

**MARE ISLAND NAVAL SHIPYARD  
RESTORATION ADVISORY BOARD (RAB) MEETING MINUTES  
HELD THURSDAY, JUNE 28, 2001**

**I. Welcome and Introductions:**

*Jerry Dunaway called the June 2001 meeting of the Restoration Advisory Board (RAB) to order at 7:10 PM. Six (6) RAB members; eight (8) guests and community members; five (5) RAB support and, regulatory agency members; and community relations staff from Gutierrez-Palmenberg, Inc (GPI), ; including Ms Kathy Langstaff, Court Reporter.*

**At the time of introductions, the following were present:**

**RAB Members in attendance:**

- Mr Jerry Dunaway (Navy Co-Chair)
- Ms Diana Krevsky
- Mr John Cerini
- Jerry Karr
- Ms Myrna Hayes (Co-Chair)
- Mr Rob Schonholtz

**Regulatory Agency & Navy Representatives in Attendance:**

- Mr David Godsey
- Mr Chip Gribble
- Mr Gary Riley
- Henry Chui
- Carolyn d'Almeida.
- Patricia Ryan
- Mr Duane Rollefson
- Ms Emily Roth

**Community Members and Guests in attendance:**

- Gordon Hart
- Diane Barry
- Mel Jordan
- Brenda McConathy
- Terry Roagoshi
- Kent Weingardt

**RAP Support from GPI:**

- Ms Kathy Langstaff

**The meeting was called to order at 7:10 PM (1910 hours)**

**I. WELCOME AND INTRODUCTIONS**

My name is Jerry Dunaway, and I'm the BRAC environmental coordinator for the Navy and the Navy co-chair for the Restoration Advisory Board.

### ***Meeting attendees introduced themselves***

We don't have as large of an audience this month, though we do have a couple of presentations we're gonna make. One is a follow-up to last month's discussion about our ordnance-cleanup program. We'll provide some updates on what we've been doing the last month. And then we're going to have a presentation on some of the cleanup work that's planned for later this summer at the elementary school on Mare Island.

Mr. Dunaway - We're gonna jump right into the first presentation, and that is going to be presented by Patricia McFadden. She's one of our remedial project managers, and she's managing the ordnance cleanup program for Mare Island.

### **II. TECHNICAL BRIEF: ORDNANCE CLEANUP PROGRAM**

Ms. McFadden - I'm gonna go a little low tech on the presentation this time around and just do the overheads. Again, my name is Patricia McFadden. I'm the project manager for ordnance sites on Mare Island, and I'm just gonna give a brief update of what we've been doing since the last RAB meeting.

A bit of previous history, you're all familiar with a series of articles that came out in mid May and some follow-up articles. There's been lots of discussion since then. At the last RAB meeting, May 31st, we gave a much more detailed presentation addressing some of the points in those articles, and we just wanted to give you an update of what we've been doing since to let you know we're still on the issue and trying to address the concerns.

So diving right in, I just wanted to outline some of the Navy efforts that we've been doing to address the ordnance concerns. One of the things we've been doing with the BCT -- and the BCT is the BRAC cleanup team, and that consists of EPA, state EPA, DTSC, and the Water Board and the Navy -- and so we've been meeting weekly to just discuss how things have been going, you know, action items, sharing ideas of -- of ways we can address it. We've been doing those about weekly.

We also received a letter from Congressman Miller. He's the congressman for this district. And that -- we received that on June 1st, and we responded on June 8th, and that letter is in the RAB's packet. So you can see that. We also are planning to publish the fact sheet in -- within the *Times Herald* to reach the same distribution that the articles got, and so we're probably just gonna publish it as an ad. We looked at some other options, and we wanted to just keep the information flowing. We have provided an overview of the ordnance program and the work done to date to the BCT, and that was just done last Friday.

And we had some -- EPA had some new contractors that we helped bring up to speed, and some of the representatives on the BCT are newer, so we gave them a brief overview of all the ordnance work that's been done to date. And then, again, we're also planning with the city council, based on an invitation that we received at the last RAB meeting, to give a brief to the city council, and we're actually going to hope to work with the RAB

and the BCT to make it a joint presentation to the city council. And we'll probably do that on the 17th, or probably more likely the 24th, just because that coordination takes some time. A little bit more.

We've been assisting EPA and DTSC with their ongoing kind of internal looks at the ordnance article and the allegations. And in the interim, as part of these conference calls and meetings, we've planned a scoping meeting for some of the offshore sites to share some ideas of how to address those, and that's scheduled for July 24th. And then we're also gonna have a scoping meeting probably in August for the field-validation effort. If you recall from last month's meeting, we talked about how the field validation's gonna help to confirm the adequacy of the work done in the field and make any recommendations, if there's any, for improvement.

And then we're also responding to a Freedom of Information Act request from the newspapers that we actually just received yesterday, and EPA actually received earlier, part of the process how it goes through, so we'll be responding to that. We haven't -- don't have the details on that yet.

So the Navy's been doing that in conjunction with the BCT, the two regulatory agencies, the three regulatory agencies, but they've also been working some on their own, and I wanted to, you know identify that. DTSC actually, even before the articles, had gotten a hot line call on some specific allegations, and we've been working with them to look into that specifically. One of them was about a live piece of ordnance in our ordnance scrap bins. And we did what we could to jump right on it, and we certified that scrap to show that there wasn't any live ordnance in there.

And then DTSC is still investigating some -- those RCRA -- RCRA is the Resource Conservation and Recovery Act; it's a law that handles all waste management and all the allegations in the articles -- and they're still doing their own investigation, and we're assisting them and sharing information as much as we can.

