needs to know what the transferee plans
13 to do with the property, stadium or no stadium, and that is included in the CDR. The CDR also
14 includes Response/Corrective Action Reports and Operation and Maintenance Reports. The
15 contents of the deed are covered in the CDR, including a DTSC covenant to restrict the use of
16 property. There is a responsiveness summary that provides the Navy's responses to public
17 comments on the CDR package. The CDR includes transferee response actions, and assurances
18 and agreements that cover issues like institutional controls that ensure protective measures are in
19 place during the deferral period. Once the remedy is in place, EPA also requires assurances that
20 response actions are effective and protective and will remain effective and protective in the
21 future.

22 Mr. Forman reviewed the schedule for Parcel D-2. Parcel D-2 has two buildings and associated
23 piping that have to reach closure through the Radiological Program. The Navy would then issue
24 a draft No Further Action (NFA) ROD for regulator and public comments followed by a FOST.
25 If there are no additional issues with the buildings, the draft NFA ROD would be submitted by
26 summer 2008.

27 Mr. Forman reviewed the environmental schedule for Parcel B. The TMSRA to amend the
28 Parcel B ROD is scheduled to be finalized in December 2007 and the TMSRA Radiological
29 Addendum is scheduled to be finalized in November 2007. Two Time-Critical Removal Actions
30 (TCRAs) are planned for Parcel B in 2008. The first TCRA would be a follow up to a methane
31 survey in 2005 where methane was non-detect except for one specific area at Site 7. That area
32 would be surveyed, the material that is generating methane would be removed, and then the area
33 would be surveyed and monitored to ensure the removal was effective. Ms. Kito conducted a
34 site tour earlier today to prepare for awarding a contract for that TCRA. An Action
35 Memorandum and Work Plan will be prepared for the TCRA and the RAB will be briefed on
36 those documents and the activities in the field.

37 Mr. Forman stated that a TCRA for mercury removal is planned for Site 20. The Navy put
38 additional groundwater monitoring wells at Site 20 in 2006 to address regulator concerns over
39 mercury contamination. The Water Board then asked for one additional well close to the
40 shoreline and all those wells indicate there are low levels of mercury in that area. The Navy's
41 decision then was to move forward with a TCRA for excavation to address the source of the
42 mercury contamination. Numerous excavations have already been performed at Site 20 since
43 1997, but mercury still appears to be present at depths of 10 to 15 feet below ground surface and
44 that area is close to the Bay. An Action Memorandum and Work Plan will be prepared for this
45 TCRA and those documents are scheduled for submittal in early spring 2008.

1 Mr. Forman stated that a draft Proposed Plan for Parcel B is scheduled for submittal in February
2 2008 followed by a ROD Amendment scheduled for submittal in May 2008. The Parcel B ROD
3 being amended was finalized in 1997. A 5-year review of the Parcel B ROD is due in 2008, and
4 the draft 5-year review is scheduled for submittal in June 2008. An entire RAB meeting was
5 dedicated to presenting the last 5-year review in 2003.

6 Mr. Forman reviewed the radiological milestones for Parcel B. He explained that the smallest
7 unit or group of data for the radiological surveys is the survey unit. A total of 65 Survey Unit
8 Reports will be compiled for Parcel B now that excavation for the storm drains and sewer lines is
9 complete. There are also numerous buildings to be surveyed for Parcel B. The buildings will be
10 surveyed, any RAD contamination removed, and then a confirmation survey performed. The
11 goal is for unrestricted release for all the buildings except for the discharge tunnel. In addition
12 there are Sites 7 and 18 that were identified as radiologically-impacted with the potential for
13 elevated isotopes. Excavation has already been performed at the sites but no radiological
14 contamination found to date. Sand blast grit was found and screened, but did not have elevated
15 radiological levels. RASO and the HPS Navy team are going to perform radiological surveys of
16 Sites 7 and 18 in 2008. Even if there is no radiological contamination found at the sites, there
17 are still metals and other contamination present so there will have to be a protective cover in
18 place and institutional controls established for this property. There will be specific guidance in
19 the Risk Management Plan for Parcel B that documents activities for site 7 and 18 that will
20 require regulator approval.

21 Mr. Forman reviewed the Total Petroleum Hydrocarbon (TPH) program milestones for Parcel B.
22 The TPH program covers underground storage tanks (USTs) and aboveground storage tanks
23 (ASTs) and the associated fuel products. This is an important program that is not part of
24 CERLCA. When there were spills from the tanks into the soil, those spills can migrate into the
25 vadose zone and into groundwater. Those spills form a petroleum site that requires investigation
26 and cleanup. The Navy will work with the regulators, particularly the Water Board, to prepare
27 Corrective Action Plans (CAPs) to address the remaining HPS petroleum sites in 2008. A
28 closure report would then prepared once fieldwork is complete. At HPS, fieldwork has mostly
29 consisted of removing the source of the petroleum contamination in surface soil and the vadose
30 zone, and removing free product from groundwater. Free product, in most cases, floats on top of
31 the groundwater and also tends to ooze from the sides of the holes dug for source removal. Any
32 further groundwater contamination is also cleaned up before site closure. The Navy has already
33 done excavations in two areas of interest for Parcel B near the seawalls, and those areas likely
34 need additional work for petroleum contamination. The Navy will be preparing a CAP for
35 fieldwork for eventual closure of those sites.

36 Mr. Forman explained that the current plan for Parcel B is an early transfer that will not be on the
37 same schedule as Parcel 49. Early transfer of Parcel B is tentatively scheduled for May 2010. A
38 major negotiation between the Navy and the City and County of San Francisco for an ETCA
39 would be necessary leading up to early transfer of all Parcel B property. The ETCA stipulates all
40 the activities the Navy and City would need to complete and the activities the Navy would not
41 complete but that would still be funded by the Navy. The Navy negotiates a dollar amount that
42 is provided to the transferee to fund remaining cleanup for the early transfer property. A FOSET
43 would be prepared for Parcel B followed by a CDR. The CDR is the package that contains the
44 different components that provide a complete picture of the current status of the parcel, and the
45 assurances and activities EPA requires for the early transfer to move forward. The CDR is
46 submitted for a minimum 30-day public comment period, and there will be RAB presentations to

1 review all the CDR requirements. The CDR is scheduled for submittal in early 2010 to support
2 early transfer of Parcel B in May 2010.

3 Ms. Brownell explained that her understanding of the discussions between the City, the SFRA,
4 and the Navy is for early transfer of Parcel 49 in 2009 with early transfer of Parcel B to follow
5 shortly after. There has also been discussion of submitting one CDR for Parcel 49 and Parcel B
6 due to all the huge challenges with getting a CDR approved. Mr. Forman clarified that the City
7 and Navy have different opinions on submitting one CDR for both parcels and that issue will
8 require further discussion. The state regulators, EPA, and the Governor will also have opinions
9 on submittal combined or separate CDRs and the CDR contents. The approach for the CDRs is
10 mainly dependent on timing and cannot be discussed with the RAB until all the necessary
11 activities have been addressed in the master schedule.

12 Mr. Forman reviewed other early transfer requirements. Since there may be a major change in
13 the land use at HPS there may be a need for an Environmental Impact Statement (EIS)
14 Supplemental that covers issues like traffic and changes in reuse. When reuse changes, the
15 environmental impact of those changes are documented in the EIS Supplemental and provided
16 for public and regulator review and comment. The EIS is not part of environmental cleanup but
17 is a close cousin that covers environmental planning. Land use that diverts significantly from the
18 original planned use has to go through the National Environmental Policy Act (NEPA) process
19 and the State's equivalent California Environmental Quality Act (CEQA) process. A
20 presentation for the EIS Supplemental would be provided at either a RAB or a CAC meeting and
21 that decision can be coordinated between the Navy and Community Co-Chair. NEPA guidance
22 for the EIS requires a public comment period and a public meeting that can be a separate meeting
23 or part of a RAB meeting. EIS documents are prepared by personnel in a different Navy
24 command.

25 Mr. Forman stated that the entire early transfer process is going to require coordination between
26 many different parties including EPA, DTSC, California Department of Public Health (CDPH),
27 the Water Board, the City, the Navy, RASO, and the community. That means coordination of a
28 large number of documents with all these different parties for a successful early transfer. Ms.
29 Lowman works closely with CDPH, the State agency that reviews and approves radiological
30 documents. CDPH has an important role because the goal for HPS is to achieve free release for
31 property and buildings/structures that have been identified as radiologically-impacted.

32 Mr. Forman explained that the majority of activities that support early transfer require an
33 accelerated schedule that requires more labor that in turn is dependent on obtaining additional
34 funding. As stated earlier, the Navy budget for FY 2008 is \$37 million (congressional funding)
35 with the potential for an additional \$28 million from other sources.

36 Ms. Pendergrass announced that the presentation has run longer than scheduled. Dr. Tompkins
37 made a motion to extend the RAB meeting by fifteen minutes that was seconded by Kristine
38 Enea, RAB member. The motion passed unanimously with no abstentions.

39 Dr. Tompkins stated that he would suggest providing presentations on issues like the EIS
40 Supplemental that overlap the environmental cleanup and redevelopment processes at a
41 combined RAB CAC meeting. These are common issues that affect the entire community so it
42 would be beneficial for discussions to take place in a joint session for neighbors to work together
43 on the process. Mr. Forman responded that he would recommend that Dr. Tompkins work
44 closely with the RAB Community Co-Chair who will be working with the Navy Co-Chair on an
45 approach for presentations to the public and community. It is one of the functions of the

1 Community Co-Chair to coordinate these types of issues. Keep in mind that there are limitations
2 on appropriate topics for the RAB and CAC meetings.

3 Mr. Muhammad stated that Mr. Forman mentioned that the selection process for contractors to
4 support activities for early transfer is ongoing and asked what companies the Navy is
5 considering. Ms. Kito replied that for the methane removal project, the Navy is considering bids
6 from four contractors: Cape Environmental, Sealaska Environmental Services, TN & Associates
7 and ERS. Mr. Muhammad asked if Ms. Kito could send him a list of those contractors.

8 Mr. Rao noted that Mr. Forman had stated that radiological investigation of sewer systems for a
9 street in Parcel 49 involved removal. Mr. Forman clarified that the radiological investigation for
10 radioisotopes is performed by excavating down to the pipelines and surveying the lines and
11 associated soil. Excavation and survey activities destroy the pipes so the investigation actually
12 destroys the subject being studied. That means that the pipelines and associated soil are removed
13 whether contamination is found or not. That is referred to as investigation by excavation, which
14 is an expensive method for performing an investigation. The storm drain and sewer investigation
15 is supported by a basewide TCRA Action Memorandum Revision that was prepared in 2006 and
16 a RAB presentation was provided on this topic. Fieldwork is performed based on a series of
17 work plans that are supported by a Basewide Radiological Work Plan that has been updated
18 based on the lessons learned for activities for Parcel B.

19 Dr. Tompkins noted that Mr. Forman stated that the RAB would provide comments on the Parcel
20 49 FOSET, so what would occur if the RAB said no to the early transfer. The RAB has concerns
21 considering that all three of the master developers came before the RAB in 1998 and indicated
22 that they had no experience with environmental cleanup. Dr. Tompkins explained that also given
23 the issues with Lennar's activities on the former Parcel A, he now believes the Navy does a
24 better job with environmental cleanup than any private industrial contractor would. Mr. Forman
25 responded that in the environmental cleanup business there is no such thing as just saying no;
26 there has to be a reason. The Navy gathers input from all the regulators, the RAB, the
27 community, the City, and various other outside agencies. That input is then analyzed as part of
28 determining what will ultimately be done for the environmental program. Basically when a
29 comment is provided that says "I don't think this should be done and this is why," the Navy
30 considers that comment and often decides to explain the Navy's position and why there is no
31 need to change that position. The Navy can also decide to consider an alternate approach to
32 move forward, but that is mostly based on the reasons for saying no to a particular approach.
33 Mr. Ripperda explained that if there are really good reasons for the RAB to vote no on early
34 transfer, there are several ways to proceed. First, the Navy decides to move forward with an
35 early transfer and the City decides to accept it. The other two parties involved are the governor
36 and the EPA administrator who sign off on early transfer documents. The RAB can try to
37 convince the Navy not to proceed with early transfer or persuade the governor or EPA
38 administrator not to approve the early transfer. The RAB could also approach the Board of
39 Supervisors or other San Francisco politicians and tell them not to accept the early transfer.
40 There would have to be a strong enough justification for voting no, however, for this to be
41 successful.

42 Mr. Muhammad asked what parties are involved in the assurance and agreements part of the
43 CDR, and does the RAB provide input for that part of the CDR. Mr. Forman explained that the
44 draft CDR package (including the FOSET) is provided for regulator and other agency review and
45 a 30-day public comment period. The assurances cover what response actions must be
46 completed for the Navy to eventually provide the covenant that all cleanup actions documented

1 in the ROD have been completed. That also includes institutional controls that ensure conditions
2 remain protective in future years.

3 **TAG Update**

4 Dr. Tompkins explained that Pete Palmer, TAG advisor, attended the RAB Technical Review
5 Subcommittee meeting and Gregg Grist, TAG advisor attended the HPS BCT meeting on
6 Wednesday, October 24, 2007.

7 Dr. Palmer introduced himself and explained that the TAG advisors are currently working on
8 comments for the Parcel E-2 Radiological Addendum. He stated that he would like to
9 compliment his San Francisco State University colleague/intern Brain Rebold who has been
10 doing research on other EPA Superfund sites where radium has been a concern. Mr. Rebold has
11 been able to provide a couple of other sites where radium contamination has been found to use
12 for comparison with HPS activities. There is a site called the U.S. Radium Superfund site in
13 Orange, New Jersey where a ROD was signed in 1990. The radiological work was completed 14
14 years later in 2004 and involved removal of approximately 73,000 cubic yards of radium mine
15 tailings. There was also a site in Denver, Colorado where radium tailing were part of the asphalt
16 used to pave the roads. That site was listed as a Superfund site in 1983 and remediation, a
17 combination of no action and institutional controls, is ongoing. Where streets have been repaved
18 there is enough shielding to prevent exposure, and the roads themselves are being completely
19 destroyed and removed where construction is taking place. For comparison, the highest radium
20 level found at the Denver site has been 79 picocuries per gram.

21 Mr. Grist explained that the BCT meeting he attended was very informative and tonight's RAB
22 presentation was one of the core topics for that meeting. He noted that he and Dr. Palmer both
23 want to reiterate their observances from the BCT meetings. The regulators, even though they are
24 relatively quiet at the RAB meetings, are very active during the BCT meetings. Both he and Dr.
25 Palmer have had a chance to interact with the regulators at the BCT meetings and have complete
26 confidence in the oversight they provide for Navy activities at HPS. That should be reassuring
27 for the community.

28 **Subcommittee Reports**

29 **Technical Review Subcommittee**

30 Dr. Tompkins stated that the meeting minutes for the October 2007 Technical Review
31 Subcommittee meeting are available on the information table. One issue that a community
32 member had is that these meetings are always pressed for time. It is the role of the Technical
33 Review Subcommittee to investigate and answer questions for the community. He explained that
34 in his latitude as subcommittee chair, he expanded the meeting because answers to attendees
35 questions weren't being addressed, and that at least kept the one community member from
36 leaving. Dr. Tompkins stated that in his view it is important that the general public not leave
37 these meetings feeling that their concerns have not been considered and their questions
38 addressed. Otherwise there is a lot of misinformation and rumors that go out into the
39 community. It is a disservice to the community and the RAB members to let that happen.

40 Dr. Tompkins indicated that he also did a follow up on the HV-12 monitor as Mr. Forman
41 requested. Ms. Brownell was not able to attend subcommittee meeting, but he met with her last
42 Friday to review the HV-12 monitor data. Ms. Brownell had stated that she believes the readings
43 from that monitor are from dust coming from the road adjacent to the monitor and that is Navy
44 property. It was verified that the monitor is calibrated properly and the readings are accurate.

1 He drove through that area as part of his field investigation and his car was covered in dust and
2 mud. Both the Navy and Lennar are using water trucks for dust control, but neither are using
3 proper methods for washing down asphalt. He and Ms. Brownell worked out a solution for both
4 the Navy and Lennar to use a fire hose to wash down the sidewalks and streets. It is important,
5 however, for both parties to coordinate washing down the streets, otherwise they are just washing
6 dirt onto each others property. Dr. Tompkins stated that he also discussed this issue with the
7 Water Board representative and would like to set up a time when all the parties can meet to
8 discuss the methodology for washing down the streets in terms of discharge and runoff since
9 there is asbestos in the soil. He clarified that he is proposing that the Navy and Lennar wash
10 down the streets and HPS on the same day using the same method, and coordinate that with the
11 Water Board for runoff. That would eliminate the problems with the peak asbestos readings for
12 the HV-12 monitor. He stated that he has also observed trucks coming from Lennar property
13 onto Navy property, and although it appeared that they were washed, there was still dirt on the
14 trucks. That creates a hazard and a nuisance. He indicated that he and other community
15 members are frustrated because they have asked several times for dust issue to be addressed and
16 there has been no action.

17 Ms. Pendergrass stated that Dr. Tompkins would need to provide a timeframe for the parties
18 involved to get back to him with a response on this issue. Mr. Forman stated that Dr. Tompkins
19 proposal is detailed and should be discussed in the Technical Review Subcommittee meeting
20 with a summary of the results provided at the RAB meeting. If this is an action item, Dr.
21 Tompkins can put that proposal in writing and provide that to all the parties involved for
22 discussion at the subcommittee meeting.

23 Dr. Tompkins asked that this issue be addressed in the RAB meeting because the Navy and
24 Water Board are unable to attend the Technical Review Subcommittee meeting in November
25 2007. Mr. Forman suggested moving the meeting to Tuesday, November 6, 2007 from 6:00 to
26 8:00 p.m. Mr. Grist indicated that he would not be able to attend the meeting. Ms. Brownell
27 indicated that she would be able to attend the meeting, but would have to contact Lennar to see if
28 they can attend. Dr. Tompkins indicated that he would check to see if the Anna Waden library is
29 available for the meeting.

30 Dr. Tompkins noted that he has provided the RAB with the State legal standards for vehicle
31 speed in construction zones. There are signs posted at HPS for 25 miles per hour and he is out at
32 the shipyard at least once a week and everyone is going faster than that.

33 **MBCO Subcommittee**

34 Mr. Van Houten stated that the MBCO Subcommittee did not meeting in October 2007. The
35 next meeting is scheduled for Thursday, November 15, 2007. He stated that he distributed the
36 RAB member communication questionnaire that is an attempt to get information on where RAB
37 members live and their and affiliations, as well as how well the RAB is communicating with the
38 community. He said that he would appreciate it if the RAB members filled out the questionnaire
39 and returned it to him. He will have Carolyn Hunter, Tetra Tech, email an address where the
40 questionnaires can be mailed to him, or they can be provided at the next MCBO meeting.

