

**LONG BEACH NAVAL COMPLEX  
RESTORATION ADVISORY BOARD  
FINAL MINUTES FROM 29 MARCH 2000 MEETING**

The Long Beach Naval Complex (LBNC) held a Restoration Advisory Board (RAB) meeting on 29 March 2000, at the City of Long Beach Gas Department, 2400 East Spring Street, Long Beach, California.

**RAB ATTENDANCE:**

Thomas Macchiarella - Present  
Martin Hausladen- Present  
Jennifer Rich - Absent  
Sue Hakim - Present  
Henry Brice - Present  
Mary Butler - Absent  
Doug Carstens - Absent  
Carol A. Churchill - Absent  
Greysen Edward Cooley - Present  
P. James Drake - Absent  
John Essington - Present  
Betsy Foley - Absent  
Howard Hargrove - Present  
Tom Johnson - Present  
Loyd Klock - Present  
Joseph Petway - Present  
Darwin Thorpe - Absent  
Karl A. Tiedemann - Present  
Anna Ulaszewski - Represented by Terry Ulaszewski  
Maria Vargas - Present

**OTHERS PRESENT:**

Del Davis-City of Long Beach  
Julie Kercher, CDM Federal  
Anthony Caldwell, Roosevelt Base  
Jim Sturm, Base Closure Committee  
Ana Townsend, RWQCB  
Kim Foreman, DTSC  
Angela Patterson, CDM Federal

**MEETING BEGAN AT 6:30 PM** – Thomas Macchiarella, Navy Co-Chair, presiding as Chair.

The Chair welcomed the RAB members and members of the audience and reminded everyone to please sign in (PRINT LEGIBLY) - **"The sign-in sheet is the official record of attendance for each RAB meeting. It is the responsibility of each and every RAB member to sign into the official record. If you do not sign in, you did not attend the meeting."**

Mr. Macchiarella reminded the RAB members that the meeting was being tape-recorded. No objections were voiced from the floor.

## Administrative Issues

Mr. Macchiarella requested that members of the RAB, Navy, regulatory agencies, and community introduce themselves.

Mr. Macchiarella requested comments on the 18 November and 19 January meeting minutes. The minutes were approved with no changes.

Mr. Macchiarella handed out letters from the RAB and asked for comments. Mr. Petaway understood that, regarding the early transfer to POLB, the port is paying the costs, not the City of Long Beach. Mr. Macchiarella replied that West Basin is the only site not being paid for by the Navy. The West Basin is still in negotiations; however, it is not involved in the early transfer process.

Mr. Hargrove asked if the letters were answered, specifically Doug Carsten's letter. Mr. Macchiarella responded that, with regard to the early transfer documents, public comments will be considered and addressed in the early transfer documents, although he is not sure if the responses will be sent out in a separate mailing. Mr. Macchiarella stated that real estate issues are not related to the environmental process; therefore, they are not included as part of CERCLA documents. Mr. Tiedemann asked if these were all letters that had been received and Mr. Macchiarella replied that he included all of the pertinent letters from last quarter.

Then, Mr. Macchiarella reviewed the Rules of Operation. Mr. Essington suggested adding the clause "or other suitable location" and "typically meet bimonthly" to the meetings section of the rules. Mr. Klock suggested adding a section discussing the process for cancellation of meetings and contacting RAB members. Others felt that this addition would not be necessary, since the Navy has a good track record for holding the meetings. Mr. Tiedemann pointed out that, in the past, the RAB met monthly, and then they agreed to meet every other month. The Rules of Operation were approved by a majority vote, with the addition of the phrase, "typically meet bimonthly". Mr. Macchiarella will send out the revised version in the next mailing. He will also put together a timeline of the CERCLA/SARA cleanup, including deadlines, and will bring this to the next meeting.

Mr. Macchiarella opened the floor to nominations for the annual election of the Community Co-chair. Mr. Essington and Mr. Tiedemann were nominated and seconded. Both nominees gave a brief presentation on why they were interested in the Community Co-chair position. Ballots were then distributed to all RAB members present at the meeting. A vote was cast and Ms. Kercher collected the ballots and tallied the votes. Ms. Foreman doubled-checked the voting results. Near the conclusion of the meeting, Ms. Kercher announced that Mr. Essington was elected the new Community Co-chair.

## Presentation of the Memorandum of Agreement (MOA) between the Navy and DTSC on Land Use Covenants (LUCs)

Mr. Macchiarella presented an overview of the key points in the MOA.

He discussed the use of a Model LUC, where the format and language is similar for all of California; but the document is to be tailored to each specific site. He then gave examples of content in each article of the LUC models. Ms. Vargas asked if there are any penalties stipulated for future owners who violate the restrictions. Mr. Macchiarella replied that the covenant discusses codes that DTSC can use to enforce the restrictions, although it does not discuss specific details. Mr. Essington asked who would control the land use. Mr. Macchiarella responded that DTSC will have enforcement duties. He discussed three examples of land use monitoring systems:

1. Operational controls- the owner will report to the Navy on a yearly basis.
2. Monitoring program- the site will be visited and the permit requirements will be verified.
3. If the City/County has resources- people can use their system.

Furthermore, he clarified that the restrictions in the document only apply to the contaminated areas.

Mr. Essington wondered if the City still has the ability to change the deed restrictions, and Mr. Hargrove responded that, if the deed restrictions were changed, then an EIR would need to be done which limits the possibility of changes being made to the deed in the future. In addition, Mr. Macchiarella felt that POLB would always use the land for industrial purposes, unless there was a change in the role of the POLB. Mr. Essington then asked if the variances would be controlled by the City and Mr. Macchiarella replied that variances must be approved by DTSC, not the City. Mr. Cooley voiced concern about the relationship between the City and POLB.