So -- and EPA is also very busy. On top of all the other cleanup work that they have to do, they -- you know, both agencies -- EPA has brought on a former member of the Department of Defense Explosive Safety Board as a consultant to help them out in both understanding and critiquing the issues, and that person is Tom Holmes, currently with a contractor called Tech Law. He was formerly an Army rep on the DDESB. They're also looking into doing their own kind of investigation into the ordnance allegations, and they, themselves, have to respond to a -- a FOIA request from the newspaper.

So we'll certainly coordinate ours to make sure we don't duplicate efforts on that respect. And just to talk to a couple of the more specific issues that are kind of up and coming just as a brief -- certainly we'll be bringing these to the RAB, but so you kind of have an idea of what's going to be coming up for the offshore work, what we've been doing in the past, and we're still continuing to do, is we're basically looking, updating the conceptual site models. These are basically an outline of the site and how any contaminants could've gotten there and how far would they have gone.

And basically we researched past uses to try and determine the potential extent, and then we also assessed what kind of uses are gonna be in that area and how that will basically eventually affect how we clean up the area to address any potential exposures.

We also -- you know, through this process and the scoping meeting we're gonna have, we're gonna basically be assessing different proposals for how to investigate the extent of ordnance in the offshore areas. There's certainly some challenges because it's in the water environment and because we don't have the -- a lot of the history that we do on the shore-based investigations.

So this would likely include some additional site surveys with the latest detection equipment. We will need to determine where the ordnance is present and to what extent, and then we'll have to investigate areas in order to better assess what the potential remedies should be.

And this will all be done through the process that is similar with the chemical cleanup: assessment, risk assessment, and feasibility study to look at different options.

So as I said earlier, we're meeting in July to basically start sharing those ideas and -- and start forming our process of what we're gonna do, and we'll certainly share that with the RAB.

And since we talked about it some last meeting, and that we are gonna be doing this -- you know, starting to form this at the end of the summer, the validation process. And what this is, is an effort that certainly, again, we'll coordinate with the BCT and the RAB, and it's an approach that's based on a statistical sampling of the ordnance-cleanup areas. There's a military standard -- and that's what mil standard stands for -- 1916. And, no, it doesn't date from 1916, if that's what you're worried about, but basically it outlines the statistical criteria and the rules that you have to abide by in order to -- to make it a sound basis.

What we'll do is we'll pick the same investigation grids that were used -- those were typically 100-foot-by-100-foot sections -- and we'll use those same grids. And we will randomly select them, survey them, and excavate any anomalies that are found, and, by that, be able to determine if -- if the adequacy of the work -- be able to measure it and make any findings and recommendations. So the follow-up to that would be obviously to implement recommendations and then to work towards getting those sites closed out.

So then I just wanted to put up here again just the -- the points of contact. You know, this -- this -- I didn't go into detail here, and if you have a lot of questions after this meeting and you want to contact either Jerry Dunaway or myself, or the Navy caretaker site office if you're at the base, and you see an issue, by all means feel free to give us a call. And with that, I'll just open the floor to any questions.

Mr. Karr - Patricia, is there any thought to using current Navy technology in the

underwater areas for determining anomalies, or is it in the process that you have to use civilian contracts?

Ms. McFadden - No, we can utilize some Navy resources, and actually we do utilize them in both the evaluation of what the best technologies out there are, because there's a whole realm of -- of other regions that are dealing with similar situations. In terms of the actual work, we don't have a lot of local Navy resources, but we'll certainly look at that, as well as look at contractors.

Mr. Dunaway - I think there's a bit of a difference, Jerry, about how we do a cleanup and how the military does, say, clearance of a -- of a fighting area or some kind of battlefield. What I can say is that we have been doing work in the area of the underwater ordnance. It was in late '99 that we actually had a research-and-development project to do a competitive selection of contractors to come out to the site into a staged offshore area and see what kind of equipment they could develop to determine what technologies are working and what is the direction to take to make improvements in the area.

So I'm not sure the military resources would actually get there. What we do on the cleanup side of the house using contractors is probably more state of the art for the purpose that we're trying to reach or trying to implement, if that makes sense. The Navy isn't too concerned, or the military wouldn't be too concerned about ordnance that's buried under sediment for their purposes or profiling.

Ms. McFadden - The Navy has done a lot of the research end, but typically the focus is to actually have it be publicly available so that it could be applied everywhere, for government and for the public. So the Navy's involved on the research side, and we'll certainly utilize the Navy resources on the planning and the scoping side.

Ms. Roth - Patricia, my question's about the validation process. And you say you're gonna use these same 100-foot-by-100-foot grids; the grids will be randomly selected surveys and anomalies excavated.

Does that mean you're not gonna survey all -- all of the grids, you're gonna -- you're going to survey some subset that you randomly select and -- or -- so I guess I don't understand that, that third or fourth bullet about randomly selected and what percentage of the original grids you would be surveying and excavating again.

Ms. McFadden - It has to do with a lot of the details in that statistical-based standard. What you have to look at is your site conditions and any homogeneity or non-homogeneity, and that determines how many grids you'll need to get a statistically-significant sampling.

So it's not a percentage. It's -- basically it depends on what your site conditions are, and this is the basic approach. There can be lots of variations on this as we go through the scoping to do that.

But, yeah, the plan typically -- I mean, in order to do a whole survey, the best way is to follow up with the excavation. So we -- we want to do it in a systematic way. So, but yeah, there's lots of variations we can do. This is just a basic outline of how we would do it, you know, to insure that it's basically repeatable and provable and -- and a strong basis on which to base our conclusions.

Mr. Schonholtz - Comment and then a question, kind of follow-up on Jerry's question regarding the offshore. Does seem to me that, if we get a little more attention paid to offshore work, perhaps maybe one silver lining to the *Times Herald* news stories in that, if you look back at some of your RAB notes or minutes from many months ago, we've had some issues there about using some technology that seemed very inappropriate, very primitive, basically groping around in the mud by divers, that I don't think really were ever adequately resolved to the RAB's satisfaction. So if we get some improvement on that that would be a good thing.