41 **Economic Subcommittee**

42 Aleta Bryant, RAB member, indicated that the Economic Subcommittee did not meet in October
43 2007. The next meeting is scheduled for Wednesday, November 14, 2007 from 6:00 to 8:00
44 p.m. at the Windows on the Shipyard office. The subcommittee will be reviewing the
45 Transportation and Disposal (T&D) contract at the next subcommittee meeting and will report on

1 that at the December 2007 RAB meeting. Ms. Bryant asked if she could get a copy of the
2 contract so the subcommittee can discuss current policies and procedures that determine who
3 gets awarded these contracts. Ms. Pendergrass suggested that Ms. Bryant meet the Navy outside
4 of the RAB meeting to obtain a copy of the contract.

5 Ms. Pendergrass adjourned the meeting at 8:18 p.m.

6 **Reminder: The next RAB meeting will be held from 6:00 p.m. to 8:00 p.m., Thursday,**
7 **December 6, 2007, at the Alex Pitcher Jr. Room, 1800 Oakdale Avenue, San Francisco,**
8 **California 94124.**

ATTACHMENT A
25 October 2007- RAB MEETING
LIST OF ATTENDEES

Name	Association
1. Brian Baltimore	Resident, Tetra Tech ECI
2. Patricia Brown	RAB member, Shipyard Artist
3. Amy Brownell	San Francisco Department of Public Health
4. Aleta Bryant	RAB member, Camkal Industrial Transport
5. Barbara Bushnell	RAB member, Resident of the Southeast Sector (ROSES)
6. Thomas Dias	Environmental Management Services, Inc.
7. Kristine Enea	RAB member, Resident
8. Bill Dougherty	Tetra Tech ECI
9. Keith Forman	Navy RAB Co-chair
10. Larry Frias	RAB member, Waste Solutions Group
11. Gregory Grist	Tech Physics – Technical Assistance Grant (TAG)
12. Carolyn Hunter	Tetra Tech EMI
13. Melanie Kito	Navy Lead Remedial Project Manager
14. Oscar James	Resident
15. Julie Johnson	Reporter, U.C. Berkeley
16. Jackie Ann Lane	U.S. EPA Region IX
17. Tom Lanphar	Department of Toxic Substances Control
18. Steve LaPlante	Resident
19. Jesse Mason	RAB member, Resident
20. Mike McGowan	RAB member, Arc Ecology
21. James Morrison	RAB member, ROSES
22. Leon Muhammad	Community RAB Co-chair, University of Islam, Center for Self Improvement
23. Christine Niccoli	Niccoli Court Reporting
24. Peter Palmer	San Francisco State University (SFSU)- TAG
25. Marsha Pendergrass	Pendergrass & Associates
26. Harrell Powell	Bayview/Hunters Point Resident
27. Sudeep Rao	RAB member, Literacy for Environmental Justice (LEJ)
28. Brian Rebold	SFSU
29. Mark Ripperda	U.S. EPA Region IX
30. Tiana Robinson	LEJ
31. Connie Shahid	LEJ
32. Erich Simon	San Francisco Bay Regional Water Quality Control Board
33. Diane Wesley Smith	Community Business Owner/Broker
34. Peter Stroganoff	Navy, Resident Officer in Charge of Construction (ROICC) Office
35. Keith Tisdell	RAB member, Resident
36. Raymond Tompkins	RAB member, Community First Coalition
37. Robert Van Houten	RAB member, Morgan Heights Resident
38. Angela Williams	Barajas & Associates

**ATTACHMENT B
25 October 2007 – RAB MEETING
ACTION ITEMS**

Item No.	Action Item	Person Authoring the Action Item	Due Date	Person/Agency Committing to Action Item	Resolution Status
Carry-Over Items					
1.	The RAB will draft a letter to the San Francisco Mayors Office, the Police Chief, and the Police Department based at HPS stating that police officers are still not complying with speed limits at the shipyard. The letter will request a written response from the police department.	Leon Muhammad, Community RAB Co-Chair	October 2007	Mr. Muhammad	This action item to be completed during December 2007.
New Action Items					
1	The RAB will review the myth busters statement clarifying the distinction between Navy and RAB activities at HPS, and Lennar and CAC activities with redevelopment and the former Parcel A and provide comments to Robert Van Houten, RAB member.	Raymond Tompkins, RAB member	September 2007	Dr. Tompkins,	This action item to be completed during December 2007.

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HUNTERS POINT SHIPYARD
RESTORATION ADVISORY BOARD

REPORTER'S TRANSCRIPT OF MEETING

OCTOBER 25, 2007

City College of San Francisco
Southeast Campus
Alex Pitcher, Jr., Community Room
1800 Oakdale Avenue
San Francisco, California

Reported by Christine M. Niccoli, RPR, C.S.R. No. 4569

NICCOLI REPORTING
619 Pilgrim Drive
Foster City, CA 94404-1707
(650) 573-9339

CERTIFIED SHORTHAND REPORTERS SERVING THE BAY AREA

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1 RAB MEMBERS [Cont.]:
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3 KEITH TISELL - Bayview-Hunters Point resident
4 RAYMOND J. TOMPKINS - Bayview-Hunters Point Coalition on
5 the Environment
6 ROBERT VAN HOUTEN - Morgan Heights Homeowners
7 Association
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10 PANEL OF REGULATORS & U.S. NAVY
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12 AMY D. BROWNELL - San Francisco Department of Public
13 Health
14 MELANIE KITO - United States Navy
15 JACQUELINE ANN LANE - U.S. Environmental Protection
16 Agency (EPA)
17 TOM P. LANPHAR - California Department of Toxic
18 Substances Control (DTSC)
19 MARK RIPPERDA - U. S. Environmental Protection Agency
20 (EPA)
21 ERICH SIMON - San Francisco Bay Regional Water Quality
22 Control Board
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PARTICIPANTS

FACILITATOR:
MARSHA PENDERGRASS - Pendergrass & Associates
CO-CHAIRS:
KEITH FORMAN - United States Navy
Project Managers Office (PMO) West
LEON MUHAMMAD - Center For Self Improvement,
Muhammad University of Islam

RAB MEMBERS

PATRICIA BROWN - Shipyard artist
ALETA BRYANT - CamKal Industrial Transport
BARBARA BUSHNELL - Residents of the Southeast Sector
(R.O.S.E.S.), Silverview Terrace Homeowners
Association, Bayview-Hunters Point Resident
KRISTINE ENEA - Bayview-Hunters Point resident
LARRY FRIAS - Waste Solutions Group, Bayview-Hunters
Point resident
JESSE MASON - Community Window on the Shipyard
MIKE McGOWAN - Arc Ecology
JAMES MORRISON - Environmental Technology, Residents of
the Southeast Sector (R.O.S.E.S.)
SUDEEP M. RAO - Literacy for Environmental Justice (LEJ)

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AUDIENCE

BRIAN BALTIMORE - Tetra Tech
THOMAS DIAS - Environmental Management Services, Inc.
(EMS)
BILL DOUGHERTY - Tetra Tech ECI
GREGORY R. GRIST - Tech Physics
CAROLYN HUNTER - Tetra Tech EMI
OSCAR JAMES - Bayview-Hunters Point resident
JULIE JOHNSON- U.C.-Berkeley
STEPHEN LA PLANTE - Mariner's Village resident
PETER T. PALMER, PH.D. - San Francisco State University,
Community First Coalition
HARRELL POWELL - Bayview-Hunters Point resident
BRIAN REBOLD - San Francisco State University
TIANA ROBINSON - Literacy for Environmental Justice
(LEJ)
CONNIE SHAHID - Literacy for Environmental Justice (LEJ)
PETER STROGANOFF - United States Navy ROICC Office
DIANE WESLEY SMITH - Community business owner/broker
ANGELA WILLIAMS - Barajas & Associates, Inc. (BAI)
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1 SAN FRANCISCO, CALIFORNIA, THURSDAY, OCTOBER 25, 2007
 2 6:04 P.M.
 3 --oOo--
 4 MS. PENDERGRASS: I'm Marsha Pendergrass.
 5 Welcome to the Hunters Point Restoration Advisory Board
 6 meeting for Thursday, October 25th, the year 2007.
 7 We're ready to do introductions. All right.
 8 Well, let's start around the table.
 9 MR. SIMON: I'm Erich Simon with the San
 10 Francisco Bay Water Board.
 11 MS. PENDERGRASS: Thank you.
 12 MR. VAN HOUTEN: Robert Van Houten, resident
 13 and Morgan Heights.
 14 MR. MCGOWAN: Mike McGowan, Arc Ecology.
 15 MR. FORMAN: Oh. Keith Forman, Navy BRAC
 16 environmental coordinator and your RAB co-chair.
 17 MS. KITO: Melanie Kito, lead remedial project
 18 manager for Hunters Point.
 19 MR. TISELL: Keith Tisdell, RAB member,
 20 resident.
 21 MR. RIPPERDA: Mark Ripperda with the U.S. EPA.
 22 MR. LANPHAR: Tom Lanphar, California
 23 Department of Toxic Substances Control.
 24 MR. MASON: I'm Jesse Mason, RAB, lifelong
 25 resident Bayview-Hunters Point.

6

1 MS. PENDERGRASS: Are we having control issues
 2 tonight?
 3 MR. MORRISON: What is your address? Where do
 4 you live?
 5 MS. BROWNELL: Amy Brownell, San Francisco
 6 Health Department.
 7 MR. FRIAS: Larry Frias, RAB, local business.
 8 MS. PENDERGRASS: Thank you.
 9 MR. MORRISON: Bayview-Hunters Point resident.
 10 MS. PENDERGRASS: What's your name?
 11 MR. MORRISON: James Morrison.
 12 MS. PENDERGRASS: Thank you, Mr. Morrison.
 13 MS. BUSHNELL: Barbara Bushnell,
 14 Bayview-Hunters Point resident.
 15 MS. PENDERGRASS: Welcome back, Miss Bushnell.
 16 MR. MORRISON: Got to have a legal residence.
 17 MS. BROWN: Patricia Brown, Shipyard artist.
 18 DR. RAO: Sudeep Rao, Literacy for
 19 Environmental Justice.
 20 MS. PENDERGRASS: All rightie, then.
 21 DR. TOMPKINS: Dr. Raymond Tompkins, Community
 22 First Coalition.
 23 MS. JOHNSON: Julie Johnson, U.C.-Berkeley.
 24 Julie Johnson, U.C.-Berkeley.
 25 MR. STROGANOFF: Peter Stroganoff with the Navy

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1 ROICC office.
 2 MR. GRIST: Gregg Grist, Tech Physics.
 3 DR. PALMER: Pete Palmer, tech advisor,
 4 professor San Francisco State.
 5 MR. REBOLD: Brian Rebold, San Francisco State
 6 University.
 7 MS. PENDERGRASS: Thank you.
 8 MR. DOUGHERTY: Bill Dougherty with Tetra Tech.
 9 MR. DIAS: Tom Dias with Environmental
 10 Management Services.
 11 MS. PENDERGRASS: Tom, what was your last name?
 12 MR. DIAS: Dias, D-i-a-s.
 13 MS. PENDERGRASS: Thank you. And again, what
 14 agency? I'm sorry. I didn't catch that.
 15 MR. DIAS: Environmental Management Services.
 16 MS. PENDERGRASS: Okay. Thank you, sir.
 17 MS. ROBINSON: Tiana Robinson for Literacy for
 18 Environmental Justice.
 19 MS. PENDERGRASS: Tina . . . ?
 20 MS. ROBINSON: Tiana.
 21 MS. PENDERGRASS: Tiana?
 22 MS. ROBINSON: Yes.
 23 MS. PENDERGRASS: Robinson.
 24 MS. ROBINSON: Yes.
 25 MS. PENDERGRASS: Thank you. With LEJ?

8

1 MS. ROBINSON: Yes.
 2 MS. PENDERGRASS: Okay. Great. Thank you.
 3 MS. SHAHID: Connie Shahid with LEJ.
 4 MS. PENDERGRASS: Connie, what's your last
 5 name?
 6 MS. SHAHID: Shahid.
 7 MS. PENDERGRASS: Shahid with LEJ. Thank you
 8 so much.
 9 And how about illustrious administrative
 10 staff?
 11 MS. HUNTER: Carolyn Hunter, Tetra Tech.
 12 MS. PENDERGRASS: Thank you.
 13 Mr. Baltimore, why don't you . . . ?
 14 MR. BALTIMORE: Brian Baltimore,
 15 Bayview-Hunters Point resident.
 16 MS. WILLIAMS: Angela Williams of Barajas &
 17 Associates.
 18 MS. PENDERGRASS: All rightie. And we have
 19 this cute little man over here in black, but I guess
 20 he'll be anonymous tonight. The A.V. guy, right?
 21 And then we have Christine.
 22 THE COURT REPORTER: Christine Niccoli, Niccoli
 23 Reporting.
 24 MR. TISELL: Thank you.
 25 MS. PENDERGRASS: All rightie, then. So we're

1 all here. We're gathered tonight. It's such a
 2 wonderful day. Is it November yet? It's October.
 3 MR. MASON: Close, close.
 4 MS. PENDERGRASS: It's October. It's harvest
 5 time. We're so excited. And this is our next-to-last
 6 RAB meeting. So excited. Right? 'cause we don't have
 7 one in November.
 8 MR. FORMAN: Right, for 2007 --
 9 MS. PENDERGRASS: '7.
 10 MR. FORMAN: Right.
 11 MS. PENDERGRASS: And then have one in
 12 December. Just so excited. Anyway, just happy to be
 13 here.
 14 Let's look at the agenda. It's all the way
 15 down to the bottom of the page. We have a lot of things
 16 to do tonight. Any reason why we need to change this at
 17 all? No?
 18 Well, I suggest one change is that if our
 19 community co-chair is still stuck -- he's stuck in
 20 traffic and he's a little late, perhaps we can hold his
 21 comments until when he gets here. Is that okay?
 22 MR. FORMAN: Sounds good.
 23 MS. PENDERGRASS: All right. So have we read
 24 the fabulous minutes that have been prepared for us by
 25 Tetra Tech?

1 Right? Angela?
 2 MS. WILLIAMS: Barajas.
 3 MS. PENDERGRASS: Okay, Barajas & Associates,
 4 these fabulous minutes.
 5 Dr. Tompkins, are you going to join us tonight,
 6 or are you going to have this sidebar?
 7 DR. TOMPKINS: We are trying to coordinate.
 8 MS. PENDERGRASS: Can we do that after the
 9 meeting? You can do it at the break. All rightie,
 10 then. So right now we're talking about minutes.
 11 MR. MASON: Yeah, I have a question.
 12 MS. PENDERGRASS: Yes, Mr. Mason.
 13 MR. MASON: Yeah. I was reading in the minutes
 14 someone is very concerned about my address, you know, as
 15 opposed to my mailing address. My mailing address is at
 16 the office that I work for, you know, that where I get
 17 my information, and I keep it there.
 18 Now, if you want my home address on any
 19 application, it should be on the RAB application. Now,
 20 if the -- if the RAB board wants me -- want me to
 21 present my home address in Bayview-Hunters Point, I
 22 don't have a problem with that.
 23 MS. PENDERGRASS: I'm sure, Mr. Mason, if
 24 someone has a concern about that, either the commit- --
 25 the Bylaws --

1 MR. MASON: The Bylaws Committee.
 2 MS. PENDERGRASS: -- Committee or --
 3 MR. MASON: Okay.
 4 MS. PENDERGRASS: -- the Navy, I'm sure they
 5 would have --
 6 MR. MASON: Okay.
 7 MS. PENDERGRASS: -- contacted you by now.
 8 MR. MASON: And I just want to kind of clear
 9 that up.
 10 MS. PENDERGRASS: All rightie.
 11 MR. MASON: Thank you --
 12 MS. PENDERGRASS: Well, thank you --
 13 MR. MASON: -- very much.
 14 MS. PENDERGRASS: -- so much.
 15 So we're dealing with the minutes.
 16 Yes, sir. Dr. Tompkins.
 17 DR. TOMPKINS: Yes. I spoke to our community
 18 chair, co-chair, Mr. Muhammad. He did have concern --
 19 If we may defer until his arrival rather than me
 20 paraphrasing his concern on his citation -- his quotes
 21 in the minutes, if we could defer this till later so he
 22 can make the proper correction in the record.
 23 MS. PENDERGRASS: I have no problem with that.
 24 Anybody else? Anybody have a problem with
 25 that?

1 Mr. Forman, as chair of this meeting tonight,
 2 do you have a problem with changing the approval of the
 3 minutes till a little bit later --
 4 MR. FORMAN: No, ma'am.
 5 MS. PENDERGRASS: -- given that Mr. Muhammad
 6 has a comment that he'd like to make around minutes?
 7 MR. FORMAN: No problem.
 8 MS. PENDERGRASS: Okay. So then let's move
 9 right on into the action items, then. The first one
 10 was:
 11 The RAB will draft a letter to the San
 12 Francisco Mayor's Office, the police chief,
 13 and the police department based on Hunters
 14 Point Shipyard's stating that police officers
 15 are still not complying with the speed limits
 16 at the Shipyard. The letter will request a
 17 written response from the police department.
 18 This is due in October, and Mr. Muhammad
 19 brought that, and I don't know if that's been
 20 satisfied.
 21 Does anybody else know anything about that?
 22 All right. We'll have to defer that. Let's
 23 see.
 24 DR. TOMPKINS: Still speeding.
 25 MS. PENDERGRASS: I'm sorry?