Mr. Macchiarella then discussed how the deed will be recorded, and stated that they are currently working on the ROD for Sites 1 and 2. He said that the restrictions on Sites 1 and 2 were put in place to ensure that contaminated areas will be used in an industrial manner.

Mr. Hargrove asked how the restrictions would be described in the LUC. Mr. Macchiarella replied that the covenant is not very specific; it discusses general restrictions within property lines. Mr. Caldwell asked about the Naval Supply area. Mr. Macchiarella said it is considered part of the Shipyard. Mr. Caldwell then asked about weapons storage related to Sea Launch. Mr. Macchiarella suggested he contact the City or the Port. Mr. Caldwell asked if the Mole is going to be enlarged. Mr. Johnson clarified that the Port plans to fill along the North/South leg of the Mole near Terminal Island, not near Site 1, 2 or 3. He then suggested that the Port give an update on their plans at the next meeting.

Terry Ulaszewski asked about the process of reporting violations of the covenant. Mr. Macchiarella stated that the monitoring plan has a clause: "when the owner becomes aware of a violation, they must notify the Navy/agencies". Mr. Caldwell asked about an article in the Press-

Telegram on the increasing costs of remediation, but Mr. Hausladen said if that were true, the agencies would have heard about it and they have not.

### **Regulator Update**

Ms. Hakim announced a public workshop in Sacramento on 6 April, 2000 from 9 am to 5 pm. She also said that POLB signed a contract with a new tenant, Hanjin. Ms. Hakim then gave an overview of DTSC activities.

- She is working on a governor action request package but it has been delayed because certain parts of the package still need to be completed.
- The Federal Facilities Site Remediation Agreement (FFSRA) is ready for the Secretary of the Navy to sign and the Site 1 and 2 RODs are in the final stages.
- The Site 14 Work Plan pilot testing will be set up soon.
- The Area of Concern (AOC) Preliminary Assessment report for final sites is being reviewed.
- She is also working with a RCRA unit on AOCs 118 and 314.
- More sampling for Polyaromatic Hydrocarbons (PAHs) was conducted at Building 816.
- She is currently reviewing the groundwater monitoring report, and the Feasibility Study (FS) review for 9, 12, and 13 will be finished in a couple of weeks.
- DTSC finished the review of the Work Plan for disposal of sediments in catch basins at Buildings 104 and 150.
- DTSC has had many meetings with the Navy, Port of Long Beach (POLB), RWQCB, and the Department of Fish and Game, regarding Site 7, during the past month.

Mr. Caldwell asked if there was a report on dredging, and Ms. Hakim replied that there wasn't a formal report, but that DTSC sent a memo to other agencies asking for their input on that issue. Mr. Cooley expressed concern regarding the West basin and Site 7, because of a recent article on DDT (dichlorodiphenyltrichloroethane) in the Palos Verdes area. Mr. Caldwell then asked about the progress of Drydock 1 and who was in charge of the cleanup effort. Mr. Macchiarella replied that he will find out the details and discuss it at the next meeting. He confirmed that the sediments within the drydock tunnels had been sampled and said that if the drydock was not going to be used, the best solution would be to encapsulate the sediments.

### **Open Forum for RAB Members and Members of the Audience**

Mr. Tiedemann asked whether the audience should be able to comment during the rest of the meeting (before the Open Forum). RAB members will resolve this issue in future discussions of meeting policy.

Mr. Caldwell discussed the unexploded ordnance workshop. Ms. Hakim clarified that it will address all bases, not just LBNC.

Mr. Macchiarella suggested that a subcommittee should be formed addressing issues of RAB membership and the way meetings are conducted. Other members agreed that this was a good idea.

Mr. Hargrove asked if there was a synopsis or summary report of past LBNC activities available, and Mr. Macchiarella replied that a fact sheet is being created, which will include a discussion of the process, as well as the status and background of each site.

Mr. Caldwell asked about the Coastal Commission's involvement in the process, and Mr. Macchiarella responded that the Department of Fish and Game, DTSC, RWQCB, and EPA are the main agencies involved in the process. Mr. Cooley then asked about the Department of Fish and Game's attendance at the RAB meetings, and Ms. Hakim said that she will contact them.

Mr. Caldwell asked if the north side of Ocean Avenue was Navy property. In response, Mr. Macchiarella said that Site 6A is discussed in the first ROD; RWQCB allowed it to undergo closure, and Site 6B was closed many years ago.

Ms. Foreman suggested making changes to the table setup and including site status information at every meeting.

The RAB meeting was adjourned at 8:30 P.M.

The next LBNC RAB meeting is scheduled for June 7, 2000.

*These minutes were recorded by Julie Kercher of CDM Federal Programs Corporation acting as the RAB Technical Support at 858-268-3383, and were reviewed and approved by all members of the Long Beach Naval Complex Restoration Advisory Board.*

*Approved meeting minutes for the LBNC RAB can be found at:*

- (1) The LBNC Information Repository located at the Long Beach Public Library, Government Publications Department; and*
- (2) The Internet at the Southwest Division Naval Facilities Engineering Command (SWDIV) Web page at <http://www.efdswnavy.com/DEP/ENV/default.htm> - SWDIV Point of Contact: Mr. Lee Saunders (619) 532-3100.*