A question then in terms of the FOIA requests that the Navy and EPA received. Do you know if they are -- if those requests are asking for specific documents, or are they just sort of a broad shotgun, give us -- give us -- basically give-us-the-keys-to-the- RAB-library type of request?

Ms. McFadden - Well, I want to say one thing at least is that, for the offshore sites, I was working on them long before May, so we didn't just start working on them on May 18th. We've been working on a lot of planning, and I was talking to a lot of my other Navy resources on, hey, what can we do with this? This is a challenge that we need to deal with, and we certainly don't want to, you know, to use your terminology, use somebody groping around to try and assess it.

We want to try to find something that everybody's aware of, everybody buys into, and it makes sense in order to address the issues we need to address. So I agree with you on that we want to find the best approach, and hopefully I'll be here to help answer those concerns of the RAB in the near future.

On the FOIA request, I don't know what ours is, but I do believe -- and Emily from EPA can correct me if I'm wrong -- that it was a broad request for all ordinance-related documents. And that was narrowed down by EPA, and I'll let maybe Emily speak to what EPA did. And I imagine our language is the same. I haven't seen it yet actually. And then we'll just work with her to, you know, supplement what they've already provided.

Ms. Roth - It was actually broader than that. Is this still on? It was broader than that, and it was all -- a request for all documents on Mare Island from 1990 to the present. And, of course, we could probably fill up this room with that, so I spoke with the requester, who is from ANG Newspapers in Washington D.C. that owns quite a few newspapers, including I think the *Oakland Tribune* and this paper, the *Vallejo Times Herald*, and we narrowed the scope down to ordinance documents and then just a few documents that -- that we're sending. And then I'll send those documents, and when she -- when they get a

chance to read them, if they are -- if there are other things, but -- then we can provide them at that time.

In the meantime, I think they know that the state has documents, and the Navy and the library, et cetera. So they'll be looking at -- at everybody's document repositories probably.

Mr. Dunaway - And we received the same FOIA request, Rob. It was basically a shotgun request for everything related to cleanup from 1990, so we haven't responded yet. We just got it in our hands yesterday. It took some time to get from our headquarters to us. I guess EPA's a little more efficient than that.

Ms. Roth - Just a little, but not much.

Mr. Dunaway - But we'll probably want to discuss with the EPA what they're saying. It doesn't make sense, and I don't think the paper wants to have two copies of the same documents, so Emily and I will be talking about that.

Mr. Gribble - Well, I have to say that you blunted my criticism of -- my main criticism of the UXO program, which is the lack of focus on the offshore area; and so I have to say I'm encouraged by -- by your making -- making moves towards putting that on the table again and dealing with that.

I'm hoping that, since the last time that we've -- we've discussed this or visited this -- this area, or this topic, that the agencies, meaning EPA and -- and State of California and -- and the services have -- have -- have evolved in their thinking more in the direction of convergence and so that we're not gonna have to crack this nut here at Mare Island as to how to deal with offshore-ordnance issues.

But if that's -- if that's where we end up, I guess that's what we have to do, but I'm hoping that there's been -- been a growing consensus of thinking from the -- all of those agencies in the interim. So I'm encouraged that -- that -- that you're wanting to discuss this again.

Ms. McFadden - Thank you, Chip. Any other questions from the RAB?

Ms. Hayes - I just wanted to follow up on -- on a couple of things that have been said. First of all, to clarify what Rob said about groping around in the mud or the river or whatever, you may not have been here when the validation studies took place. And we did have a presentation on those offshore validation studies by ECC, and I -- to embellish what Rob is speaking of, Rob was particularly vocal and concerned about something that I think expressed all of our concerns, that they were sending -- in the validation study, they were proposing or did send divers down in that river.

It might be appropriate in Kahoolawe, but -- in Hawaii where you can see for several, you know, feet, but it just didn't make logical sense that we would expose workers to that level of risk where you can't see, you know, your hand in front of you in that particular

river, to even be considering using divers to go down and, as Rob accurately I think portrayed, grope around looking for potentially live ordnance or ordnance-related anomalies.

So I didn't want to have you, because you weren't here, sound like you were brushing off what he had to say, because he's saying something in response to a very specific notion that was presented to us which we all had a tremendous concern about in terms of worker safety.

The second thing I wanted to alert RAB members and members of the public to is that the -- in one of the areas that the Navy has identified as -- as having anomalies that may or may not be ordnance -- and I want to stress that -- the City of Vallejo is talking about -- with the California Maritime Academy talking about having an aquatic education center there. If any of you are familiar with the one in -- at Lake Natomas in Sacramento, it would be a similar facility.

It would be built through funds granted by the California Department of Boating and Waterways to the California Maritime Academy. And I have been very supportive of that aquatic education center. I think it would be a very -- a tremendous benefit to this community in terms of providing boating-safety classes for small craft, including sailing classes, kayak, canoe-safety classes, and just an opportunity for a recreational boating program on the Napa River and centered right here in Vallejo. And I'm particularly pleased that they are considering a site at Mare Island because I think it will be an amenity that will be beneficial to the reuse of Mare Island.

Having said that -- and I believe the site is a good site. Having said that, that is another incentive that -- that this community will offer the Navy for taking an aggressive approach towards addressing the offshore issue, at least at that site. And then in a couple of other locations I think it's -- it's beneficial because those are adjacent to proposed regional parks.

Ms. McFadden - Thank you for clarifying, Myrna, and I agree the issue of reuse and exposure will always drive kind of our prioritization of how we address things. And -- and on the -- on the underwater issue, I just do want to acknowledge that the Navy trains EOD -- that's the explosive ordnance people -- to handle the ordnance on the land base, and they actually do have specialized training people to do that same thing under water, which is who would be doing that work, and we certainly would take the same precautions as we do on the land.