1 DR. TOMPKINS: Only thing I can attest to, they
 2 are still speeding.
 3 MS. PENDERGRASS: Okay, but you are not
 4 speaking directly to the resolution of this action item.
 5 So let's move on to No. 2.
 6 Mr. Tisdell.
 7 MR. TISELL: How about inviting the commander
 8 from the police -- from police station back there so he
 9 could hear the concerns personally?
 10 MS. PENDERGRASS: Okay. Mr. Tisdell, right now
 11 we are dealing with follow-up and resolution of action
 12 items. Can we hold that until another time? The
 13 appropriate time would be at the end of the meeting.
 14 MR. TISELL: I put it up under my hat.
 15 MS. PENDERGRASS: Thank you, sir.
 16 Action Item No. 2: Prepare statement
 17 clarifying the distinction between Navy and RAB
 18 activities at the Shipyard and Lennar and C.A.C.
 19 activities with redevelopment and former Parcel A.
 20 Dr. Tompkins brought that motion -- or that
 21 action item that was due in September, and
 22 Mr. Van Houten was supposed to follow up on that.
 23 So is this item satisfied, Mr. Van Houten?
 24 MR. VAN HOUTEN: I don't know. You'll have to
 25 tell me. No. I did -- As you can see, there's a copy

1 of what we call "The Myth Busters," and I've mentioned
 2 this in the -- in the past. And so it was my attempt at
 3 addressing that statement.
 4 MS. PENDERGRASS: Okay. Thank you.
 5 MR. VAN HOUTEN: So everybody have a look at
 6 it. Let me know what they think. It's not an official
 7 statement, but it is part of the program that we're
 8 going to be doing in the future.
 9 MS. PENDERGRASS: Okay.
 10 So Dr. Tompkins, do you feel that that Action
 11 Item No. 2 has been satisfied?
 12 DR. TOMPKINS: Let's -- As Mr. Van Houten
 13 suggested, let us review it and then maintain it; and
 14 then if there's modification --
 15 MS. PENDERGRASS: He prepared the statement,
 16 which was the action item. The a -- The statement has
 17 been received. Nothing in this motion says it has to be
 18 dealt with in any other way.
 19 So we can add another motion -- some other
 20 action item, but it's kind of pointless at this point.
 21 DR. TOMPKINS: Well, I kind of disagree.
 22 MS. PENDERGRASS: Okay.
 23 DR. TOMPKINS: For the rest of the body and the
 24 members also to look at it, review it, and then submit
 25 comments back to Mr. Van Houten. I thought, you know,

1 that would be the appropriate way.
 2 Robert?
 3 MR. VAN HOUTEN: Okay.
 4 MS. PENDERGRASS: Is there any -- any comment
 5 to that amendment to this action item?
 6 MS. BUSHNELL: I'm not clear what it was. I'm
 7 sorry.
 8 MS. PENDERGRASS: Okay. Dr. Tompkins said that
 9 we would change this action item. Actually, this one is
 10 completed, and we would move to another action item that
 11 says that the members would read the statement and
 12 provide comment back to Mr. Van Houten.
 13 Anybody have a problem with that as an action
 14 item?
 15 All right. So -- and so we'll have that as --
 16 the author is Dr. Tompkins, and the person that will see
 17 if this is satisfied would be Dr. Tompkins as well.
 18 And by when? December?
 19 DR. TOMPKINS: Yes. I'll make the Board
 20 meeting --
 21 MS. PENDERGRASS: By December.
 22 All right? Everybody happy?
 23 All right. Mr. Muhammad.
 24 MR. MUHAMMAD: Yes.
 25 MS. PENDERGRASS: We have an action item which

1 was the letter to the San Francisco Mayor's Office
 2 regarding the police chief and police department. Was
 3 that action item completed?
 4 MR. MUHAMMAD: No. I need about another week.
 5 MS. PENDERGRASS: Okay. So we will amend that
 6 to be due by December?
 7 MR. MUHAMMAD: Yes, please.
 8 MS. PENDERGRASS: All right.
 9 Any objection to that?
 10 All right. Very fine. The action items have
 11 been completed as noted.
 12 And Mr. Muhammad, we are going to go back to
 13 approval of the minutes, now that you're here. I
 14 understand that you might -- had a comment on the
 15 minutes.
 16 MR. MUHAMMAD: Yes. I have a comment on Page 4
 17 of 15. First, I want to thank the Navy and the woman --
 18 MS. PENDERGRASS: Barajas?
 19 MR. MUHAMMAD: Yeah, the diligence to put up
 20 with our speedy way of how we talk. But we want to make
 21 sure -- I want to thank you, but there's some areas that
 22 we want to make sure that is correct.
 23 On pa- -- I think it's line 39 dealing with the
 24 matter of HV-12 stated Miss Brownell -- "Ms. Brownell
 25 replied that one theory --" she didn't say, "theory."

1 She said, "guess." She said, "I . . . guess."
 2 And next is that "the asbestos readings from
 3 HV-12 are from traffic." She didn't say, "traffic."
 4 She said, "I guess they are from the trucks" [sic].
 5 MS. PENDERGRASS: Okay.
 6 MR. MUHAMMAD: I want to make sure that is
 7 corrected.
 8 MS. PENDERGRASS: All right. Any objection to
 9 that correction? Okay. So we need a motion to accept
 10 the minutes with those corrections.
 11 DR. TOMPKINS: I so move.
 12 MS. PENDERGRASS: All right. All in favor of
 13 accepting the mo- -- I didn't hear a second. Sorry.
 14 MR. VAN HOUTEN: Second.
 15 MS. PENDERGRASS: Okay. All in favor of
 16 accepting the minutes as written with the exception as
 17 noted for September 27, 2007, into record, please
 18 signify by saying, "Aye."
 19 THE BOARD: Aye.
 20 MS. PENDERGRASS: Any opposed? Any
 21 abstentions?
 22 (Mr. Tisdell raises his hand.)
 23 MS. PENDERGRASS: We have two abstentions on
 24 that. All right. Very fine. We'll move right along.
 25 Let's go into the announcements.

1 Mr. Forman, let's begin with you if you'd like.
 2 MR. FORMAN: Okay. Just want to reiterate that
 3 November is a month where we don't -- we don't have a
 4 RAB meeting, nor do we have a BCT meeting. So please
 5 heads-up that the next RAB meeting will be Thursday,
 6 December 6th.
 7 And there have been a couple calls I received
 8 that had different dates on that. Some folks thought we
 9 were going to go for the 13th. But it -- the next RAB
 10 meeting is Thursday, December 6th.
 11 The date prior to that the regulators and the
 12 Navy meet and the BRAC cleanup team on December 5th.
 13 And I think everything else that I'm going to
 14 talk about tonight is pretty much tucked into my
 15 presentation.
 16 MS. PENDERGRASS: Very nice.
 17 And Mr. Muhammad.
 18 MR. MUHAMMAD: Yes.
 19 MS. PENDERGRASS: Can you speak in the
 20 microphone --
 21 MR. MUHAMMAD: Yes, ma'am.
 22 MS. PENDERGRASS: -- or pull it closer?
 23 Thank you so much.
 24 MR. MUHAMMAD: First I want to apologize for
 25 being late. Let me get my notes.

1 I want to also let you know that I have
 2 attended a couple meetings this month, one with the San
 3 Francisco Board of Education. If you're not familiar,
 4 they are very concerned about the environmental cleanup
 5 and what is going on at the Shipyard.
 6 And those of you who are not aware, they did
 7 pass a resolution unanimously regarding the cleanup of
 8 the Shipyard and some of the things that -- not just
 9 Parcel A in regards to what is going on.
 10 But they did -- when I did talk to some of the
 11 board members when I went to meet, they had a interest
 12 to be a part of the RAB. So I don't know how we can
 13 somehow formally do a invite to have people
 14 participate.
 15 They just wanted to know what was going on on
 16 the Shipyard, since their schools are adjacent to the
 17 area. We have George Washington Carver, Charles Drew,
 18 Malcolm X, Gloria Davis. The principals were there, and
 19 they wanted to know how to get more information in
 20 regards to what was going on on the Shipyard. I did
 21 tell them they could come to a RAB meeting in regards to
 22 that.
 23 But I think it would be helpful to the RAB in
 24 the Board if you had somebody like that sitting on the
 25 Board, somebody that did represent the Board Of

1 Education. So I propo- -- you know, I'm putting that
 2 out there for the RAB board for discussion to see what
 3 they thought about that of having somebody on as a
 4 member or somebody sitting as part of the team in
 5 regards for the RAB.
 6 MS. PENDERGRASS: Okay. So your announcement
 7 is around invi- -- your -- you'd like to add a seat on
 8 the RAB? Is that what you're kind of intimating here?
 9 MR. MUHAMMAD: If that is a possibility --
 10 MS. PENDERGRASS: Okay.
 11 MR. MUHAMMAD: -- in regards to the bylaws from
 12 what we have, I would like them to be included, just
 13 like we have the regulators included --
 14 MS. PENDERGRASS: Well --
 15 MR. MUHAMMAD: -- to be a part of that type of
 16 team.
 17 MS. PENDERGRASS: I get it. So the -- but the
 18 process for that would be to bring that up at the
 19 Membership and Bylaws meeting --
 20 MR. MUHAMMAD: Okay.
 21 MS. PENDERGRASS: -- Membership and Bylaws
 22 meeting and discuss how you'd want to do that.
 23 And then if there's something that needs to be
 24 amended in the bylaws in some way, which I doubt it, if
 25 it does, you would bring that in the form of a motion to

1 the meeting.
 2 MR. MUHAMMAD: Excellent.
 3 MS. PENDERGRASS: So -- But I appreciate your
 4 bringing that forward, but we can't really discuss it
 5 until it's been discussed at the Membership and Bylaws
 6 meeting.
 7 MR. MUHAMMAD: Excellent.
 8 MS. PENDERGRASS: Okay.
 9 MR. MUHAMMAD: I'm sure also that Mr. Forman,
 10 you probably will be discussing about the things that
 11 had been brought up in the media as well as in meetings
 12 that I have attended in regards to Parcel 49 by Carmen
 13 Policy stating that they would start developing in nine
 14 months, which I did E-mail you in regards to that, if
 15 that's going to be -- if that's going to be part of the
 16 presentation that has some clarity in it. But it did
 17 come out and mention that they would be doing --
 18 MS. PENDERGRASS: Okay.
 19 MR. MUHAMMAD: -- development in nine months.
 20 And also about -- I think it was something that
 21 if I'm not -- if I could be corrected in regards to the
 22 redevelopment, somebody was petitioning a waiver for
 23 Parcel E-2 from the Board, from the City. If we can get
 24 some clarity on that, if there was a waiver or whether a
 25 petition.

1 MS. PENDERGRASS: Okay. So I understand what
 2 you're trying to do. But how you're kind of going about
 3 it I'm not quite sure.
 4 MR. MUHAMMAD: I'm asking if Mr. Forman -- I
 5 know 'cause we did E-mail each other.
 6 MR. FORMAN: No, it has nothing to do with my
 7 presentation, because I E-mailed you back, and I said
 8 neither of those -- I think I explained neither of those
 9 things has any basis that I understand at all. In fact,
 10 none of the things -- the rumors -- I'm glad you brought
 11 it to my attention, but they are just not true.
 12 So if somebody wants to clarify a rumor that I
 13 hadn't even heard of, then feel free -- I have a
 14 question-and-answer period after the break. Feel free
 15 to ask me questions on anything you might have heard
 16 that I may not have heard --
 17 MR. MUHAMMAD: Okay.
 18 MR. FORMAN: -- that you think is a rumor, and
 19 I'll clarify.
 20 MR. MUHAMMAD: That's what --
 21 MS. PENDERGRASS: All right.
 22 MR. MUHAMMAD: That's fine.
 23 MS. PENDERGRASS: All right. So are you
 24 finished with your comments?
 25 MR. MUHAMMAD: I am finished.

1 MS. PENDERGRASS: Okay.
 2 Dr. Tompkins, did you have a question about a
 3 comment that Mr. Muhammad made?
 4 DR. TOMPKINS: No.
 5 MS. PENDERGRASS: Okay. Fine.
 6 DR. TOMPKINS: It was handled properly --
 7 MS. PENDERGRASS: Okay.
 8 DR. TOMPKINS: -- that --
 9 MS. PENDERGRASS: Excellent.
 10 DR. TOMPKINS: -- it would be challenging the
 11 rules.
 12 MS. PENDERGRASS: Okay. Excellent.
 13 DR. TOMPKINS: Am I understanding correctly
 14 that the Board of Supervisors is seeking to have a seat
 15 on the RAB? Well, not the supervisors. Excuse me.
 16 Board of Education. One of the members would then --
 17 has asked to be seated on the RAB?
 18 MR. MUHAMMAD: They did not ask. They said
 19 that they were interested.
 20 DR. TOMPKINS: Okay.
 21 MS. PENDERGRASS: But again, that's --
 22 DR. TOMPKINS: We will explore that --
 23 MR. MUHAMMAD: That's something that we will --
 24 MS. PENDERGRASS: Okay.
 25 MR. FORMAN: But again, you don't get appointed

1 into the RAB. You get elected. So you submit an
 2 application and --
 3 MR. MUHAMMAD: Whatever the process.
 4 MS. PENDERGRASS: Right, right.
 5 DR. TOMPKINS: Same procedures.
 6 MS. PENDERGRASS: Okay.
 7 MR. MASON: My hand is up.
 8 MS. PENDERGRASS: Mr. Mason, do you have
 9 something that's germane to his --
 10 MR. MASON: No. I --
 11 MS. PENDERGRASS: -- the co-chair's
 12 announcements?
 13 MR. MASON: I think I better keep it to myself.
 14 MS. PENDERGRASS: Okay. Can you hold them to
 15 the comments at the end? I mean, if they are not
 16 germane to this conversation, let's stay on track.
 17 Okay.
 18 MR. MASON: No.
 19 MS. PENDERGRASS: Then what we're going to have
 20 now is a regulator update. Let's move on with that. So
 21 the cleanup team regulators are making an update at this
 22 point. Who might that be?
 23 Oh, Mark. Okay.
 24 MR. RIPPERDA: Hi. I'm Mark Ripperda from the
 25 EPA, the Environmental Protection Agency. Some of us

1 regulators are a little bit new. Some of you may not
 2 really know what we do.
 3 So I'm with the U.S. EPA, and there's Erich
 4 over there from the Water Board, State of California,
 5 and Tom who's from the Department of Toxic Substances
 6 Control also with the State of California.
 7 And our jobs as regulators are to, you know,
 8 meet all the time with the Navy, read everything they
 9 produce; and we write comments on it. We make sure that
 10 they are achieving cleanup levels that are protective of
 11 human health and the environment. We are involved in
 12 the decision-making process.
 13 Dr. Tompkins and others have asked us to start
 14 adding this little session to the RAB 'cause in the
 15 past, the three of us feel like, well, we meet with the
 16 Navy all the time, and the RAB is a chance for the Navy
 17 to hear what you have to say. They hear us all the
 18 time. They hear us too much from their point of view
 19 maybe. But you don't know what we are thinking or what
 20 we are saying.
 21 So some concerns that we've heard is what
 22 happens with an early transfer? I'm just going to throw
 23 some things out there; and as months go on, we can talk
 24 more. You can ask us questions.
 25 But one concern is what happens with early

1 transfer? What's the legal authority that the
 2 regulators have over the new entity, in this case,
 3 possibly the City of San Francisco?
 4 And with an early transfer, we sign a legally
 5 binding agreement -- it's called an Administrative Order
 6 on Consent -- with the City which gives us legal
 7 authority to oversee what the City is doing. We can
 8 issue penalties against them if they are missing
 9 deadlines. We can issue stop-work orders if they are
 10 doing work that we think is wrong.
 11 And the U.S. government still retains all
 12 decision-making authorities. So when a remedial
 13 decision is made, when a Record of Decision is signed,
 14 it's signed and written by the U.S. government.
 15 And the Navy and the EPA haven't worked this
 16 out yet, but it will either be the Navy doing the Record
 17 of Decision with co-selection by EPA, or the Navy would
 18 pass that responsibility over to EPA, so we would be
 19 making the cleanup decision, and then the City and its
 20 developer and contractors would be implementing it.
 21 Let's see. Some other things that we are
 22 working on right now that might be of interest. You
 23 know, I know everybody's interested in the landfill,
 24 Parcel E-2. We recently got the Radiological Addendum
 25 in for that along with Radiological Addendums for

1 several other parcels, and we are finishing up our
 2 reviews.
 3 I haven't had a chance to talk with Erich and
 4 Tom much about what they think, but we have some issues
 5 with the Radiological Addendum. You know, we almost
 6 always have comments and issues with everything the Navy
 7 does, and we give them comments. We meet to resolve the
 8 comments, and you know, we go through a couple
 9 iterations.
 10 And with the Radiological Addendums, you know,
 11 some problems that, you know, I want the Navy to work on
 12 is that they haven't really assessed what's in the
 13 landfill. You know, they write a document and talk
 14 about what it's going to be like after the cleanup, but
 15 they don't really talk about what's in there now and
 16 what the risk is now and how the cleanup addresses
 17 that.
 18 You know, kind of like you've heard
 19 Dr. Tompkins and Peter Palmer talk before with the
 20 landfill itself, there's this presumption that there's a
 21 cover and the cover is going to make everything safe.
 22 So that's something we have to work through with the
 23 Navy.
 24 You know, some of our thoughts, at least my
 25 thoughts, on the landfill itself is that, you know, the

1 Navy in its original feasibility study looked at digging
 2 the whole thing up at a cost of hundreds of millions of
 3 dollars or putting a cover over it. It didn't really
 4 look at in-between options.
 5 We certainly hear from people at RAB that they
 6 want the whole thing dug up. My personal opinion is
 7 that it's too big a parcel, too much soil. It's going
 8 to be an engineering nightmare to dig the whole thing
 9 up, and then a cover over some portion of it would be
 10 protective. But we are working with the Navy to address
 11 some intermedial option: digging some portion of it up
 12 near the shoreline, doing some more hot-spot removal.
 13 But I'm inclined to think that a cover over
 14 some portion of it, you know, is a safe way to go. But
 15 if you want to talk about that with me at some point,
 16 you know, certainly feel free during the break or
 17 afterwards. You can always call me at the office.
 18 And I may have taken my time, so I'll quit
 19 now. But you can always call us. You can always E-mail
 20 us or, you know, talk to us after the meeting to, you
 21 know, get our opinion on anything that's going on at the
 22 Shipyard.
 23 MS. PENDERGRASS: Okay. Ms. Bushnell.
 24 MS. BUSHNELL: So basically what you're saying,
 25 it doesn't really make any difference who's got control

1 of the property? You still have control over the level
 2 of cleanup and how clean it must be; isn't that correct?
 3 MR. RIPPERDA: Kind of like talking long
 4 distance, the time lag.
 5 Yes, that's true. The regulators retain full,
 6 legal authority over whoever ends up -- you know, if the
 7 property does get transferred, all the legal authority
 8 that we have now over the Navy is the -- is essentially
 9 the same with whoever the property gets transferred to.
 10 MS. BROWNELL: If it's early transfer.
 11 MR. RIPPERDA: If it's early transfer, right.
 12 MS. PENDERGRASS: Dr. Tompkins.
 13 DR. TOMPKINS: In your explanation in terms of
 14 your role of responsibility in oversight, could you
 15 be -- make a distinction for the audience, for the
 16 community, the difference that would be between "A" and
 17 how that was handled and for the other parcels which
 18 have land, deed restrictions that we discussed but it
 19 hasn't been finalized. How would it be different, and
 20 what are the safeguards that were not part of Parcel A?
 21 MR. RIPPERDA: Yeah. That's a great point, an
 22 important distinction.
 23 Parcel -- Parcel A was transferred from the
 24 Navy to the City some years ago and went through what's
 25 called a delisting process because it didn't have any

1 remaining chemical contaminants from the Navy
 2 operations. So everybody agreed that it was clean from
 3 man-made chemicals, clean from anything that might have
 4 been put there by the Navy.
 5 So it was cut free from the whole Superfund
 6 process, transferred to the City for the City to
 7 develop.
 8 You know, the problems that -- you know, the
 9 concerns you have now about Parcel A are from naturally
 10 occurring asbestos as part of the rock that's -- that
 11 Parcel A is built on or that Parcel A is made up of.
 12 The regulatory process that looks at
 13 construction activities for that are administered by the
 14 Air Resources Board and by the City of San Francisco.
 15 So that's not something that any three regulators
 16 sitting here have any authority over. We have authority
 17 over man-made chemicals, you know, put on the Shipyard
 18 by the Navy or by, you know, renters while the Navy
 19 owned it.
 20 If parts of the Shipyard gets transferred
 21 early, you know, there's going to be, you know, remedial
 22 decisions about what needs to get dug up, what needs to
 23 get --
 24 (Whereupon, Mr. Ripperda is handed
 25 another microphone.)