And one of the things they were doing in that study was to make sure that they could establish GPS or global positioning in the underwater environment because we still need to document and show what we've done.

But I do understand the concern that that may be not the best method to approach the cleanup, and we'll certainly consider that when we are assessing the best options to move forward. I appreciate that, though.

Ms. Krevsky - If there are no other questions of seriousness, I have -- I found something that some of the experts missed: 16-inch UXO. It's a dangerous legacy that we inherited from the *Times Herald*. I hope they have a sense of humor. I'm gonna pass it around. It's a relic. If you'd look at it closely.

Ms. McFadden - 16 inches is supposed to be diameter.

Ms. Krevsky - I know.

Ms. McFadden - I'm no expert, though.

Ms. Krevsky - That was intentional because they were confused.

Ms. McFadden - I think Diana wins again for the best RAB comment. I may be premature. You have the rest of the night.

Ms. Krevsky - I'm gonna pass it around. And it's inert.

Ms. Hayes - I just want to -- I just want to follow up on that. Not to steal Diana's thunder here, but a note that, disappointing as it can be, as of a month ago, when we delivered an electronic copy of the RAB's letter to the editor, as well as a hard copy, the *Times Herald* is so busy publishing all kinds of other, more important editorial letters to the editor that they couldn't find the space or the priority to publish the RAB's letter.

And that goes against -- that is an act of bad faith in my part -- as far as I'm concerned, because the editor bothered to call and take an hour and a half of my time and his time to discuss the -- the issues raised in -- in the dangerous legacy of articles. And we had a very spirited conversation, and one of his criticisms was that he had not at that point -- that -- when our conversation took place, heard a rebuttal or a response from the Navy, the regulators, or the RAB.

So in our effort to have a timely response that we hoped would be relevant to addressing some of the issues raised, it's -- they -- they have fallen down on the job once again. And I don't expect you to have a comment on that, Patricia, but I want to be very clear for the record -- and I believe there's a news reporter here tonight -- that you make sure and go back and tell the truth as you heard it tonight, and that is that I, as the co-chair of this RAB, feel that you have done this community a disservice yet again.

Ms. McFadden - I was gonna just say, Myrna, if they won't put it in, we'll pay to put it in with our ad.

Ms. Hayes - You might not agree with us. You better be careful.

Ms. McFadden - That's okay. I think it's worth having the opinion out there. If that's all, thank you.

Mr. Dunaway - Thank you, Patricia. And I know you have to run off. You have a class that starts tonight.

Ms. McFadden - So feel free to call me if you have any questions.

Mr. Dunaway - Yes. And I guess I just have the one comment. I know that we got briefed by DCC of the work that they had done in their evaluation. The divers going down underwater, they are trained to I guess acquire and understand what ordnance is from a field perspective. However, that's not gonna be a very efficient way to go about doing the work offshore.

The more substantial work that I think came out of that was the competitive process and evaluation of different contractors, or subcontractors, to DCC, basically putting together the latest technology from surface boats to try and detect things under the sediment, under water. And we had five -- I think they were five competitors. Two of them were outstanding, and this information actually is being looked at across the Navy, and Patricia even presented it at the last IR conference. It was also presented in the 2000 IR conference.

So Mare Island's kind of on a leading edge for R&D work for trying to understand what's in the offshore environment and how to approach that.

With that said, I'd like to move on to the next presentation and invite Kent up to present that. Kent is with a contractor to the Navy, Foster Wheeler. And if you'll all just welcome Kent up, he will present the topic that's on his agenda.

### **III. PATROLEUM EVALUATION AND CLEANUP AT ELEMENTARY SCHOOL**

Mr. Weingardt - I'm Kent Weingardt, with Foster Wheeler Environmental. We're a contractor for the Navy, remedial action contractor, and I'm going to talk to you tonight about a project that we're conducting for the Navy on Mare Island at the Mare Island Elementary School.

The first thing I wanted to point out to you is that, in the handouts you have, I have the presentation materials, but I've also included a fact sheet on the project. And the fact sheet, on the back you'll notice are all the key points of contact for this project and a map of the project site.

The primary purpose we put this fact sheet together in work with the Navy is we're giving -- in fact, tonight we're giving 600 copies of this to the Vallejo School District so that they can send out to the parents and other -- other people who are concerned that are associated with the school. So you can refer to this as I go through my presentation, too, so you'll have a close-up of the site map, 'cause we're going to be talking about that a little bit.

But basically what we are doing out here is the project is a petroleum evaluation and cleanup at Mare Island Elementary School. It's Delivery Order 94, and I'm with Foster Wheeler Environmental, as I've said before.

For those of you who don't know, the elementary school is -- is located kind of in the central area of Mare Island. I'll just walk over here real quickly. I was looking at this map earlier, and the school is kind of located right there if you want to look at the map a little bit later. I wanted to do a little bit of the site background, so I'll put this map up again that you have on the back of the fact sheet, and I'll talk to this picture of it over here.

The school is actually on Navy property right now. The school's been there for a while, and the Navy is in the process of trying to transfer this property to the -- the school district. I can't talk a lot about the transfer process -- I'm the contractor implementing the cleanup activities -- but if you have questions on that, the Navy can respond to those. But the reason we're conducting this project is to enable the site to be cleaned up so that the Navy can transfer the project.

Before the school was there, on -- on this facility, on this area, the site had two -- it was used for basically one purpose. It had two large fuel- storage tanks. One is located adjacent to the school property, and that was an underground storage tank, several-million-gallon underground storage tank. It was actually partially buried and partially aboveground, and an aboveground storage tank also for fuel, which was actually out in the school's playground area.