1 MR. RIPPERDA: I feel so important.
 2 MS. BROWNELL: It's not working.
 3 MR. RIPPERDA: I'll stick with the old one. I
 4 don't know how to use that one. Too tough for me.
 5 So whether a Parcel is transferred early or
 6 not, the cleanup's going to be the same. And it may be
 7 digging up part of the soil; it may be treating the
 8 groundwater in place; and you know, it may include some
 9 kind of cover and deed restrictions where a deed
 10 restriction or activity restriction would say no
 11 digging, no penetrating the cover, you know, no pumping
 12 the groundwater and drinking it.
 13 So the implementation of those remedies are the
 14 same whether it's the Navy or it's after an early
 15 transfer and it's the City, and the legal mechanisms
 16 that would enforce that are the same either way.
 17 We haven't gotten to the decision-making
 18 process on all these other parcels. We kind of know the
 19 way it's going, and certainly there are still hot spots
 20 out there all over the Shipyard left to dig up. There's
 21 groundwater with solvents; you know, degreasing agents,
 22 petroleum still in the -- in the water that need
 23 cleaning up.
 24 But the Shipyard itself is also just built on
 25 fill material. You know, the whole thing was an

1 industrial operation, you know, just like much of the
 2 surrounding area, like Mission Bay, like, you know, the
 3 baseball stadium area.
 4 And the only way to make it pristine is to dig
 5 the entire Shipyard up. You know, those are some things
 6 the Navy said before, and it's pretty much true. If you
 7 want pristine-quality ground here, you got to dig the
 8 whole thing up.
 9 So what we're looking for is for the Navy to
 10 dig up the hottest spots and deal with water that has
 11 contamination in it that might move and impact the bay.
 12 But for the rest of the somewhat low-level
 13 contamination, it's pretty much going to get a cover
 14 and, you know, some kind of deed and activity
 15 restriction.
 16 MS. PENDERGRASS: Okay. Go ahead.
 17 DR. RAO: Just for clarity, Mark, I know that
 18 there's a certain point where once it's transferred that
 19 it shifts from EPA from federal to state. So just for
 20 clarification, because I think when Barbara mentioned
 21 that it would still be the same regulatory agencies,
 22 there's going to be a shift, right?
 23 MR. RIPPERDA: No. With an early transfer, the
 24 transfer itself has to be approved by both the Governor
 25 of California and by the administrator of the EPA. The

1 way the law's originally written is no closing military
 2 base can be transferred until all the cleanup is
 3 completed.
 4 Well, as time went on, you know, the
 5 Administration, Congress, decided that wasn't
 6 sufficient, that some property could be transferred
 7 early; but it's not allowed to be transferred early
 8 until the Governor and the administrator of EPA agree to
 9 that transfer, which means that both the Governor and
 10 the state agencies and EPA have to agree that all the
 11 processes for continuing the cleanup are appropriate.
 12 After an early transfer on a National
 13 Priorities List site, on a Superfund site like Hunters
 14 Point Is, it's still the state and EPA with pretty much
 15 the same authority we have now.
 16 If it's not a Superfund site; if it's just a
 17 military base that was closed but wasn't first a
 18 Superfund site, you know, then the state absolutely has
 19 the lead, and EPA has somewhat minimal involvement.
 20 So either way, you know, the state -- both the
 21 Water Resources Board and the Department of Toxic
 22 Substances Control and EPA are all going to be involved
 23 after early transfer and the U.S. government 'cause
 24 it's -- the property is currently owned by the Navy,
 25 which is part of the U.S. government. The way the law

1 is written is that the U.S. government, which means
 2 either EPA or the Navy, still has to select the remedy
 3 after an early transfer.
 4 MS. PENDERGRASS: Okay. We have a
 5 clarification question over here. Dr. Tompkins.
 6 DR. TOMPKINS: Mark, so, like, the question
 7 that was leading to -- I hope you'd address -- was, for
 8 example, given the situation -- say that the residents
 9 feel that dust or whatever is being emanated, say, from
 10 Parcel B, and that's been transferred over.
 11 Isn't EPA and Cal responsible for the oversight
 12 of the work by the contractor on the property, or is it
 13 like it is with Parcel A where it is the Health
 14 Department's responsibility on seeing the enforcement?
 15 Because we have many laws on the books that are good on
 16 paper, but the enforcement factor is of issue here and
 17 compliance with the law. Whose role would that be for
 18 the remaining of the property on the base?
 19 MR. RIPPERDA: It would be ours. You know, for
 20 dust issues, the Air District would be brought in. But
 21 because -- if it's a part of the Superfund site and part
 22 of the Superfund cleanup, then the two state agencies
 23 and EPA have authority over dust that's generated from
 24 those activities.
 25 DR. TOMPKINS: So "A" is a unique situation --

1 MR. RIPPERDA: "A" is unique --
 2 DR. TOMPKINS: -- but for the rest of the base,
 3 that will not occur?
 4 MR. RIPPERDA: Right. "A" is unique because
 5 it's no longer part of the Superfund site because
 6 there's no man -- there's no Navy chemicals there. It's
 7 just naturally occurring asbestos and dust. So it's
 8 considered to be a normal construction project overseen
 9 by normal rules and regulations governing construction
 10 projects.
 11 The rest of the Shipyard is a Superfund site;
 12 and therefore, it has EPA, the Water Board, and
 13 Department of Toxic Substances Control overseeing all
 14 the work that happens there.
 15 DR. TOMPKINS: Thank you.
 16 MR. RIPPERDA: And Tom wants to add something.
 17 MR. LANPHAR: If I could add something.
 18 MS. PENDERGRASS: Feel free.
 19 MR. LANPHAR: One thing that's important too,
 20 Mark mentioned that -- the idea of the cover of the cap
 21 over the entire base, and that's something that -- you
 22 remember Chein Kao's days, that he was really concerned
 23 about the fill, the condition of the fill and the
 24 remedies that might address the fill.
 25 So DTSC has been asking for a remedy that dealt

1 with the fill material as well, and that's the cover.
 2 And so the placement of the cover is part of the remedy
 3 and working -- future construction that would work in
 4 the soil, because there's a remedy that is protecting
 5 the public health and the environment from that fill,
 6 and the cover acts as a remedy.
 7 You disturb the cover or work within the soil,
 8 you work within a contaminated hazardous soil. So that
 9 is why we have direct regulatory authority over the
 10 working of that material; and that's why we want to have
 11 it as part of the remedy, that cover.
 12 That cover wasn't part of the remedy, and there
 13 are working areas that may not be like IR sites, then
 14 there could be areas, well, this is no further action
 15 like Parcel A was. But actually, Parcel B, for example,
 16 the entire parcel has an action and evolved.
 17 With the redevelopment, we've been discussing
 18 the idea of the possible risk management plan. So as
 19 redevelopment happens, there's certain activities that
 20 would require oversight or approvals from the regulatory
 21 agencies, things like digging in the dirt, moving things
 22 around. What -- So those will be involved in that
 23 situation. Parcel A, no further action.
 24 MS. PENDERGRASS: Okay. Miss Brownell, you
 25 wanted to add one final point on this?

1 MS. BROWNELL: I just want to add one final
 2 point just because -- I mean, everything they said is
 3 true, but just the concept that at some point in the
 4 future, the long-term vision is that if the property's
 5 early-transferred, the transferee, which you've been
 6 saying, "the City," I just want to clarify, the
 7 intention is the City of San Francisco Redevelopment
 8 Agency, not that big a difference, but legally it's a
 9 big difference.

10 At some point in the future after that
 11 transferee, that Redevelopment Agency, has implemented
 12 all of the remedies and you guys have overseen it and
 13 all that, there is a concept that it will then -- all
 14 the remedies will be installed, and everything will be
 15 all approved.

16 And so there would be a point where your role
 17 would lessen. Now, that may be two years; it may be
 18 three years; it may be four; it may be ten. I don't --
 19 It depends on the site.

20 So just to get that concept that you're not --
 21 this isn't -- we're not talking 30 years down the road
 22 that you're still, like, constantly every day on top of
 23 documents, 'cause you'll get to that point where you'll
 24 have signed off, and the remedies will be installed and
 25 all that.

1 MR. RIPPERDA: God, I hope so.

2 MS. PENDERGRASS: Okay.

3 MR. LANPHAR: And also, there's one more
 4 concept I'd like to introduce, and that's the land-use
 5 covenant or the institutional controls. So those
 6 happen. Those continue in perpetuity.

7 MS. BROWNELL: Sure.

8 MR. LANPHAR: So if, for example, an area in
 9 Parcel B was to be redeveloped in 2035 and they had to
 10 remove the cover and do digging, our agency would be
 11 contacted; and anything -- any work would have to be
 12 approved by us.

13 And we would be involved in that because as the
 14 institutional controls are written, if you disturb the
 15 cover, the cap; you dig in the dirt, that triggers an
 16 action. It triggers we are coming back, and we would do
 17 yearly inspections or some kind of, you know, annual --
 18 some kind of continuous inspections. You have reports
 19 that would be sent to us continually.

20 So it's not like it's done; we go away. But
 21 we're going to be always there as long as there's a
 22 state of California.

23 MS. PENDERGRASS: Okay. We have one final
 24 question over here.

25 DR. RAO: Just a point about the transfer from

1 federal to state, and I brought this up at the last RAB
 2 meeting. And that was, as the Redevelopment Agency and
 3 the Planning Department are making their preparations
 4 and planning for the transfer and cleanup and
 5 integration of the three different sites here, India
 6 Basin C, Shipyard, and the Chemistry Park; and I brought
 7 that up about how they are not including the federal EPA
 8 in the distribution of documents.

9 So I brought up the question that Amy mentioned
 10 just now is if the feds are not informed about this
 11 process that's taking place, then -- I mean, it's good
 12 that California and DTSC is involved. But right now as
 13 far as that process is concerned, they're not engaging.

14 So maybe you are aware of it through unofficial
 15 channels, but formally they are not engaging the federal
 16 EPA at this point, right?

17 MR. RIPPERDA: (Nods.)

18 MS. PENDERGRASS: Okay.

19 DR. TOMPKINS: Why is that?

20 MS. PENDERGRASS: Can you be brief?

21 MR. RIPPERDA: Or --

22 MS. PENDERGRASS: One of you address that
 23 briefly?

24 MR. RIPPERDA: Yeah. I was even going to say,
 25 we can talk about that further later.

1 But really briefly is those are not Superfund
 2 sites. So Department of Toxic Substances Control, we
 3 feel, does a great job of overseeing cleanup there. And
 4 we don't have legal authority because they are not
 5 Superfund sites. The Shipyard is a Superfund site.

6 MS. PENDERGRASS: Okay. Thank you very much
 7 for that, and thank you for that update.

8 We are going to move on in the agenda to
 9 Mr. Forman and Miss Kito's presentation on kind of
 10 updating us on the potential schedule for support -- to
 11 support early transfer and what's ahead for 2008
 12 projects.

13 And let's hold the questions till after the
 14 break. So as soon as you finish that, we will have a
 15 break, and then we will take questions on that.

16 MR. FORMAN: All right. Why don't we start.

17 I don't think I'll need the pointer, Carolyn.

18 Miss Pendergrass, if I could, could we mark
 19 off a --?

20 Can we turn on the lights just --? Can we turn
 21 back --? Brian, could the lights be back on just for a
 22 second here?

23 Why don't -- Mr. Muhammad brought up some
 24 interesting questions based on things that community
 25 members had heard, some of which I haven't heard.

1 So I would like to recommend that, because it's
 2 not part of my presentation simply because I haven't
 3 even heard some of these things, why don't we have just
 4 a -- limit it to five minutes but questions about things
 5 that folks have heard about that they want to get an
 6 answer from the Navy or clarify a position?

7 MS. PENDERGRASS: No.

8 MR. FORMAN: Is that --?

9 MS. PENDERGRASS: I think what would make a
 10 little more sense -- I'm sorry -- but if you --

11 MR. FORMAN: Sure.

12 MS. PENDERGRASS: -- would give your
 13 presentation on what the Navy's doing in your -- in your
 14 realm --

15 MR. FORMAN: Okay.

16 MS. PENDERGRASS: -- and then we will have
 17 question and answers on that.

18 And then if you'd like, we can add to that an
 19 update about anything else that's impacting that. But I
 20 think it makes sense to stay on topic in terms of the
 21 information that the Navy has and what the Navy would
 22 like to impart, because that's why we are here tonight.

23 MR. FORMAN: Okay. All right.

24 MS. PENDERGRASS: Okay?

25 MR. FORMAN: Keeping in mind -- keeping in

1 mind, I think the two are completely unrelated --

2 MS. PENDERGRASS: Okay.

3 MR. FORMAN: -- from what I've heard from
 4 Mr. Muhammad --

5 MS. PENDERGRASS: Okay.

6 MR. FORMAN: -- questions that are --

7 MS. PENDERGRASS: So let's stay on topic with
 8 what you all are doing, and then we can talk about
 9 that --

10 MR. FORMAN: Okay.

11 MS. PENDERGRASS: -- later.

12 MR. FORMAN: All right. So let's start going
 13 over again where we started our dialogue last RAB
 14 meeting about things that are going to happen here in
 15 the next 12 months or so about this process that
 16 involves early transfers and some portions of the Navy
 17 cleanup program that are going to happen sooner rather
 18 than later.

19 First of all, I want to beg your forgiveness
 20 here. Some of the things that you're going to see you
 21 need to have a little pencil out if you care about the
 22 accuracy of this presentation because there are some
 23 inaccuracies in the presentation that I take
 24 responsibility for, for these things -- these dates did
 25 not copy over correctly; and so there's some things that

1 are incorrect in this presentation.

2 The good news about this is, when it comes to
 3 events and dates, this presentation won't matter in
 4 another couple of weeks because as I talked about last
 5 RAB meeting, we are going to present you a master
 6 schedule that will cover all of these events.

7 And so keep that -- keep that in mind when you
 8 see these dates today. I'll correct them as best I can,
 9 but there's obviously some things that did not copy over
 10 correctly. So you're going to see some dates that don't
 11 make sense and some things that don't make sense, and I
 12 will correct them as I go; and I apologize for that.
 13 But --

14 Okay. So we're going to cover some things
 15 about, again, the early transfers, some of our thinking
 16 about what we think needs to happen to make an early
 17 transfer occur, some of the -- some of the tasks that
 18 we're going to do and some of the coordination that's
 19 going to take place.

20 And again, there's this thing called this
 21 Federal Facilities Agreement schedule, this FFA
 22 schedule. That's the great schedule that has all of the
 23 CERCLA milestone documents in it, and it talks about
 24 dates that we are held to, the Navy's held to, and
 25 review periods and so forth.

1 When you look at your Monthly Progress Report
 2 that you each have in front of you, that colorful little
 3 report, that's a direct reflection of FFA documents
 4 which we call FFA deliverables, okay, that the Navy
 5 delivers to the regulators and the public, and they have
 6 fixed time frames for commenting.

7 Okay. What we are going to do is what Melanie
 8 and I and the Navy team has been working on is what we
 9 are tentatively calling the master schedule, the master
 10 schedule meaning another schedule -- it will be folded
 11 into the FFA schedule.

12 But it's a schedule where we look at all the
 13 little moving parts that would have to happen if we were
 14 going to early-transfer Parcel B and early-transfer
 15 Parcel 49 and maybe transfer another part of Parcel D.
 16 If we were going to do all these things, what would we
 17 have to do?

18 Okay. Next.

19 All right. Just a quick review is that the
 20 regular Navy budget next year or actually now this
 21 fiscal year, since it started October 1st --

22 What is that noise?

23 MR. MASON: That's a train.

24 MR. FORMAN: Oh, okay. Okay.

25 All right. The regular Navy budget is

1 \$37 million for cleanup this year. We have potential
 2 additional funding of up to 28 million. As you may be
 3 familiar with the Washington budget process, just
 4 because the fiscal year started on October 1st doesn't
 5 mean an agency has a budget. Well, again this year we
 6 don't have a budget. We have continuing resolutions for
 7 some things.

8 In our office, we have land sales revenue from
 9 other bases across the country where the Navy's cleaned
 10 up a base and didn't hand it over to the local reuse
 11 authority but sold it, which happens quite a bit in
 12 other parts of the country.

13 That land sales revenue can fund some of the
 14 bases in the beginning of this year, and that's what's
 15 currently funding Hunters Point on some of our new
 16 contracts that we will lay out in the next few weeks.

17 Hopefully, we will have a budget. Historically
 18 you don't necessarily get money from Washington until
 19 about January, sometimes a little earlier. One or two
 20 years it's actually even been later than that. So we
 21 will see what happens.

22 One of the things the Navy has to do is gauge
 23 that because when we give out dates, of course, those
 24 dates for us to go out in the field and accomplish
 25 something are based on having the funding to do it.

1 That's one of the prereqs. for being able to cut a
 2 contract and actually do work in the field.

3 Okay. Some of our goals. This isn't all of
 4 them. But this is some of them that I wanted to ensure
 5 that you know about is Parcel 49, if you look on any of
 6 the maps, doesn't exist yet. If things go forward, it
 7 will exist, and we will put out new maps that have
 8 Parcel 49.

9 As we have described before, Parcel 49 would be
 10 a part of Parcel D. It started out roughly as an
 11 1190-foot by 990-foot rectangle here, and that
 12 corresponds roughly to the footprint for the stadium
 13 bowl.

14 So it wouldn't be the whole stadium grounds,
 15 which probably would include other buildings and
 16 certainly a lot of parking, but it's where the stadium
 17 itself would be built, the structure. Very important if
 18 you want to build a new stadium to have that laid out
 19 and have a schedule for that.

20 So we are calling that "Parcel 49." That's the
 21 Navy's doing. We did that for a couple reasons. We
 22 were getting tired of letters and we thought if we're
 23 going to pick a number, what better number than 49? So
 24 you will start to see that on maps.

25 The other thing we are going to talk about is

1 something that many of you, if you've been on the RAB
 2 for very long, are very familiar with Parcel B; and we
 3 are looking at potentially early-transferring Parcel B,
 4 not necessarily on the same track as Parcel 49, but
 5 still doing an early transfer there; and we will talk
 6 about that in a couple of slides.

7 The third thing I want you to know about is
 8 that the Navy may create a new parcel here that we are
 9 tentatively calling "Parcel D-2." You had "E." You
 10 carved out part of "E" and made it E-2 because you saw
 11 that the landfill had its own special concerns.

12 We are -- we're seeing that there's a portion
 13 of Parcel D, the northern or actually the westernmost
 14 portion here, that contains two buildings on it and a
 15 large parking area here. We are looking at the
 16 possibility of transferring that and not waiting until
 17 much, much later.

18 Reason why we see that opportunity is because
 19 there's three issues on Parcel -- this flap of land that
 20 we are tentatively calling "Parcel D-2," and it involves
 21 two buildings that need to be finally rad,
 22 radiologically, cleared and then clearing all of the
 23 associated piping that's been investigated and surveyed
 24 and dug out in the parcel between the buildings, in the
 25 land between the buildings. Other than that, there's

1 not much more to do on that subset of land.

2 So what the Navy may well propose in the next
 3 few months is that we move to take this portion of
 4 Parcel D and continue with the Record of Decision and
 5 then do a finding of suitability to transfer and then
 6 just transfer that property.

7 This portion [indicating], this flap of land
 8 I'm talking about, used to be part of Parcel A. But
 9 what occurred was it was cleared for no further action
 10 ROD with the exception of one thing: radiological
 11 concerns in Building 813 and 819.

12 Thankfully when Laurie Lowman and RASO did
 13 their job investigating and did surveys and then did
 14 more surveys, they found that the potential problem in
 15 819 really didn't have much of a problem, and 813 turned
 16 out to be a much easier problem than they had thought
 17 initially.

18 So they have done their work and put out
 19 reports; and if the reviews go well on the reports and
 20 if we get radiological closeouts on those, then there
 21 won't be anything left to do on that portion of the
 22 property as far as remedial action, and then the Navy
 23 would consider moving ahead there.

24 So those are the three items I want to keep you
 25 focused on that could well occur in the next 12 months

1 or so is an early transfer of a portion of this Parcel,
 2 Parcel D -- and we will call it "Parcel 49" -- a
 3 potential early transfer of Parcel B, and then
 4 potentially transferring this little section
 5 [indicating] of land.

6 Okay.

7 Oh, before I go, the last bullet, just to keep
 8 in mind, why we may be doing this is one of the things
 9 that we have our eye on is if there's going to be a 49er
 10 stadium there in that bowl that I talked about in that
 11 Parcel 49, then the proposal is to be able for the 49ers
 12 to play in that stadium at 2012, the NFL 2012 season.
 13 Okay?

14 Now, the way the Navy is approaching this is --
 15 and again, I'm repeating myself from last RAB meeting,
 16 but I think it bears repeating -- the Navy's position is
 17 always going to be neutral on a sports stadium. We're
 18 not in the sports business, and we don't have any kind
 19 of vested interest having sports stadiums or not having
 20 sports stadiums. We feel that is local community's, the
 21 city government's, decisions to make, how they use the
 22 land when it's no longer federal property.

23 So the proposal for an early transfer of this
 24 property, if it were properly funded and the Navy could
 25 do the things they need to do to get there, in my mind

1 is a very good thing because whether a stadium comes to
 2 that part of the property or whether a stadium doesn't
 3 come to that part of the property, we would have had
 4 cleanup achieved through front-loading the funding and
 5 allowing the Navy to move forward at a faster pace than
 6 we normally would towards cleaning up this property.

7 So whether there's a stadium there or not, I
 8 think what you'll see is that the process will probably
 9 move forward as an early transfer. Certainly, an early
 10 transfer of Parcel 49 and B are not at all dependent
 11 upon a stadium going there. But at the same time, I
 12 think it's a good idea for the City to continue to
 13 communicate those ideas so that you know the reasoning
 14 behind some of these efforts.

15 Okay. Next slide.

16 All right. So Parcel 49 is this 1190 by 990
 17 rectangle that I showed you. All right. And again, we
 18 are talking about the stadium bowl. We are not talking
 19 about the other areas.

20 Now, as you've seen in the San Francisco
 21 Chronicle and you might have seen some other things
 22 directly from the City or Board of Supervisor meetings
 23 and so forth is, again, this 1190 by 990 area
 24 [indicating], okay, is just the stadium bowl footprint
 25 that I'm talking about.

1 If the 49ers were to come onto Parcel 49, then,
 2 of course, you're talking about other things that have
 3 to be explored, and I think this will unfold in the new
 4 year. You'll see they will -- obviously, they -- a
 5 stadium needs a lot of parking, right? There's no such
 6 thing as a football without tailgating. They'll have to
 7 find an area to do that. Well, that would mean we have
 8 to look at other portions of the base for parking and so
 9 forth.

10 Also, a lot of sports stadiums nowadays have
 11 other buildings close to them, right? Things for, like,
 12 the team headquarters, and sometimes even nowadays
 13 things like restaurant row or other things that they
 14 have at stadiums.

15 Well, then you would look at different uses of
 16 the property in these areas [indicating], potentially in
 17 Parcel C and potentially in other parts of Parcel D that
 18 are not part of the footprint and potentially in
 19 Parcel E and Parcel E-2. There could be arrangements
 20 made for either a temporary use of those areas and
 21 eventually a permanent use if it's all part of a package
 22 for a stadium. Okay?

23 But again, the Navy's position on that is
 24 pretty neutral. What we care about is the Navy needs to
 25 know what the intended use of the property is, and then

1 we need to be able to fund the cleanup activities and
 2 the CERCLA documents to support the cleanup activities
 3 that need to be done on the property. And that's really
 4 the Navy's mission.

5 Okay. Again, I cover Parcel D-2 that has the
 6 two buildings on it: 819, which is a little bitty pump
 7 house, and 813, which is a very large building that the
 8 City may decide to reuse for a variety of things. It's
 9 a multi-story building, very large square footage, has a
 10 very bad roof.

11 So a lot of repairs would have to be done to
 12 that building before it would be usable. But again,
 13 that's a thing that local communities and the city
 14 governments do best for the reuse.

15 In the interim, it's a very nicely paved area,
 16 and it has been used as a lay-down area during some of
 17 the construction activities in the adjoining properties
 18 over the years. It isn't currently being used that way,
 19 but it's perfect for a lay-down area if you have a
 20 construction site.

21 Okay. Now Parcel B. Parcel B is a complex
 22 parcel. As you know, if you turn to your Monthly
 23 Progress Report, you know that we've got two big
 24 documents out there. We have got the Technical Memo in
 25 Support of a ROD Amendment, which is the Navy's new type

1 of feasibility study to get us to the point where we can
 2 amend the Record of Decision, because as we discussed
 3 last year, right, we've all come to the conclusion --
 4 regulators, the community, the Navy have all come to the
 5 conclusion that the current Record of Decision really is
 6 a bad fit for the parcel.

7 So we are at the Technical Memo in Support of a
 8 ROD Amendment, and we are also in the Radiological
 9 Addendum being reviewed to support that. All right. So
 10 those are the two main documents we are at there.

11 All right. Next slide.

12 All right. And again, this is just another
 13 thing. It's kind of an eye test for you on your
 14 handout. But this is what we are talking about here
 15 [indicating] for the area that we are calling
 16 "Parcel 49." It's the dash line -- well, it's this line
 17 here [indicating]. See Morrell Street, Morrell Street
 18 right here [indicating]? This is it. Okay.

19 Now, remember we had Laurie Lowman and Ralph
 20 Pearce here talking about what they are doing in the rad
 21 program? And again, at that time, I believe, they were
 22 telling you that they were digging up Morrell Street,
 23 and you saw the photos from that. It's a long street,
 24 and I believe Mr. Muhammad's been there recently. There
 25 is a -- you can see the whole street's been removed.

1 All of that's done.
 2 And right now they are on Hussey Street and, I
 3 think, what, they're a little more than halfway done?
 4 Yeah. Every time I am here they keep doing some great
 5 progress on Hussey Street.

6 Okay. So in the next few weeks, the crews are
 7 going to be done with Hussey Street. Then they are
 8 going to move on to this middle street, Cochrane Street,
 9 that we talked about, and they are going to be clearing
 10 that.

11 And again, that's all part of the radiological
 12 investigation, and the way we are doing that is we are
 13 investigating by excavating. And when we are
 14 excavating, we are tearing out everything.

15 So when the crews are in there digging, as
 16 you've seen, they are -- that's part of the
 17 investigation. But in order to do that, we are taking
 18 out the storm drains; we are taking out the sewer
 19 system. Very expensive proposition, but very thorough,
 20 very complete, in the nature of how we are doing it.

21 Okay. In addition to that, we're going to do
 22 some work on -- you see H Street? We are going to be
 23 doing work on H Street that we described to you.

24 And then that will leave another portion that
 25 needs to be done, and that's part of the main utility

1 corridor. See Spear Avenue here? Spear Avenue has some
 2 of the deepest lines because it's part of the main
 3 utility corridor, and it's also the low point in the
 4 sewer system on the base.

5 So that will have the deepest lines. That's
 6 part of a little bit of a separate project but also a
 7 project that the Navy has on the horizon that will be
 8 talked about.

9 Now, in addition to that, you've got -- always
 10 on Hunters Point, you've got radiological concerns,
 11 right? And Laurie Lowman came and talked about this a
 12 couple months ago, and there's eight buildings in
 13 particular that we are going to be investigating for
 14 rad. But out of those, Laurie has already done surveys
 15 on most of them.

16 And on three of them so far, she knows that
 17 because of the nature of where the low-level rad is, to
 18 get to it all, she's going to have to demolish the
 19 building.

20 Well, that's good news for the community and
 21 good news for the City of San Francisco because any
 22 building that the Navy demolishes is one less building
 23 that the City has to demolish once they own the
 24 property. So, so far I think we've got scheduled three
 25 buildings for demolition on Parcel 49.

1 The advantage to Laurie Lowman and to RASO and
 2 to the Navy is that when you demolish a building, survey
 3 it and demolish it, you cart it off -- in this case,
 4 it'll probably go to Utah -- then the project's done.

5 All you have to do then is confirmatory survey over the
 6 ground where the building stood, and then you are done.

7 Okay. Next slide.

8 All right. Now, here's where I need -- you
 9 need to bear with me because some -- I started putting
 10 dates on here.

11 Based on the very, very draft master schedule
 12 that we are still working on -- now, why did I do this?
 13 I kind of stuck my neck out on putting some dates out
 14 here, but I wanted to do that because I think it has a
 15 lot more meaning when you see the order of things and
 16 you see what we have to do in a time frame. So bear
 17 with me again.

18 When you get to see the master schedule
 19 yourself, a lot of these dates will have shifted a
 20 little bit, and that's because a lot more thinking will
 21 have been done by that time, and I'll have my act
 22 together by then by the time I give you a new schedule.

23 Okay. So for Parcel 49, we are looking at
 24 carrying on in the tradition of our CERCLA process
 25 here. Right now we are very close to a final

1 feasibility study, and we have had two presentations in
2 the last year on Parcel D and activities there and where
3 we're at in the feasibility study.

4 The next step in the CERCLA process on your
5 MPR, I think, on the -- what, the second-to-the-back
6 page there is the CERCLA process. And you can see in
7 the next process, the next step is the proposed plan,
8 right, the proposed plan. So that would be the next
9 step.

10 Now, that proposed plan -- and here's something
11 that we're going to have to work out and get consensus
12 with the regulatory agencies on -- and there's some
13 discussion that will ensue about this -- is this CERCLA
14 documentation to date, remember, has been for all of
15 Parcel D. But Parcel 49 is a subset of Parcel D. It's
16 actually a little less than half of the whole parcel.
17 But it is a little subset of it.

18 So when we go forward with the parcel -- the
19 49-proposed plan, we are going to have to at some point
20 make a decision on the form of the contents of that
21 document.

22 In other words, is it going to handle just this
23 rectangle [indicating], or is it going to handle the
24 whole parcel? That's going to be a question of timing
25 and completeness and how much we know about what we need

1 to do. So that will be an active dialogue we have as to
2 what the contents of the proposed plan are. For sure it
3 will include Parcel 49, which is a subset of D. The
4 question is, How much of the rest would it contain?

5 I'm thinking if the timing works out right, our
6 desire is to move forward with all of Parcel D as far
7 into the schedule as we can, and then accelerate that
8 Parcel 49 part of it if we need to do that to make
9 deadline.

10 Okay. The other thing I want to talk about
11 here is Groundwater Plumes ZVI Treatability Study. ZVI
12 stands for zero-valent iron.

13 Those folks, like Dr. Tompkins, who have been
14 here for a number of years, we have gone through
15 multiple treatability studies on this. You can think of
16 treatability studies as an experiment, a test, that the
17 Navy is using technology in the field to see how
18 effective it is, to see how promising it is as a
19 remedy. So think of this treatability study as an
20 experiment.

21 By this time, though, the Navy has got, as
22 Dr. Tompkins will tell you, a lot of experience with
23 zero-valent iron on this base in differing parcels, in
24 differing hydrogeology, which is differing sections of
25 the subsurface of the earth and the interaction with the

1 groundwater that's there.

2 Here we are talking about doing this
3 treatability study of zero-valent iron on groundwater
4 plumes that are in this area here [indicating], here,
5 here, and here [indicating].

6 What we do is we would -- we have to generate a
7 work plan. We will give another presentation to the
8 Restoration Advisory Board. And tentatively we are
9 hoping to get out into the field in April of 2008.
10 Again, I beg you, don't hold me to that. I would like
11 to get out there sooner. Melanie and her reality check
12 was telling me that probably won't happen because
13 everything we have to do. But I want to get out into
14 the field in this time frame [indicating], spring 2008.

15 One of the things we hope to do with that is we
16 are going to -- we will go into details later, but --
17 and we talked a little bit about this. But we want to
18 use a new form of zero-valent iron that has come into
19 existence commercially since the last time we did one of
20 these ZVI treatability studies, and we want to see how
21 it works.

22 The other advancement in this technology since
23 we last spoke about it -- I believe in 2005, beginning
24 of to 2006 was the last time we really talked about
25 ZVI -- there are different methods of injecting it into

1 the subsurface now that are a little more precise and
2 that allow for injections at intervals that are shorter
3 time frames. And that works to everybody's advantage
4 because anytime you can cut down cleanup time and be as
5 effective or more effective, it's a good news story.

6 So that's the kind of thing that we will be
7 talking about in that area.

8 Those groundwater plumes remain one of the
9 challenges, and the Navy wants to get as far into that
10 project as possible before we do an early transfer.
11 Ideally, I'd like to be able to report to you sometime
12 in 2009 and tell you that our treatability study was
13 extremely effective and that we are nine-tenths of the
14 way there before we even do the early transfer.

15 But that's the ideal. We will have to look at
16 this together and see what happens when we get out into
17 the field.

18 All right. Next.

19 All right. Now, as I said again, Parcel 49 has
20 eight radiological buildings when it comes to
21 structures. Three of those, I told you, we're pretty
22 sure we're just going to go ahead and survey and then
23 tear down.

24 The other five Laurie Lowman and our contractor
25 will get together and we will have work plans and

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1 surveys, and then we will figure out how to remediate
 2 them.
 3 And then the other part of this is a sewer
 4 storm drain that I talked about already. We finished
 5 Morrell Street. We are coming close on Hussey Street.
 6 Then we will go to Cochrane and to H Street.
 7 Okay. Next.
 8 Okay. Now, some of the documents here get to
 9 be pretty interesting. Ignore this date [indicating].
 10 This date and this date [indicating] don't necessarily
 11 make any sense. They were just again transposed wrong
 12 into this.
 13 But what counts is that the document you have
 14 to have to do an early transfer is a Finding of
 15 Suitability for Early Transfer, a FOSET. And the RAB
 16 will be a part of that. We will have presentations on
 17 the FOSET. You'll get direct input into the FOSET, and
 18 you'll see that they look an awful like a Finding of
 19 Suitability to Transfer, a regular transfer document.
 20 There are some differences, but they look an awful lot
 21 alike.
 22 Now, the other thing that comes into play here
 23 is the Covenant Deferral Request. All right. I believe
 24 that date is pretty accurate as it stands now, August of
 25 2009, for Parcel 49. If you have a goal -- and we think

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1 our goal now is November of 2009 to transfer Parcel 49,
 2 early-transfer Parcel 49 -- we would need to get out the
 3 Covenant Deferral Request in August is what we are
 4 thinking.
 5 Okay. Now, the Covenant Deferral Request, kind
 6 of a big phrase there. What's a covenant? Covenant in
 7 this case the way we are using the word "covenant" just
 8 means a promise, or a commitment, okay.
 9 When the Navy regularly transfer property,
 10 right, the way that it's normally done is we extend what
 11 we call the CERCLA covenant, our commitment, our
 12 promise, saying all the necessary remedial action -- in
 13 other words, all the necessary cleanup actions that
 14 everybody's told us we need to do in a Record of
 15 Decision -- they have been done successfully. We make
 16 that commitment when we transfer property.
 17 In an early transfer, you can't make that
 18 commitment, can you, because you haven't necessarily
 19 done all the cleanup; or if you've done all the
 20 cleanups, you haven't had a chance to prove that it's
 21 operating properly and successfully yet. Therefore,
 22 it's an early transfer. Okay.
 23 MS. PENDERGRASS: You have about five minutes.
 24 MR. FORMAN: Thank you.
 25 Therefore, you have to defer that promise, or

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1 that commitment. You are going to transfer the
 2 property; but the commitment, or the promise, or the
 3 covenant, that the Navy makes doesn't go away. It's
 4 just deferred. Okay. That's an important part of the
 5 process.
 6 This package, Covenant Deferral Request
 7 package, it goes to the two top players that have to
 8 concur, and that would be in this case the EPA
 9 headquarters; and they will probably delegate that to
 10 the EPA Region 9 administrator here in San Francisco,
 11 okay, the top dog there, and then Governor
 12 Schwarzenegger. They both have to agree and be
 13 convinced that this is the right thing to do and that we
 14 are on the right track to be protective and that
 15 everything that needs to be done has been done.
 16 Now, one of the things in the EPA guidance, it
 17 says that this Covenant Deferral Request has to have a
 18 public participation aspect to it. And in the
 19 guidelines, it suggests -- it more than suggests. It
 20 says that you really should have at least a 30-day
 21 review period for the CDR.
 22 So when the draft CDR goes to you right here,
 23 then we will have a RAB meeting on it. You'll get to
 24 question the regulators and the Navy, and you'll have a
 25 minimum of a 30-day comment period on that draft

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1 package. And that's a big role for the community and
 2 the RAB where you can comment on this process.
 3 This CDR has a lot of different components to
 4 it, okay. It will give you a pretty complete picture of
 5 the assurances that the EPA believes need to be in place
 6 before this goes forward and the status of where the
 7 parcel's at now and where it needs to be and what needs
 8 to be done.
 9 Okay. Next slide.
 10 MS. BROWNELL: So those last two dates are
 11 definitely gone?
 12 MR. FORMAN: These are obviously transposed
 13 incorrectly because if we're going to transfer in
 14 November 2009, there are no 2010 dates that we are
 15 talking about in Parcel 49. Again, bear with me here
 16 because --
 17 MS. BROWNELL: No. That's fine. I just wanted
 18 to correct that.
 19 MR. FORMAN: Okay.
 20 Next slide.
 21 Okay. The Covenant Deferral Request has all of
 22 these different things [indicating] in it. Okay? And
 23 we will go into detail with those once we get a Covenant
 24 Deferral Request package together.
 25 Some of the important things you need to know

1 is an analysis of intended land use during the deferral
2 period. That deferral period is the period between when
3 we early-transfer it and when all necessary remedial
4 actions have been taken; and therefore, that covenant,
5 or promise, can then be made.