Both of the tanks were used for basically the same purpose: It was to store fuel oil, primarily a fuel pile that's known as Bunker C or a similar blend as Bunker C, and it's a very thick, viscous petroleum product that was used for primarily fueling ships and also used for power plants. In more recent years, these tanks were used for storing diesel fuel as well.

And the tanks are no longer there. They've been removed under other contracts, other cleanup activities. And most pipelines associated with those tanks that went out to the -- the ships or to the power plants or wherever they were distributed on the site have also been removed, but there's a few segments of pipe that have not been removed that we know about, and one that was -- one segment of pipe that actually run -- ran underneath Building 2001 that was removed during the construction of 2001.

But it wasn't removed as part of an environmental cleanup effort, so there wasn't environmental investigation done in association with that pipeline. So there's -- it's shown in red on the drawing, the two segments of pipe that do remain on site that we're going to investigate and remove where we can.

And there's also some petroleum contamination in the course of the investigations that were performed out on site, there's -- there are found some petroleum contamination out - - looks like it's associated with the AST that was in the playground of the -- of the

schoolyard.

And that's sort of the background that the school's there now. The pipes that are there are underground. The soil contamination is also underground, and most of the soil contamination that -- it's lower levels of petroleum contamination. They're below ground surface, and most it is actually under pavement, as you can see from this drawing. There is one area that there may be some soil contamination that may be not under the paved area of the playground. That's pretty much the background of the site.

So what we're going to do, the objective of this project is to first of all evaluate if there are any impacts from the abandoned or removed fuel-oil pipelines. And primarily we're gonna be concentrating along that pipeline that there was -- that was removed as part of Building 2001 construction: and make sure there are no impacts or releases from that fuel-oil pipeline that remained.

We're going to investigate around this small segment of pipe that runs in between Building 864 and 2001, and we're gonna investigate this area over here, this short section of pipeline that runs underneath 9th Street.

We're also gonna -- as part of that, we're gonna verify the existence of and locate any remaining pipelines. We're gonna -- the pipeline that ran under Building 2001 actually connected to this UST over here, so we're gonna -- we have not been able to find, through geophysical techniques or surface techniques, that that pipe is still there, but we are gonna go out and do some potholing or exploratory excavation to confirm whether or not it is there.

Same thing, we haven't been able to definitively locate this pipeline, which there is evidence that it's still there from some past work that was done by other contractors, and all the drawings that we've reviewed show that it's still there, but we haven't been able to definitively locate it, so we're gonna investigate that. Same thing with the pipeline that runs in the middle of the buildings there.

We are going to remove any accessible abandoned pipelines, and that pretty much narrows down to this one section of pipeline that we know about. It's accessible. It runs under 9th Street. The pipeline that runs under 2001 and in between the buildings there is virtually inaccessible without completely taking the building out.

So we're gonna do some sampling around that one, find out if there are any impacts, but it's not planning to be removed. And we're gonna remove the soil out in the playground area here that is known to be contaminated. There's been a lot of sampling activity that's been done in the past out here in the playground area, so we're focusing on removing the soil that we know is contaminated with petroleum.

So kind of just to reiterate the project's scope of activity, what we're gonna do when we're out in the field is we're gonna do direct-push borings with a drilling technique and acquire soil samples basically all along under -- we're actually gonna use an angled

boring technique to go underneath the building where that pipeline was located, and that's what's represented by these green dots along here, is the sampling locations where we're going to insert our direct-push boring. These aren't exact locations either; these are approximate. We're refining those, but they're approximately locations where we're gonna try and acquire samples with direct-push boring.

We're gonna do hand augering and soil-sample acquisition in this section in between the buildings here. It really isn't gonna be possible to get in there with a direct-push-boring rig because the space is too small. It's in between two buildings. But we are gonna get out there with hand augers and hand auger down to locate -- try and find the pipe and grab soil samples and analyze those soil samples to see if there's any impacts from those pipelines.

We're going to remove, as I mentioned, the petroleum-impacted soil near the former AST, and that basically boils down to four distinct areas where there were elevated levels of petroleum.

Outside of those areas is -- there has been some detected petroleum, but it's at extremely low levels. The only levels of concern are basically centered around those four green dots there. And the areas we're gonna excavate are approximately 50 foot in diameter, and the reason that was selected is because there are sampling locations outside of these diameters that show non-detects or very low levels of petroleum.

And then we're gonna do site restoration. Obviously, to do these excavations out here, we're gonna be tearing up the playgrounds and performing the excavations that are paved over right now. We are going to -- I think -- I don't think I mentioned that we are going to remove this pipeline here. Maybe I did mention it. So we'll have to restore 9th Street and the paving and the curbing that's associated with that, and, of course, restore all our boring locations.

Just a slide here to talk about some of our key project considerations. The first and foremost thing we want to do here is minimize the impacts to the school operations, and the main way we're doing that is by the second schedule -- the second bullet on my slide here, and that's the schedule.

All this work is scheduled to take place during school summer-break session, so we're very busy right now trying to coordinate this effort so we can get out there and perform the work when the school is out of session this summer. Site security's gonna be very important to us with these excavations, and fencing and secured means are planned for all of the excavations.

And then site restoration is very important. We're very focused on making sure we have the site very well cleaned up. We're very careful with all of the excavation and the transporting of soil and any potential contaminated media on site and that the site is well cleaned up and everything's restored to the conditions that they are now basically

The last handout that I had is a -- is a schedule, which you can't really see up here, so I'll just put it up for my benefit. It is in your handouts there. You can take a look at it. The key dates that are concerned really here is when we're going to perform the fieldwork; and, again, as I said, that's planned for the -- the summer break session of the school, which starts on July 27.

We're gonna actually start mobilizing things to the field. We have an area nearby the school but off school property where we're gonna set up a site trailer and some staging areas. We'll start setting that up the week of the 23rd, and then start our actual fieldwork on school property the 27th, when the school is out of session. Then we'll have to be complete with all of our restoration activities by September 7th I believe.