6 We have to know what the transferee -- what the
7 City of San Francisco -- intends to do with that land,
8 stadium or no stadium. Whatever it is, we need to know,
9 and it needs to be in the package.

10 Again, things like the response/corrective
11 action reports need to be in there, contents of what
12 will be in the deed, very important because that deed
13 will be reported in the City and County of San
14 Francisco.

15 A responsiveness summary. This responsiveness
16 summary is the questions and answers, the comments from
17 the public and the responses from the Navy on the draft
18 Covenant Deferral Request package.

19 And then assurance and agreements and
20 transferee response actions involve things like
21 institutional controls. Assurance and agreements is
22 pointing to the fact that there have to be things in
23 place even in the interim period to ensure there are
24 protective measures taken.

25 And then after the remedy's in place, the EPA

1 in 2008, hopefully summer of 2008.

2 MS. PENDERGRASS: Mr. Forman?

3 MR. FORMAN: Yes.

4 MS. PENDERGRASS: Can we take a break?

5 MR. FORMAN: Yes, ma'am.

6 MS. PENDERGRASS: Thank you.

7 We are going to take ten minutes, and we will
8 come back at 7:30. Thank you.

9 (Whereupon, a recess is taken from
10 7:19 p.m. to 7:30 p.m.)

11 MS. PENDERGRASS: All right. Mr. Forman, if
12 you'll continue. I'm sorry to have interrupted
13 your . . .

14 MR. FORMAN: Mr. Tisdell's leaving. He was
15 just telling me.

16 MS. PENDERGRASS: Thank you.

17 MR. FORMAN: See you, Mr. Tisdell. All right.
18 Yeah, you thought you'd sneak out and I wouldn't see.

19 Okay.

20 All right. Mr. Baltimore.

21 Okay. Next slide.

22 Okay. Now we've got this environmental
23 schedule for Parcel B. Again, we are in the midst of
24 fixing the Record of Decision, right? We've all come to
25 a consensus that it's not a good fit for the parcel, and

1 also wants to have assurances the response actions are
2 protective and how they will remain effective and
3 protective in the future. That involves us putting
4 forth institutional controls.

5 Next slide.

6 Okay. Parcel D-2, again, I've discussed this.
7 Forget about this [indicating]. This is transposed
8 incorrectly.

9 There will be -- The key elements of
10 Parcel D-2, remember, it has two buildings and some
11 associated piping. It's all about the radiological
12 program. That's all that's left in what we are calling
13 "D-2" in this area here [indicating], and the Navy would
14 issue a draft no action, no further action Record of
15 Decision.

16 The RAB and the regulators will comment on it,
17 and then we would issue a draft Finding of Suitability
18 to Transfer. Okay?

19 Neither of those dates is correct. All three
20 of those dates are incorrect.

21 Okay. I hope to do that. I hope to get out a
22 Record of Decision if all goes well with those buildings
23 and we get the radiological -- the consensus on the
24 radiological status of these buildings [indicating] and
25 the piping I hope to go out with the Record of Decision

1 the first document on the path to fixing the ROD is to
2 do a Technical Memo in Support of that ROD Amendment
3 because we want to amend, or change, the ROD.

4 So there's the schedule on that. I'll let you
5 read that for November and December.

6 Then again, the two documents we're on, as I
7 said, the ROD -- the TMSRA and the TMSRA-Rad Amendment,
8 which we have called before the TMSRA-RA, and we have
9 talked about that a little bit before.

10 MS. BROWNELL: Sis-boom-ba.

11 MR. FORMAN: Now on to the more exciting news,
12 because we haven't really talked about this yet because
13 we are in the midst of thinking this through. We want
14 to do two time-critical removal actions in 2008.

15 Thank you.

16 First one is in 2005 we did a methane survey.
17 We gridded off this area of the base [indicating], and
18 we did a methane survey, and we found nondetects except
19 in one local, specific -- very specific area.

20 What we want to do is we want to go back out
21 there sooner rather than later, and we want to do a
22 survey in that area where we found hits of methane, and
23 then what we want to do is we want to search for and
24 remove the material that is generating the methane, and
25 then we want to do more surveys and more monitoring in

1 that area.

2 Hopefully -- I mean, our goal is to have solved
3 the problem with having any hits there at all if we
4 can. So that's going to happen fairly soon.

5 As a matter of fact, Melanie Kito was out on
6 the base today, right, doing a site tour with the
7 project manager, and they are getting ready to work with
8 selecting a contractor and awarding a contract to do
9 that. And we hope to do that pretty soon here in
10 March 2008.

11 Now, what will that -- will require before we
12 go out and dig in the field? It will require an action
13 memo that I will brief the RAB on and you can comment on
14 and then a work plan that actually details what exactly
15 we are going to do when we are out there.

16 Okay. Now, the other thing is we are going to
17 do a mercury removal. We made a commitment to the Water
18 Board and the rest of the regulators. There's an
19 IR-20 -- There's Site 26 that's out here. There's been
20 some mercury hits.

21 There was some concern from the regulators, and
22 they thought that the Navy should put out some extra
23 groundwater-monitoring wells in that area. Well, we did
24 that in 2006.

25 And the Water Board said, Well, we want another

1 groundwater-monitoring well, and we want it really close
2 to the bay because that gives you a really good idea of
3 what the levels of mercury in that area are for the bay
4 or before they interface with the bay eventually.

5 So we did that right in this area [indicating],
6 and those wells indicate that there's low levels of
7 mercury there but levels that indicate that there's
8 still a problem. The Navy can't just continue to
9 monitor it and continue to see what happens. It's
10 better to try and figure out what they are going to do.

11 The Navy's approach has been we are going to
12 try and lean forward on this and say, Okay, we are going
13 to go out there, and we are going to go out in the field
14 again, and we are going to excavate.

15 We talked about the Navy's done a lot of
16 excavating over in here [indicating] since 1997. Well,
17 we are going to go out and do some more because it
18 appears at depth between 10 feet and 15 feet down in the
19 ground there in the groundwater, there's some low levels
20 of mercury that are relatively close to San Francisco
21 Bay and are of concern. So we going to go out there and
22 do that.

23 Now, to do that, again, we need an action memo
24 and a work plan, and those will be run through the RAB,
25 and I would think in the early -- what, spring of 2008,

1 we should be talking about that at the Technical
2 Subcommittee meeting and at the RAB.

3 Okay. In addition to that, we have a draft
4 proposed plan that will come out for the entire parcel,
5 okay, and then a Record of Decision amendment. The
6 draft, we hope, will come out in May 2008. I'm not
7 completely confident of that date. But again, you'll be
8 seeing when we -- when we issue the schedule to
9 everybody a little more thinking would have gone into
10 this.

11 But we are hoping to amend the ROD to do a
12 draft Record of Decision amendment in that time frame.
13 And again, that's been a long time coming. If you think
14 about it, the Record of Decision that we are amending
15 came out in 19- -- well, it didn't come out in 1997, but
16 it was finalized in 1997. So a lot's happened since
17 then.

18 Okay. Now, again, there's this regulatory
19 requirement that is of interest to everybody but of
20 particular interest to the U.S. EPA which is a draft
21 five-year review of the Record of Decision. And we had
22 a whole RAB meeting in 2003, if you remember -- I was
23 pretty new here then, but we did a whole RAB meeting
24 dedicated to that document in 2003.

25 Lo and behold, another five years has gone by,

1 and we have to do another five-year review in 2008, and
2 that's what we will do.

3 Okay. Now, there is -- as there is everywhere
4 on Hunters Point, there are radiological concerns that
5 need to be addressed. So we have got survey units,
6 which is these little units we have talked about
7 before. When the sewers and storm drains were dug out,
8 the sort of work package unit that you reviewed, the
9 smallest group of data that you'd generally review is
10 called a survey unit.

11 There's a lot of survey units that the crews
12 have compiled because they finished their digging in
13 Parcel B for the rad sewers and storm drains.

14 So we have 65 of these reports to go through.
15 And then aside from the sewer and storm drains, we have
16 radiological building surveys to do. We have all of
17 these buildings -- that's not a building. We have all
18 of these buildings [indicating] to deal with.

19 By dealing with them, we have to go back in
20 there. Laurie Lowman will come out, and we have a rad
21 contractor in place. They will do surveys of the
22 buildings. They will determine what they need to do,
23 and then they will remove the rad and do confirmation
24 surveys so that we can release the buildings.

25 The Navy's goal for all of these structures,

1 with the exception of this one [indicating], all of
 2 these structures is to get unrestricted release. And we
 3 haven't quite figured out what to do exactly with this
 4 [indicating] yet. That will be a challenge for 2008.
 5 In addition to that, you've got Site 7 and 18.
 6 Now, as Laurie Lowman told you, Site 7 and 18 is rad
 7 impacted, which means it has the potential for
 8 radioisotopes at elevated levels to be there. We have
 9 not to date found them. As you know, we have done a lot
 10 of digging in that area. Still haven't found any.
 11 We have found some sandblast grit off of the
 12 ships in these dry docks [indicating], and we have
 13 tested that. We have done rad screening anytime we
 14 encounter that sandblast grit. Still no rad there, but
 15 that doesn't mean that there's no chance of there being
 16 there.
 17 So Laurie Lowman and the Navy are going to get
 18 together, and RASO and our team are going to get out in
 19 2008; and we are going to do a survey of this area
 20 [indicating] for radioisotopes. And then we will get a
 21 much better idea, we believe, of what's there and what
 22 the future will be for Sites 7 and 18.
 23 Having said that, not to -- since these are
 24 rad-impacted areas, they are going to have to be
 25 protective for -- even if there is no rad in the surface

1 survey that's done, they still have to have a protective
 2 cover on it. There are still other metals and so forth
 3 that are on Site 7 and 18 that will be a protective
 4 cover, and that will need effective institutional
 5 controls in place.
 6 And that will need very specific guidance that
 7 you'll see in a risk management plan that will tell the
 8 future owners what they need to do and who they need to
 9 get approval from to do certain activities in these
 10 areas [indicating].
 11 In other areas of the parcel as well, but
 12 especially in 7 and 18, there will be some very clearly
 13 written guidance on what needs to happen in those areas
 14 if they are ever going to be developed.
 15 Okay. In addition to that, we have another
 16 element of our program that we don't talk that much
 17 about, the total petroleum hydrocarbons, TPH, program.
 18 Now, what does this mostly consist of? Mostly
 19 it consists of underground storage tanks and aboveground
 20 storage tanks that handle fuel products. A lot of them
 21 across the base. Big program. It's not part of CERCLA,
 22 but it's still a very important program.
 23 Now, there's two elements to that. Sometimes
 24 you had spills from tanks and they went into the soil,
 25 right, or -- and sometimes they went not just the

1 surface soil, but down into the soil and to -- remember
 2 that area we talked about before you hit the
 3 groundwater, the vadose zone?
 4 MR. MORRISON: Made.
 5 MR. FORMAN: Sometimes you had to go into the
 6 vadose zone. Sometimes you actually had spills that
 7 made it to the groundwater. So all of those aspects
 8 form a petroleum site that the Navy has to then
 9 investigate and clean up.
 10 So we will work closely with the regulators, in
 11 particular with the Water Board, because the Water Board
 12 is really the executive agent for this program.
 13 And what we hope to do in 2008 is get a
 14 corrective action plan out there. What a corrective
 15 action plan is it basically tells you what you need to
 16 do in that area where there's petroleum. Then you go
 17 out into the field. We plan on doing that. And then
 18 you issue a closure report once you're done.
 19 In most cases, for what we've done on Hunters
 20 Point is where we have seen petroleum in the
 21 groundwater, we remove the source, petroleum and the
 22 soil in the vadose zone, right, and we remove any free
 23 product we see.
 24 The free product, depending upon what you've
 25 got there -- in most cases, the free product -- rides on

1 top of the groundwater. And you can see it pretty
 2 clearly, and it oozes in from the sides of the hole we
 3 have dug.
 4 And basically, it's the Navy's job to remove
 5 the source that's leading to the groundwater where the
 6 product is lying on top of the groundwater and then to
 7 clean up the groundwater to the extent we can before we
 8 close out a site.
 9 Now, we have got two areas of interest in "B":
 10 right in this area [indicating], right before you hit
 11 the sea walls. We have done some excavations in those
 12 areas before. Their main -- most likely need some
 13 additional work to be done in these areas [indicating],
 14 and that's what we'll be working on.
 15 So we want to put a plan together and get out
 16 into the field, do what we need to do, work closely with
 17 the Water Board on that, and then eventually close out
 18 those sites.
 19 Okay. Next side.
 20 Okay. In addition to that, if we are going to
 21 do an early transfer for Parcel B, our current thinking
 22 is it's not exactly on the same track as Parcel 49.
 23 There's more to do here [indicating] and there's more we
 24 feel we need to do, and we need a little more time to do
 25 it.

1 If you look at Parcel 49, the Navy is saying we
2 think we can early-transfer to you in November of 2009.

3 What the Navy's currently saying for Parcel B
4 is we think we can early-transfer it to you in May of
5 2010, okay, about seven months later.

6 All right. So leading up to that May 2010 date
7 if we were going to early-transfer all of "B," we would
8 need to do a major negotiation between the City and
9 County of San Francisco and the Navy, and that is an
10 Environmental Transfer Cooperative Agreement, the ETCA.

11 That's a document we will get into later. It's
12 not something that we have seen here before. You never
13 see these agreements unless you're pursuing something
14 like an early transfer.

15 And in a nutshell, what that agreement does is
16 it stipulates everything the Navy needs to do,
17 everything the City needs to do; and then the cleanups
18 that are not going to be done by the Navy still have to
19 be funded by the Navy, so the dollar value that's
20 negotiated between us as to how much the Navy would
21 transfer funds to the other party for that cleanup to be
22 done. Okay?

23 So that will be a major document that has to
24 come out. And then a Finding of Suitability for Early
25 Transfer, that's an incorrect date, so ignore that for

1 Parcel B -- 49 and Parcel B that maybe would be better
2 to actually have that document all be one for both
3 Parcel 49 and Parcel B just because the hoops you have
4 to jump through to do a Covenant Deferral Request are
5 huge.

6 Anyway, obviously, that still needs to be
7 worked out, but --

8 MR. FORMAN: Be clear to the RAB, right, that's
9 the City's opinion --

10 MS. BROWNELL: Right.

11 MR. FORMAN: -- not necessarily the Navy's
12 opinion.

13 MS. BROWNELL: I understand.

14 MR. FORMAN: Okay.

15 MS. BROWNELL: So I just want to say at this
16 point --

17 MR. FORMAN: This is not my opinion.

18 MS. BROWNELL: I understand. I just want to
19 say that there's some discussion around that.

20 MR. FORMAN: All right. There will be a lot of
21 discussion on it.

22 And basically, did you understand what she was
23 getting at? You can either have a Covenant Deferral
24 Request package for both parcels, or you can have a
25 Covenant Deferral Request package for each one.

1 now.

2 And then the Covenant Deferral Request. The
3 Covenant Deferral Request is critical. It would come
4 out before April of 2010. You can't have a Covenant
5 Deferral Request come out in April 2010 and then
6 transfer in May of 2010. We are certainly never that
7 fast, nor do we want to be because it needs to be a
8 thorough process.

9 So you're looking at early 2010 for a Covenant
10 Deferral Request package. Again, that's the package
11 that has all those elements in it that has the RAB and
12 the community commenting for a minimum of 30-day period,
13 and there's meetings and presentations associated with
14 that where we would go over all of the requirements.
15 Okay.

16 MS. BROWNELL: Keith, can I just say, on that
17 date of that item you already said that that's not
18 valid --

19 MR. FORMAN: Yes.

20 MS. BROWNELL: In addition, my understanding is
21 the discussions between the City and the Redevelopment
22 Agency and the Navy have been that the concept of having
23 two Covenant Deferral Requests go to the Governor, like,
24 you know, one end of 2000 -- sorry -- 2008 and, I mean,
25 2009 and another one very quickly thereafter for

1 Now, that's a function of a lot of things that
2 we can't even talk about here tonight because we got to
3 figure out what we want to do and what the schedule is.
4 A lot of it is a function of timing. How close together
5 are they? That's a big function of it.

6 And then again, I mean, there's a lot of
7 questions that need to be answered. And it starts with
8 the Navy -- the ball is in the Navy's court. Until we
9 give you the master schedule and we work this out,
10 there's certain things that we can't talk about. We owe
11 this to you what we think the path forward is and what
12 the timing is. Timing will play an important role in
13 what's in the Covenant Deferral Request package.

14 And again, you just heard of what I think is
15 the City's opinion. The Navy may well have a different
16 opinion. The regulators and, again, EPA and Governor
17 Schwarzenegger also will have an opinion on how they
18 want to see it and what's in there. So there's a lot of
19 opinions that will go forth on what the form -- the
20 content of the CDR is going to be.

21 Okay. Now, here's some other early-transfer
22 requirements, and please listen up to this because I
23 don't want to confuse anybody, and I almost felt like I
24 really shouldn't go into this area because it isn't
25 environmental cleanup.

1 MS. PENDERGRASS: Okay.
 2 MR. FORMAN: But it --
 3 MS. PENDERGRASS: And let's not.
 4 MR. FORMAN: Well, but it's close -- it's like
 5 the cousin of environmental cleanup.
 6 MS. PENDERGRASS: All right.
 7 MR. FORMAN: Okay? It's not development. I
 8 don't go there. And it has nothing to do with
 9 Parcel A. But it's called environmental plan, and
 10 there's this document called an Environmental Impact
 11 Statement.
 12 Because there may be a major change to the land
 13 use on Hunters Point, right, it may need an
 14 Environmental Impact Statement supplement, okay. And
 15 that is, from my boss, the current opinion of the Navy
 16 is that it probably would need an EIS supplemental
 17 because if a stadium goes there or something else which
 18 diverts from the original redevelopment plan
 19 significantly goes there, you would need something to
 20 document that. You have to go through what we call the
 21 NEPA process.
 22 What the State of California has, an equivalent
 23 process called the CEQA process. Okay. Now, the
 24 important thing to remember that is that's another
 25 document, and we will have to arrange between the

1 Restoration Advisory Board and the CAC, the Citizens
 2 Advisory Committee, as to what presentations go into
 3 which meeting.
 4 And Marsha, that's what I'm getting at is this
 5 is sort of an overlap area. Some of the presentations
 6 actually could and, you could argue, should be done in a
 7 RAB. Some of the presentations, you could argue, should
 8 be stand-alone public meetings or be done at the C.A.C.
 9 meetings.
 10 And that's something, Mr. Muhammad, we can work
 11 on, you know, and it will take some amount of
 12 coordination.
 13 One thing I do know is that on our side on the
 14 National Envir- -- on the NEPA side, on the EIS, it
 15 requires a public meeting and a public review period,
 16 okay. We can either do that at a RAB meeting, or we can
 17 have a stand-alone separate meeting, such as we will
 18 do. The proposed plan would have public meetings, are
 19 stand-alone meeting. We could also have another
 20 stand-alone meeting, or we can do it at the Restoration
 21 Advisory Board.
 22 So we will have time to figure that out. And
 23 again, that's an environmental planning document. And
 24 what is that document? That document's things such as
 25 traffic, changes in reuse, and things like that. It

1 doesn't have to do with environmental cleanup. But it
 2 is a cousin to the process, and it is also done in our
 3 command by different people that we would bring in.
 4 MS. ENEA: NEPA stands for --
 5 MR. FORMAN: -- National Environmental Policy
 6 Act. And I think that's right, isn't it, Dr. --? Yeah,
 7 National Environmental Policy Act, which is basically we
 8 call it environmental planning.
 9 Whenever you do reuse, you look at the
 10 environmental aspect of what the changes would be, and
 11 you look at those changes and put it forth to the public
 12 for comment and the regulatory agencies in environmental
 13 planning. And then you look at the impact your
 14 development would have and any mitigation measures that
 15 might need to be taken, or you document the fact that
 16 it's not going to have major impact.
 17 Little different than what we do here at the
 18 RAB, but it's kind of related. And it certainly isn't
 19 just pure redevelopment. It's kind of the bridge
 20 between the two.
 21 Okay. I -- Next.
 22 Okay. Now, this -- all of this process I'm
 23 going to talk about is going to require coordination
 24 from a lot of different agencies and folks, including
 25 the community and the RAB, the Radiological Affairs

1 Support Office, the Navy and City and County of San
 2 Francisco, the Water Board, something called CDPH that
 3 we haven't talked about much yet. That's the California
 4 Department of Public Health.
 5 That is not the City of San Francisco
 6 Department of Public Health. I believe Amy Brownell
 7 works there. That's also known as DPH. So I know it's
 8 confusing.
 9 But the California Department of Public Health,
 10 think of them as the state level rad experts. Okay? So
 11 Laurie Lowman -- and when she comes out here, she spends
 12 a certain amount of time with the CDPH folks, the state
 13 folks, and works closely with them reviewing documents
 14 and going over data and so forth.
 15 They have an important role because again
 16 radiological structures the Navy -- the Navy's goal on
 17 radiological structures buildings is to get a free
 18 release. Okay.
 19 And then we have Department of Toxic Substances
 20 Control and U.S. EPA.
 21 Now, again, it's a lot of folks to coordinate
 22 over a lot of documents. So this is the schedule that
 23 Melanie and I and our team are working on and will
 24 present to the regulators and the City and to you.
 25 Okay. I think that's it.

1 Okay. That was a backup on the budget. A lot
 2 of what I've said is dependent upon, of course, getting
 3 the funding to do that.
 4 And again, our official Navy budget as of now
 5 for this year cleanup is 37 million. We have a
 6 potential of adding up to another \$28 million from other
 7 sources if that funding comes through the Congress.
 8 MS. PENDERGRASS: Mr. Forman, you went a little
 9 bit long.
 10 MR. FORMAN: I'm sorry.
 11 MS. PENDERGRASS: Dr. Tompkins.
 12 DR. TOMPKINS: One, I'd like to make a motion
 13 for the extension of the meeting so that all reports can
 14 be heard, since we ran over.
 15 MS. ENEA: Second.
 16 MS. PENDERGRASS: Do we have a second?
 17 DR. TOMPKINS: Question.
 18 MS. PENDERGRASS: Okay. All in favor of
 19 extending the meeting by --
 20 How long?
 21 DR. TOMPKINS: Fifteen minutes.
 22 MS. PENDERGRASS: -- 15 minutes --
 23 Regulators, you guys --
 24 -- signify by saying, "Aye."
 25 THE BOARD: Aye.

1 MS. PENDERGRASS: All opposed?
 2 Okay. Nobody abstains.
 3 Okay. So we'll go right ahead with that 15 --?
 4 MR. FORMAN: How much of those 15 minutes --
 5 MS. PENDERGRASS: So you have five minutes for
 6 question and answer.
 7 MR. FORMAN: Yes. Very good.
 8 MS. PENDERGRASS: Okay. We will start with
 9 Dr. Tompkins.
 10 DR. TOMPKINS: Thank you.
 11 One is a suggestion, Mr. Forman. On the
 12 meeting where you go for the process on the fly, rather
 13 than have separate meetings of the C.A.C. and the RAB,
 14 can we not entertain, since we all live in this
 15 community and we face these common problems, that we try
 16 and work and have joint sessions?
 17 We would, one, make life a little easier on you
 18 having to fly back and forth and that we could have a
 19 dialogue with our neighbors as well in the process and
 20 work together rather than have this artificial
 21 separation.
 22 MR. FORMAN: Right.
 23 DR. TOMPKINS: That's for consideration.
 24 MR. FORMAN: I understand. Here's what I'd
 25 recommend. Work closely with the community co-chair,

1 and the community co-chair and I then will work
 2 something out or figure out what we want to do. That's
 3 really one of the functions of the community co-chair is
 4 that if you have that kind of -- want to push it in that
 5 direction, go to Mr. Muhammad. Go to Mr. Muhammad and
 6 then we'll work it out.
 7 There are some limitations. Mr. Muhammad and I
 8 would have to discuss this, and we'd have to go over
 9 some of the things that come to mind that are very
 10 different between the two meetings.
 11 MS. PENDERGRASS: Okay.
 12 MR. FORMAN: And we will go from there.
 13 DR. TOMPKINS: Food for thought.
 14 MS. PENDERGRASS: Okay.
 15 DR. TOMPKINS: I do have one question. Go to
 16 your --
 17 MS. PENDERGRASS: You have --
 18 DR. TOMPKINS: -- transfer document --
 19 suggestion.
 20 MS. PENDERGRASS: Let's have other people talk,
 21 and we will come back to you.
 22 DR. TOMPKINS: We both had . . .
 23 MR. MUHAMMAD: Anyone else?
 24 MS. PENDERGRASS: Anybody else have a question
 25 of Mr. Forman before we come back to Dr. Tompkins?

1 Mr. Muhammad?
 2 MR. MUHAMMAD: In regards -- I know you
 3 mentioned that there was a selection process for the
 4 contractors.
 5 MR. FORMAN: There -- Well, there -- it's
 6 ongoing.
 7 MR. MUHAMMAD: Who are some of the companies
 8 that you are looking at interested?
 9 MR. FORMAN: Okay. That is the lead RPM role.
 10 MS. KITO: I'm presuming you're talking about
 11 the mercury removal -- I mean the methane removal. It's
 12 a contract with four contractors. It's in their
 13 competitive bid right now. Cape, Sea Alaska, TN&A, and
 14 there's another one. It's B -- It's like BVS,
 15 something like that.
 16 MR. MUHAMMAD: If you could let me know.
 17 MS. KITO: Okay.
 18 MR. MUHAMMAD: Does that have to go through the
 19 Economic Subcommittee in regards to --
 20 MR. FORMAN: No.
 21 MS. PENDERGRASS: No.
 22 MR. MUHAMMAD: -- funds?
 23 I have another question, but I'll just wait.
 24 MS. PENDERGRASS: All right.
 25 Anybody else have a question?

1 Yes, sir.
 2 DR. RAO: Keith mentioned about in Parcel 49 --
 3 MR. FORMAN: Yes.
 4 DR. RAO: -- that there were some -- I don't
 5 recall the exact name of the street, but you mentioned
 6 about some investigations taking place; and as part of
 7 the investigation, there was some removal --
 8 MR. FORMAN: Oh.
 9 DR. RAO: -- of the radiologically impacted --
 10 MR. FORMAN: Yeah. Our --
 11 DR. RAO: -- sewer systems.
 12 MR. FORMAN: Yeah. What I meant by that is,
 13 the way we are investigating the ra- -- the -- for
 14 radioisotopes, we are on a hunt for radioisotopes in the
 15 sewer and storm drain systems. The only way we figured
 16 out to do that so far is to dig down to them and then to
 17 survey them.
 18 But when we survey them and dig them up, we are
 19 ruining the pipe. We are -- So essentially we are
 20 destroying the subject we are studying.
 21 So that's what we call we are investigating,
 22 right, but it's investigation by excavation, which is a
 23 very expensive way to do business.
 24 So whether we find any contamination there or
 25 not -- and there are plenty of places where you find

1 absolutely no contaminants at all for radioisotopes
 2 anyway -- we still have done all the digging, all the
 3 excavation. And so it's investigation by excavation
 4 when it comes to that project.
 5 DR. RAO: Okay.
 6 MS. PENDERGRASS: Mr. Lanphar and then we come
 7 back to Dr. Tompkins.
 8 MR. LANPHAR: Keith, can you -- can you mention
 9 how this storm sewer investigation is also a removal
 10 action?
 11 MR. FORMAN: It is a type of removal action.
 12 MR. LANPHAR: It's all those --
 13 MR. FORMAN: What has -- yeah. It's supported
 14 by a Basewide Time-Critical Removal-Action Action Memo.
 15 We had a presentation on that in 2006. I know that
 16 because we did a document called Basewide Radiological
 17 Time-Critical Removal-Action Action Memo Revision 2006.
 18 And we did -- that's the supporting document.
 19 And then how we do the field work is there are
 20 a series of work plans. There's a basewide radiological
 21 work plan to support it, and then there's a subwork plan
 22 for the sewers and storm drains how we proceed. And we
 23 have updated that from lessons learned from Parcel B
 24 that we have completed to Parcel D.
 25 MS. PENDERGRASS: Okay. Dr. Tompkins. Just

1 one.
 2 DR. TOMPKINS: One question. Dealing with your
 3 slide transfer document for 49 May 2009 Finding of
 4 Suitability for Early Transfer and you said that the RAB
 5 board would be engaged and we would present our comments
 6 to you, what if this board said no to the early
 7 transfer? What would the Navy do, and how would our
 8 voices be taken into account for this process?
 9 Because some of us do have concerns when given
 10 the history that all three developers said they had no
 11 experience. The master developers in '98 came before
 12 the RAB, said they had no experience in cleanup.
 13 And given current, shall we say, some problems
 14 with Lennar and their cleanup, I feel safe in believing
 15 now that the Navy being fully responsible for the
 16 cleanup, then pri- -- there are some things government,
 17 in my view, does a better job than private industry.
 18 What if we vote no? What would the Navy do?
 19 MS. PENDERGRASS: Was that a back-handed
 20 comment?
 21 MR. FORMAN: It was. I was about to say, I
 22 kind of agree with everything you've said except the
 23 believe-it-or-not part.
 24 MS. PENDERGRASS: Okay.
 25 DR. TOMPKINS: Well, you always think I'm on

1 your case, but --
 2 MR. FORMAN: Well, you are on my case. That's
 3 part of what you like to do, and that's okay.
 4 DR. TOMPKINS: That's what I'm supposed to do.
 5 MR. FORMAN: That's okay. So I -- okay.
 6 There's no such thing in this business of
 7 anybody saying no. You can't just say no. You have to
 8 have a reason.
 9 So what we would do is we gather all the input
 10 from each of the agencies, and including from the RAB,
 11 the community, the City, and sort of other outside
 12 agencies or folks in common. And then we look at it,
 13 and we have to analyze it and figure out what we are
 14 going to do.
 15 Basically, when you get a "I don't think we
 16 should do this and here's why," how we respond is we
 17 look at that. We figure out are we going to explain our
 18 position again and why we don't think we should change,
 19 or are we going to explain "Okay, we think we can do
 20 this the third way, not the way we originally presented
 21 it, not necessarily the way you recommended it, but this
 22 is the third way forward"?
 23 So we look at that on a case-by-case basis so
 24 that it's really keyed into what the specific reason for
 25 saying "No" is. You can't just say, "No."

1 DR. TOMPKINS: Okay.
 2 MS. PENDERGRASS: All right. So Mark, is your
 3 comment to this? because Mr. Muhammad is next.
 4 MR. RIPPERDA: Yeah.
 5 MS. PENDERGRASS: Okay.
 6 MR. RIPPERDA: If you have what you think are
 7 really good reasons and you really do vote no and
 8 there's four parties that are involved with the actual
 9 transferring; the Navy decides to do early transfer, the
 10 City decides to accept it.
 11 And so your recourse would be to go to the
 12 Board of Supervisors, the politicians of San Francisco,
 13 and tell them, "Don't take it early." You have to
 14 convince the Navy not to take its transfer early, but
 15 then there's also the Governor of California who has to
 16 sign off on it and the administrator of EPA.
 17 So essentially your vote would have to have a
 18 strong enough justification --
 19 MR. FORMAN: All the --
 20 MR. RIPPERDA: -- to convince one of those four
 21 parties to not send off an early transfer.
 22 MS. PENDERGRASS: Okay. Well, thank you for
 23 that clarification.
 24 And Mr. Muhammad, you'll be our last question.
 25 MR. MUHAMMAD: On the assurance agreement of

1 the CDR --
 2 MR. FORMAN: Yes.
 3 MR. MUHAMMAD: -- who decide that in regard --
 4 who's involved? What parties are involved, and does the
 5 RAB have any input whatsoever in the assurance?
 6 MR. FORMAN: Yes. The assurances -- The
 7 response action assurances section of the CDR, when it
 8 comes out in draft, right, again, that's part of the
 9 package that you'll have a minimum of a 30-day comment
 10 period on.
 11 And that will involve -- The elements of that
 12 involve, again, everything -- all the assurances as to
 13 what response actions need to take place, right, in
 14 order to get to the point where the Navy can make that
 15 covenant, that CERCLA covenant. And it includes things
 16 like institutional controls that ensure that in the out
 17 years that what's done will remain protective and
 18 effective.
 19 So, yeah, you will get, as they say, a bite of
 20 that apple. There's going to be at least a draft
 21 Covenant Deferral Request and then probably another
 22 iteration.
 23 But all the other agencies are going to be
 24 reviewing it too and have input. So there's plenty of
 25 chances to input -- to have comment and input on it.

1 MS. PENDERGRASS: All right. Well, thank you
 2 so much for that, and that was very well done.
 3 Let's move on pretty quickly now with the
 4 Technical Assistance Grant update, and Dr. Tompkins, you
 5 have about five minutes --
 6 DR. TOMPKINS: Okay.
 7 MS. PENDERGRASS: -- for your entire --
 8 DR. TOMPKINS: Give it to my two colleagues,
 9 Dr. Palmer and Professor Grist. They have some
 10 comments. Both Dr. Palmer and Gregg have attended both
 11 the Tech Committee and then Gregg the BRAC meeting. So
 12 we have them doing different assignments, and they have
 13 some comments. So I'll defer the mic to both of them.
 14 DR. PALMER: Thank you. I'll be brief.
 15 We -- My name is Pete Palmer. We are
 16 currently working on our response to the Rad Addendum to
 17 Parcel E-2.
 18 And I would like to at least compliment my San
 19 Francisco State colleague, slash, intern, Brian Rebold,
 20 here, who has been doing some researching into other EPA
 21 Superfund sites where radium has been a concern, and
 22 he's managed to pull up a couple of instances where this
 23 is the case. And it's useful for comparison purposes to
 24 see what's been done in other situations where radium
 25 and radioactive contamination has been found.