Just double-checking here. September 6th it says, according to the schedule.

Where we're at right now on the schedule is we've developed work plans for the project. The work plans have been reviewed by the Navy. The Navy sent them out to the appropriate agencies: the Water Board, DTSC, EPA. Those agencies have commented on the work plans, and in fact we've sent off resolutions to those comments and are working on those resolutions right now. We're really trying to expedite these things so we can get all our agreements in place with regulatory agencies and get the work plan finalized so we can be out there in roughly a month to start digging.

And I don't think I have anything else. Duane's shaking his head right. Okay. So that's all I have to say on the project basically. Any questions?

Mr. Riley - If I could just comment a bit, there's a substantial fuel-oil-distribution pipeline system that's at Mare Island which has been largely removed or abandoned in previous years by the Navy, and this is one of the first places where a contractor is sort of going back and doing some additional work. The Water Board is certainly pleased to see that.

We've commented on the original fuel-oil-removal report, and in this case the -- the removal actions at the school site here are definitely of heightened interest to us as a -- as a school site and given the -- the use of the site. And I'd certainly like to assure the RAB and the community that -- that the Water Board is -- is closely reviewing this, and, as Kent said, we submitted our comments and received response to those comments today actually. And those comments have centered sort of on the sampling frequency and some other sort of technical issues about the sampling so we can -- we can be confident, the Water Board, that this will be an investigation that's sufficient to answer the questions that need to be answered here. And we'll continue to -- to stay involved in this. That's all I have.

Ms. Hayes - Thanks, Kent, for your presentation. Maybe -- maybe between you and Gary you can actually tell us what your concerns are with petroleum. I mean, I've learned a little bit recently about natural attenuation and some other techniques that have been used to sort of reduce the -- the petroleum levels in soil, and I -- but I'm also just interested in why you think the school site is particularly important and what exposure

pathways there would be to -- to kids or if this is just an action that's being taken as part of the transfer, and then what liability the school will have, if any, in receiving that transfer.

Mr. Dunaway - You gonna take a stab at that?

Mr. Riley - I can take part of that, probably not the liability-associated-with-transfer issue, which I -- I may defer to -- to Jerry.

Ms. Hayes - Jerry looks like he's eager to answer.

Mr. Riley - Our concerns with -- with petroleum in general are like our concerns with any other kind of soil contamination, which would be a threat to direct exposure to people or a threat to contamination of groundwater. The petroleum levels that we've evaluated at this site -- we look at the levels of petroleum as diesel petroleum in motor oil on the site, and we also look at a whole -- we request sampling of a whole other suite of compounds, things that are sometimes associated with petroleum contamination that are of a greater health risk: benzene, some other volatile organics, PAHs, other chemicals like that. And the sampling at this site hasn't shown a lot of those types of -- of more dangerous sort of petroleum components in the soil, and groundwater's not really impacted at this site.

So our issue at this site is sort of direct exposure of petroleum-contaminated soils to -- to residential users, or children users, child users in this case, and therefore we'd wanted to see a fairly conservative criteria applied to this site, which might be more conservative than we'd use for an industrial portion of Mare Island or from say the old industrial core of the island.

So our real concern is to see that as much of the soil contamination as possible is removed, and this is definitely a removal action. These 50-foot-diameter excavations will go down to four to six feet I'm estimating. In this case it's the best way to deal with it, is removing that soil and getting rid of it. In terms of natural attenuation, like you've mentioned, there are processes that would sort of gradually degrade petroleum in soil or groundwater over time, but in this case removal is more effective. It happens sort of immediately rather than waiting around, and -- and given that it's a school site, that's perhaps the best way to deal with it.

Mr. Weingardt - And just the terms of the exposure -- in terms of the exposure, the target areas that we're removing there are the only areas that exceed the residential-risk-screening criteria for petroleum. All other areas are below. And in terms of an exposure pathway you talked about, really very low risk of an exposure pathway here because the contaminants are below ground. The biggest exposure-pathway concern would be direct contact, and this is -- like I said, it's pretty much virtually all under pavement, so there would virtually be no chance of direct contact for the school children out there.

But I think the Navy is taking a conservative approach in getting rid of the soiling that's

out there. They could've looked at other risk techniques and natural attenuation, and I think in a site that wasn't a school, those would be considered, but since it was a school, I think they're taking a very conservative position.

Mr. Riley - And if I could add, Myrna, the Water Board's comments centered on confirmation sampling, which is samples from the edges of these excavations, to make sure that all the contaminated soil above the screening criteria has been removed. So we felt that there should be sort of more sampling, more documentation that the removal has been effected -- has been effective. And that's -- that's sort of where our comments stand right now. That's what we're working on back and forth with the Navy.

Mr. Dunaway - I can also add to the risk issue, unlike the gasoline we put in our cars, the fuel that once was stored and -- and used here at this site was a type of fuel similar to maybe a diesel-type fuel. It doesn't have benzene in it or some of the other petroleum products that the gasoline we put in our cars has, and that -- that really has a much higher risk than this diesel-type or Bunker C fuel. It doesn't have the volatility of the gasoline, so from an inhalation standpoint, it doesn't have the risk as great as gasoline. And just from a -- contact, it's not nearly as risky as things like benzene.

On another note, as far as how we're doing the cleanup, we are taking a conservative approach, and that's not just because we're being frivolous with federal funds, but being a school site here in California, there's some -- there's special laws. There's a special law that I think was passed last year, or 1998, '99, where school sites have to go through a special evaluation, particularly I think new acquisitions, and because of that, the agencies have forced the Navy to be conservative. And we realize that we have to be or else we're just not gonna transfer the property, so we are taking a very conservative approach on this one.