1 One is the what's called U.S. radium Superfund
 2 site in Orange, New Jersey, in which case the Record of
 3 Decision was signed in 1990. The work was completed in
 4 2004, 14 years later, and in which radium mine tailing
 5 is about 6 -- 73,000 cubic yards were removed.
 6 Another was at a Denver site where radium
 7 tailings were used to actually create the asphalts to
 8 pave some of the streets. In 1983 this was listed -- or
 9 designated a Superfund site; and remediation is still in
 10 progress, and it's a combination of no action, slash,
 11 institutional controls.
 12 In instances where the streets were repaved,
 13 there's enough shielding to keep the radium out or at
 14 least shielded from getting to the surface. And where
 15 construction is being done, the roads themselves are
 16 completely torn up. And for comparison purposes, at
 17 least some of the highest radium levels found there are
 18 on the order of 79 picocuries per gram.
 19 So that's all I'll say for now, and I'll pass
 20 the mic over to Gregg Grist.
 21 MR. GRIST: In the interest of time, I'll be
 22 very, very brief.
 23 I attended the BCT meeting. Very informative.
 24 Much of kind of the core things that we discussed there
 25 you saw in Mr. Forman's presentation tonight. And so we

1 are being active and participating at these meetings and
 2 observing what's going on.
 3 One comment that Dr. Palmer and I both wanted
 4 to make here at the meeting is kind of to reinforce
 5 something that happened at the beginning of the meeting;
 6 and that is that we have observed that the regulatory
 7 agencies, even though the members are quiet many times
 8 here at the RAB meeting, are very active in the meetings
 9 that we go to and the times we've interacted with them.
 10 We just want to reassure the community we have
 11 observed it, and we believe that these guys are really
 12 doing a great job and staying on top of these things;
 13 and we have complete confidence in them at this point.
 14 Just kind of wanted to remark on that.
 15 MS. PENDERGRASS: All right.
 16 Dr. Tompkins, did you have --
 17 DR. TOMPKINS: Okay.
 18 MS. PENDERGRASS: -- more?
 19 DR. TOMPKINS: Technical Committee I'll
 20 refer -- I'll go to the Technical Committee in
 21 findings. There are minutes of the technical meeting on
 22 the table. I hope you pick them up. I will not go --
 23 I think it was a very constructive meeting that we had.
 24 One of the concerns that one of the Board
 25 members have is the time and that I wanted -- my

1 nobody does 25 miles an hour. They are speeding.
 2 Miss Brownell couldn't attend the technical
 3 meeting, but I did a follow-up --
 4 Was it Friday that we got together at your
 5 office?
 6 And that we went over the data, and I also did
 7 a field investigation. And we came up with a solution,
 8 I believe, that we need both parties and entities to
 9 agree upon so that can resolve.
 10 One, we established that the -- well, the
 11 readings -- that the instrument was correctly calibrated
 12 and that the readings were accurate but that the reason
 13 for it is investigated that we -- Amy believes, was that
 14 it was dust from the road that is adjacent, which is
 15 Navy's property.
 16 I drove -- and you can even look at my car.
 17 It's filled with mud and dirt.
 18 The Navy did go out, as Lennar does, with water
 19 trucks. But both of them are using improper methods for
 20 using -- for controlling and washing down asphalt.
 21 The trucks are appropriate for dirt 'cause the
 22 water comes out of the truck in a spray. It's like when
 23 you get the little bottles of -- pump bottles, and you
 24 can turn the nozzle to stream and spray.
 25 Well, the trucks are spraying. And if you look

1 pedagogy in addressing the Technical Committee and my
 2 function, I feel, is that we are always pressed for time
 3 in these meetings and that the Technical Committee --
 4 its role is to investigate and answer questions that the
 5 community have.
 6 I took -- I took the latitude as chair to
 7 expand the meeting in a grand-over, but at least that
 8 community person didn't leave -- that their answers --
 9 their questions weren't addressed. And it's important
 10 that people leave here -- the general public, in my
 11 view, leave here with their questions being addressed
 12 and not being felt they weren't considered.
 13 If we don't do that, I think we failed, and
 14 there's a lot more misinformation that gets out into the
 15 community and rumors that you have floating all over,
 16 and we are not doing ourselves a service or the
 17 community a service by letting people leave that way.
 18 Now, as far a follow-up to what was asked
 19 earlier, on the HV-12 monitor, I did a follow-up also,
 20 as Mr. Forman asked me.
 21 And I also provided for the Board members the
 22 standards of the state law in terms of speed out there
 23 in a construction so that we can try and work out,
 24 because the signs on the Navy's property is 25 miles an
 25 hour, and then I'm out there at least once a week, and

1 on the road, you could see on the side that sometimes on
 2 the curb there's up to 3 to 4 inches of the dirt. The
 3 sidewalk is even higher.
 4 So that we propose, one, that both parties can
 5 coordinate it that to get out a fire hose, and you wash
 6 the sidewalks and the streets down. It makes no sense
 7 that all of a sudden Lennar does it on one day and the
 8 Navy 'cause then you're only washing it down and you're
 9 creating both sides have to work out a timetable and a
 10 schedule.
 11 Also, as I was talking with the Bay Area Water,
 12 our associate here, to hopefully by the next Technical
 13 Committee meeting -- and that's what we are talking
 14 about -- setting up a time to when we could meet so that
 15 we can get a methodology of how you would -- how would
 16 this be handled in terms of discharge and runoff from
 17 washing the streets down because we're seeing that
 18 asbestos is in the soils.
 19 MS. PENDERGRASS: Dr. Tompkins, what exactly
 20 are you proposing?
 21 DR. TOMPKINS: We are proposing that both
 22 entities, both the Navy and the City and Lennar, wash
 23 the streets down on the same day, using the same method
 24 of cleaning, working with the Bay Area -- Bay Area Water
 25 Quality Board on how the water would be run off and

1 handled in the sewage so we don't create a problem by
2 trying to solve the problem and that the roads be
3 maintained and washed properly.

4 That would eliminate the problem of the dust
5 which is seen coming up in that monitor and the high --
6 the peaks on the asbestos. It hasn't been properly
7 washed.

8 Plus, we have seen if -- as I talked to
9 Mr. Forman on the phone, of when I observed the trucks
10 coming off the Lennar's property that driving onto
11 Navy's property, it looked like they were cleaning them,
12 but dirt was still on it.

13 And if they are creating a hazard -- or not a
14 haz- -- well, hazard and a nuisance, public nuisance,
15 that they are creating a problem for the Navy. If the
16 Navy is responsible for that -- charging them for
17 cleanup and maintenance, that's for them to decide.

18 MS. PENDERGRASS: Okay.

19 DR. TOMPKINS: But it needs to be addressed
20 because the source --

21 MS. PENDERGRASS: Okay.

22 DR. TOMPKINS: -- seems to be coming from them
23 hauling the dirt off of base, going onto Navy's
24 property, and dropping it down the road.

25 MS. PENDERGRASS: Okay. All right. So you

1 DR. TOMPKINS: Well, let's put it this way.

2 Part of my frustration and other community members, we
3 asked several times.

4 MS. PENDERGRASS: Okay.

5 DR. TOMPKINS: There's been no action.

6 MS. PENDERGRASS: Okay, but let's deal in the
7 here and now.

8 DR. TOMPKINS: Okay.

9 MS. PENDERGRASS: So you put forth -- you got a
10 solution. You want them --

11 DR. TOMPKINS: All right.

12 MS. PENDERGRASS: -- to consider it.

13 Give them a time when they can get back to you
14 with their response. Okay. It's open to you. I'm
15 just helping.

16 DR. TOMPKINS: Okay.

17 Keith, Mr. Forman, on the language, I have no
18 problems if you would like to help assist in phrasing
19 this so it would be palatable to all parties involved in
20 this action.

21 MR. FORMAN: My recommendation --

22 DR. TOMPKINS: -- resolved.

23 MR. FORMAN: My recommendation is this: This
24 is a Technical Subcommittee item. We should discuss
25 this in the Technical Subcommittee. I mean, this is

1 just --

2 DR. TOMPKINS: As an action item, I would
3 like --

4 MS. PENDERGRASS: Thank you.

5 DR. TOMPKINS: Thank you.

6 As an action item, I would like both the Navy
7 and Bay Area Water Board and the City and the guys in
8 the Health Department to coordinate a date where we
9 could wash the streets properly.

10 MS. PENDERGRASS: No. Don't you mean to
11 say --? Forgive --

12 DR. TOMPKINS: If you want to phrase and help
13 me --

14 MS. PENDERGRASS: Yes.

15 DR. TOMPKINS: -- no problem.

16 MS. PENDERGRASS: You might want to say --

17 DR. TOMPKINS: Okay.

18 MS. PENDERGRASS: Forgive me, but you might
19 want to say that you'd ask the Department of Public
20 Health and the Navy to consider your request and get
21 back to you with a response. You might want to think
22 about it that way before you order them to do something.

23 DR. TOMPKINS: Not order. I'm asking --

24 MS. PENDERGRASS: Well, I mean, that's the
25 tone.

1 very detailed what you're stating, and really this time
2 period ought to be spent for just a summary of the
3 results of what happened at the Tech Subcommittee
4 meeting.

5 So if it's an action item, let's do it at the
6 subcommittee level where you have time to put in writing
7 what you think the request should be, and then all
8 parties can look at it and discuss it at the same time.

9 MS. PENDERGRASS: Okay. So we don't have a
10 Tech Subcommittee time yet. So when you find one, you
11 let me know, and I'll make sure I put it in. You can
12 give it to me in writing --

13 DR. TOMPKINS: I need to ask everybody because
14 unfortunately, our colleague --

15 MS. PENDERGRASS: -- because no one --

16 DR. TOMPKINS: -- can't make it.

17 MS. PENDERGRASS: -- no one's here in
18 November. They are not here in November.

19 DR. TOMPKINS: Navy won't be at all in San
20 Francisco for that period? That's what we are trying to
21 coordinate.

22 MR. FORMAN: Yeah.

23 And Carolyn, where -- normally we have the
24 posters up --

25 MS. PENDERGRASS: Well, I know when we are

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1 meeting for the other groups. But we are not having a
 2 RAB meeting in November.
 3 So it's my understanding, Mr. Forman, that the
 4 Navy's not coming --
 5 MR. FORMAN: No.
 6 MS. PENDERGRASS: -- won't be here in November.
 7 MR. FORMAN: No, that's not true. We have --
 8 MS. PENDERGRASS: Okay.
 9 MR. FORMAN: We have an Econ. Subcommittee
 10 meeting on Wednesday, November 14th.
 11 MS. PENDERGRASS: And --
 12 MR. FORMAN: We have a --
 13 MS. PENDERGRASS: Membership --
 14 MR. FORMAN: -- Bylaws and Community
 15 Outreach --
 16 MS. PENDERGRASS: -- on the 15th.
 17 MR. FORMAN: -- on the 15th, and I'm not sure
 18 why the poster --
 19 MS. PENDERGRASS: We just didn't have poster
 20 board today. So . . .
 21 MR. FORMAN: Okay.
 22 MS. PENDERGRASS: Okay.
 23 MR. FORMAN: Well --
 24 DR. TOMPKINS: Unfortunately, Erich won't be
 25 here for that week. That's why we were trying to

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1 explore what possible other time that month rather than
 2 defer it for another month.
 3 MR. FORMAN: We can -- Do we need to work out
 4 the date right now? Is this --?
 5 MS. PENDERGRASS: Can we --?
 6 DR. TOMPKINS: So that we can let everybody
 7 with those can make -- be available, yes, I'm asking
 8 that, please.
 9 MR. FORMAN: Okay. Well, then I'd ask
 10 Mr. Simon.
 11 What are your limitations?
 12 MR. SIMON: Just that week I'm not here, So
 13 any other time I'm available.
 14 MR. RIPPERDA: Or is it something that the
 15 other regulators --?
 16 DR. TOMPKINS: One week you're up here; you
 17 can't make it.
 18 MR. FORMAN: Okay. How about a Technical
 19 Subcommittee meeting on Tuesday, November 6th?
 20 DR. TOMPKINS: Is that a problem? Gregg?
 21 MR. GRIST: Yes.
 22 DR. TOMPKINS: Okay.
 23 MS. PENDERGRASS: Miss Brownell, is that going
 24 to work for you?
 25 DR. TOMPKINS: Amy?

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1 MS. BROWNELL: The only caveat is, that's
 2 Redevelopment Commission meeting night. And I don't
 3 think I have to do anything there, but every once in a
 4 while they call me at the last second. So I just have
 5 to check.
 6 MS. PENDERGRASS: Does it have to be in the
 7 evening? Does this meeting have to be in the evening?
 8 What time? Does your --? What's the normal time for
 9 your tech meeting?
 10 DR. TOMPKINS: In the evening --
 11 MS. PENDERGRASS: Okay.
 12 DR. TOMPKINS: -- at 6 o'clock.
 13 MR. MORRISON: Six o'clock.
 14 DR. TOMPKINS: -- everybody -- get lots of
 15 classes --
 16 MS. BROWNELL: Let's just say, I think --
 17 DR. TOMPKINS: A lot of classes.
 18 MR. FORMAN: Pardon me?
 19 MS. BROWNELL: But we also need to --
 20 DR. TOMPKINS: A lot of classes, teaching.
 21 MR. FORMAN: Oh, that's fine. Six to eight,
 22 then, on --
 23 MS. PENDERGRASS: Okay.
 24 MR. FORMAN: -- on Tuesday?
 25 MS. PENDERGRASS: November 6th. So let's --

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1 MR. FORMAN: Tuesday, November 6th.
 2 MS. BROWNELL: We also get Lennar, and we
 3 need --
 4 DR. TOMPKINS: Yes.
 5 MS. BROWNELL: I personally am not going to go
 6 wash the streets.
 7 DR. TOMPKINS: No.
 8 MS. BROWNELL: Lennar would be the one.
 9 DR. TOMPKINS: Could we invite --
 10 MS. BROWNELL: So --
 11 DR. TOMPKINS: -- Lennar as well?
 12 At least we invite them --
 13 MS. BROWNELL: Yes, and I'm sure --
 14 DR. TOMPKINS: Everybody else that needs to be
 15 at the table --
 16 MS. PENDERGRASS: Okay.
 17 DR. TOMPKINS: -- so we can resolve this.
 18 MS. PENDERGRASS: So let's close this part
 19 because we're really running long on just one little
 20 issue. So we've got a date on that, and we can talk
 21 about that.
 22 All right. So are you finished yet, Mis- --
 23 Dr. Tompkins?
 24 DR. TOMPKINS: I'll be -- I'm finished.
 25 MS. PENDERGRASS: Are you --?

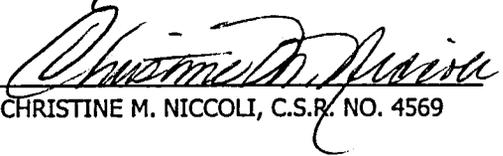
1 DR. TOMPKINS: I'm finished.
 2 MS. PENDERGRASS: Okay.
 3 DR. TOMPKINS: Let's go on.
 4 MR. FORMAN: Okay. So Tue- --
 5 MS. PENDERGRASS: I mean with your report.
 6 MR. FORMAN: Tuesday, November 6th --
 7 MS. PENDERGRASS: Okay.
 8 MR. FORMAN: -- from 6:00 to 8:00.
 9 MS. PENDERGRASS: All right.
 10 DR. TOMPKINS: If you have any questions,
 11 please refer to the written document that --
 12 MS. PENDERGRASS: Right.
 13 DR. TOMPKINS: -- back table.
 14 MS. PENDERGRASS: Right.
 15 MR. FORMAN: And you'll ensure the Anna Waden
 16 Li- -- at the Anna Waden Library?
 17 DR. TOMPKINS: One quick caveat. I did make
 18 one error on the spelling, and I apologize, Larry on the
 19 spelling of his name.
 20 MS. PENDERGRASS: Okay. So the place that
 21 you're having the Tech Subcommittee meeting . . . ?
 22 DR. TOMPKINS: I'll check with the library, and
 23 I'll confirm with Carolyn as well --
 24 MR. FORMAN: Okay.
 25 DR. TOMPKINS: -- and I'll also check here at

1 MS. PENDERGRASS: All right. All right. So do
 2 we have economic --?
 3 MR. VAN HOUTEN: I will -- I will E-mail --
 4 I'll have Carolyn put an E-mail out to where they can
 5 mail it, or they can just bring it to the membership
 6 meeting.
 7 MS. PENDERGRASS: Okay. Excellent. Excellent.
 8 Final committee is the Economic Subcommittee.
 9 Who's the economic chair? That's Mr. Muhammad, correct?
 10 MR. FORMAN: No, no, no. Ms. Bryant.
 11 MS. PENDERGRASS: Oh, I'm sorry. Excellent.
 12 Excellent.
 13 MS. BRYANT: We do have a meeting on
 14 November 14th. We did not have one in October. We will
 15 be reviewing the contract, and we'll have more to report
 16 on. There actually was not a actual meeting last
 17 month. At that time, we will be prepared to make our
 18 presentation.
 19 MS. PENDERGRASS: All right. Thank you very
 20 much.
 21 All right, then.
 22 DR. TOMPKINS: Did you say the location,
 23 just . . . ?
 24 MS. BRYANT: Oh, I'm sorry.
 25 MR. FORMAN: Yeah. The location is not the

1 the college if I can use the room.
 2 MS. PENDERGRASS: We'll get -- That will be
 3 E-mailed out to folks.
 4 DR. TOMPKINS: The college here --
 5 MS. PENDERGRASS: Okay.
 6 DR. TOMPKINS: -- or the library.
 7 MS. PENDERGRASS: Okay.
 8 MR. FORMAN: Okay.
 9 MS. PENDERGRASS: So the Membership and Bylaws
 10 Subcommittee. Mr. Van Houten, do you have any motions
 11 or anything that need to be brought for the RAB this
 12 month?
 13 MR. VAN HOUTEN: No. I just -- We didn't have
 14 a meeting. We will have a meeting on the 15th.
 15 And everybody received, I hope, a member --
 16 members communication questionnaire. It's just a way of
 17 just trying to get the information about where everybody
 18 is as a member and how well we can better communicate to
 19 the community.
 20 So I appreciate if you fill it out. I didn't
 21 tell you where to put it -- or where it send it. I'm
 22 sorry.
 23 (Laughter.)
 24 MS. PENDERGRASS: Okay.
 25 MR. VAN HOUTEN: I can do both, but I won't.

1 library.
 2 MS. PENDERGRASS: No. It's going to be Windows
 3 on the Shipyard office.
 4 MS. BRYANT: Yeah. I actually need to know
 5 where that is myself.
 6 MS. PENDERGRASS: Okay.
 7 MS. BRYANT: No. Yeah, Windows at the
 8 Shipyard, I do not know where that is.
 9 MS. PENDERGRASS: Well, we can get that for
 10 you. We can get that for you. Mr. Mason can make sure
 11 you have that before you leave.
 12 MR. MASON: And if you want to bring food and
 13 refreshments, that's fine.
 14 MS. PENDERGRASS: Okay.
 15 All right. We want to just take three minutes
 16 for our fabulous gallery here of people who are
 17 audience.
 18 Anybody have anything they'd like to add before
 19 we conclude for tonight?
 20 Miss Lane? Speech.
 21 Anyone else have any comments or questions?
 22 All right. Well, it's all nice to see you
 23 all.
 24 Yes, ma'am. Final question?
 25 MS. BRYANT: Yes. Actually, we were wondering,

1 is there any way we could get that contract so we can
 2 look at it?
 3 We had discussed it at the last Economic
 4 Subcommittee meeting, And we kind of need that to look
 5 over the things we had discussed at that time -- the
 6 current policies and procedures, the fronting that's
 7 in place -- to determine who gets picked, any set-asides
 8 that are in place or how you guys picked the actual
 9 contractors, all of that stuff. We didn't get that
 10 yet. So is that possible?
 11 MS. KITO: What I can do --
 12 MS. PENDERGRASS: Can you all meet off line on
 13 that? because that's not something that the full RAB
 14 needs to know.
 15 MS. BRYANT: Okay.
 16 MS. PENDERGRASS: So, I mean, if you don't
 17 mind.
 18 Before we leave, though, remember, the next RAB
 19 meeting is December 6th right here, same place, same
 20 time.
 21 MS. BROWNELL: Sixth, yes.
 22 MS. PENDERGRASS: All right. December 6th.
 23 All right. Have a wonderful day.
 24 (Off record at 8:18 p.m.,
 25 10/25/07.)

1 CERTIFICATE OF REPORTER
 2
 3 I, CHRISTINE M. NICCOLI, Certified Shorthand
 4 Reporter of the State of California, do hereby certify
 5 that the foregoing meeting was reported by me
 6 stenographically to the best of my ability at the time
 7 and place aforementioned.
 8 IN WITNESS WHEREOF, I have hereunto set my hand
 9 this 6th day of November 2007.
 10
 11 
 12 CHRISTINE M. NICCOLI, C.S.R. NO. 4569
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