#### **IV. Public Comments**

Are there any additional questions or comments to this presentation? If not, why don't we entertain any public comments, if there are any. If there are, we can provide a microphone. If not, we'll go right into a ten-minute break, and --

Ms. Hayes - And nobody should've put me in charge of taking Kent's place. We have no refreshments.

Mr. Dunaway - Well, enjoy each other's company.

(A break was taken from 8:04 p.m. until 8:22 p.m.)

#### **V. Administrative Business -**

**April minutes finalized, to be posted on Web Page.**

**Any additional corrections for May minutes were requested.**

Mr. Dunaway - We have a little bit of administrative business to go through, and then

into the focus group reports, and then regulator and our co-chair reports. And we have one addition, also, is that we have Lennar in the focus group reports providing an update to what they're doing. As you all know, we have awarded the Environmental Services Cooperative Agreement to the city, and they passed that through to Lennar and CH2M Hill, so they'll be making regular reports to the RAB now on the progress that they're making.

Under administrative business, we have the April meeting minutes. There was one minor change that I think Kent provided me. We made that change. The final will be provided I think to the RAB library.

I think that's how you wanted to do it, Diana? Final meeting minutes?

Ms. Krevsky - Oh, uh-huh.

Mr. Dunaway - And, of course, they're also going to be posted onto the RAB website that the Navy maintains for public access. So if there's no final comments to those minutes, they will be final.

You have the meeting minutes from May, and that was a fairly significant meeting. Diana provided some comments of correction. If you have any other comments or corrections, provide them to Myrna or myself, and we'll make those correct -- make those corrections.

## **VI. FOCUS GROUP REPORTS/DISCUSSION**

On to the focus group reports. Diana, you want to start with the community focus group?

### **a. Community (Diana Krevsky)**

Ms. Krevsky - Actually, I'll go back to May 10th, when we had our community relations plan meeting, the focus group, and didn't get to make a report obviously because of the UXO situation. But just in general, just a few notes.

We, the focus group, community outreach focus group, met with representatives. That was from the Navy, Tetra Tech, CH2M Hill, EPA, and DTSC. So we were pretty well represented. We went over some specifics of the interview process and the results. I'm not gonna go into it, but we -- we did kind of bring up questions and issues about that -- that process.

Then the other thing is, we wondered how the plan would be implemented and the Navy will follow through with all their proposals we were told that were put in the plan. And it was recognized that a joint effort between Lennar and the Navy would have to -- a joint effort to reach the community will have to be implemented because of the early-transfer situation. So -- so there was one possibility of creating a fact sheet together between Lennar and the Navy, and also to create some kind of coordination procedure to -- to make this work so there's not duplication.

Also, it was brought up that the role of the RAB will probably change in -- in light of the -- the fact that the reuse issues will become more important as Lennar is taking over the cleanup, and so it would be the reuse relative to the environmental cleanup. And so the reuse will become more important. We discussed that.

Also, they agreed to include more information about the RAB and the accomplishments that the RAB has done with their community outreach work. And there was a follow-up conference call between Myrna and I and Jerry and members of Tetra Tech to go over some of those accomplishments, including our newsletters, the tours, other letters that were written, et cetera. So that's basically all I have right now.

Mr. Dunaway - Thank you, Diana. I know one of the things we talked about with the focus groups for some of the RAB members is that they may be restructured possibly because of the activity with early transfer, and maybe we'll have focus groups that -- that may focus on Lennar or Weston or what the Navy has left. I thought that would be a something of interest to the RAB members.

**b. Natural Resources (Jerry Karr)**

Mr. Jerry Karr/Natural Resources - Several members of the RAB, on the 13th of June, we met with Pat Kelly from Weston and representatives of their -- all their subcontractors that are developing their environmental report on the proposed dredge reuse, dredge-pond reuse. And it was -- it was an evening well spent, I felt, in their spelling out what their programs are, their concerns.

And some of us had some concerns and questions based on -- on local knowledge of some bird populations and peculiarities of the marsh component around here, and it was met I felt well by all parties. Rob made numerous comments on soils components, and we talked about the migration patterns of the wildlife, and I felt good about their receptiveness to our comments. So it was a move in the right direction.

And once again, the focus groups allow what their name implies. We focus on one issue, and it's a little less structured than the RAB process. So I would like to see more of those as we focus in on these other issues, and perhaps a good topic for a focus group in the future is the processing of all the increased reports that the regulators are having to review from the early-transfer process.

I've had some ongoing concerns about staffing levels of the regulators and their ability from a timing standpoint, not -- not their ability to know what they're doing, I don't mean to imply that, but limited resources and just an incredible amount of work and reports for them to review. So I would like to see something in the future, a focus group on where that practice lies, what concerns do the regulators have, if any, 'cause I still have some continuing concerns that they have the time and resources to adequately review all the paperwork that you're getting.

Ms. Hayes - I just want to follow up with what you just said, Jerry, both in saying that I

thought that Weston really did a very good job of -- of attempting to address many of the issues that we have raised with them, and then follow up also with what you've just brought up.

And I know that when we in concept agreed as a RAB, the community members of the RAB, to go along with the Navy, the developers, and the regulators in -- in exploring the concept of early transfer, we definitely supported it in concept, but I think felt that the devil was in the details. And one of the issues that you bring up is whether the regulators can keep up with that -- that -- the accelerated pace and whether they have the resources, whether they're physical resources or support staff or whatever it is.

I know the state seems to be in a really big budget crunch right now. I don't know if that is, you know, making it difficult for you to -- to keep staff or to attract staff or -- you know, it seemed like a very ambitious project to early transfer these large parcels at Mare Island, and some of them being particularly complex.

And I don't think that -- that the RAB, while we've had some great reports, and I don't want to -- I think Lennar has done -- CH2M Hill has done a really good job of trying to keep us up to speed on, you know, some of the -- the issues that -- that they're dealing with in terms of the transfer documents, now is when the rubber hits the road, and when -- and we -- we need to be hearing, you know, how this grand scheme is actually being implemented and whether the public interest is being served in terms of -- of the regulators being able to -- to do their public-oversight job, as well as what role the RAB -- the community represented by the RAB at this point is going to -- is gonna play.

Mr. Rob Schonholtz - Yeah, just to add a little bit further to I guess the quality of the technical focus group, but -- report relative to meeting with Weston, I, too, will say that that was a very well spent meeting, that Weston had put a tremendous amount of effort into addressing community concerns.

A portion of what we saw them do was better presentation of their project, but I think far more gratifying, I think we saw some real movement in terms of improving their project, that we heard of some responsiveness to community concerns in terms of wetland issues and post-project land uses out there that were very positive.

We heard lots of geotechnical investigation I think was triggered by comments that we had made and led to a rethinking of their levee design to reduce geotechnical risk there, quite a number of other items concerning sediment management and that sort of thing. So I think we can all be pleased with the way that went, and especially with Weston's level of responsiveness there.

Although they've made a tremendous amount of progress, we did hear that there were a few things that they are still working on that I think are a concern to the community, probably the biggest of which being their -- their project's interface with Lennar's project and to insure that the Weston project has a minimal impact on Lennar's project, which itself is very important to economic recovery of this community. But overall, I think,

again, Weston was very responsive, did a very good job.

Oh, I also would like to just mention as well, one thing that Weston did was pick up an area that we weren't able to get the Navy to pick up on in the Navy's ecological-risk assessment, which was to look at the risks to shore birds, gulls, and so forth from disposal of contaminated sediments in this area. That -- that is an area where -- and, again, they were highly responsive picking that up and looking at it. So a commendment for that.

Ms. Hayes - Yeah. Just to -- a reminder about what the purpose of the RAB is. And we did have a really thorough presentation that answered a lot of our questions. It went on for as long as we had questions and concerns, and Weston did bring in a tremendous team of folks they had assembled to address this issue.

I just want to note that it is their plan in terms of reuse. I want to credit Lennar for having made a tremendous effort to discuss the issues around early transfer, the consent agreements, the land-use covenants, the more technical side of the early transfer.

And I just want to note that there -- there was a -- there is quite a difference so far in that Weston focused a lot of their energy so far on the dredge- disposal facility, and while we have concerns about that, we also have concerns -- at least I do -- about the contaminated areas that they would be acquiring and just the -- would like to be assured that we're gonna have the same opportunity to scrutinize the early- transfer documents and process as -- as we subjected Lennar/CH2M Hill to.

**c. and d. Technical and Transition Reuse (No report)**

Mr. Dunaway - Thanks, Myrna. On the technical and transition reuse, Paula and Cynthia are both gone. If no one wants to pick up on that, we can just go straight to the city report.

**e. City Report (John Cerini)**

Mr. Cerini - I'd like to say from the city's perspective, we found that the -- the aggressive approach that CH2M Hill has been taking on the eastern early-transfer parcel has been very good, and so I wanted to make note of that. And we don't expect property transfer before September though.

The Legacy portion, doesn't seem to be any progress right now with Legacy on the eastern early transfer, or their parcel. And you've already talked about Weston, so that's all I can say.

**f. Lennar Update (Gordon Hart)**

Mr. Hart - Howdy. Lennar's been focusing, in terms of the environmental cleanup and early transfer, on two main things. Completing the early transfer of the property -- we have already completed the early transfer of the responsibility for the environmental

remediation, but now we want to complete it and actually get the property. And the second thing is we -- CH2M Hill has been beginning a lot of work under the ESCA on starting the environmental cleanup itself.

In terms of completing early transfer, the three focuses at this point are we are -- we are monitoring the process of finalizing the FOSET, which is the Navy's process, and looking at comments. And as we think we can be of any assistance in talking to people about them, we are doing so, but basically we are monitoring that.

It's my understanding that a final FOSET will hopefully be out in July. The goal is to have the property transferred by the end of September. I think we are still -- that's still possible at this point.

The second thing is, there's a -- a surprisingly large amount of activity that has to be done to have a final deed, and boundary issues and easement issues and just a whole bunch of dotting the i's, crossing the t's, jot and title stuff to actually complete a property transaction of this magnitude, and that is going on.

And finally, there are the State Lands Commission settlement agreement still needs to be finalized irrespective of early transfer. It's a precondition of transfer, but it also had to be -- has to be modified somewhat from what it was going to be in order to accommodate early transfer. And we have been having regular and I think very successful meetings with the State Lands Commission, including one less than a week ago, and I think that's going well and should be able to be complete in order to have transfer of the property by the end of September.

And then there's the actual work under the ESCA that CH2M Hill has been doing. And Jerry's right, normally we'll have these reports be given by Jill Bensen or somebody else from CH2M Hill, and Jill couldn't make it today. Now and then Bill Moore and I might make them if there are environmental issues that are particularly environmentally related.

There's four I think major sets of activities going on, the first site-wide plans and site-wide documents for the -- all of Lennar's area that are required under the consent agreement, that is, four of those: The soil-and-groundwater-management plan that's already been submitted to the regulators later and coming to the RAB; coming soon on its heels are the community relations plan, which is very much building on the foundation of the Navy community relations plan; the quality-assurance and quality-control plan, which I'm certain I wouldn't understand but I'm sure some of you will -- that is the technical procedures whereby we verify that the work that is done is done correctly; and a very important document that will follow in a month or so, which is the site-control plan, the plan for securing the property and making sure that, during the cleanup period, there are adequate protections on access and people not getting into where they should not be.

So those are the sitewide plans that are ongoing. We are trying to get all of those in place before property transfer.

Second, there is a set of technical memoranda that we are just beginning to submit for each investigation area.

As you may remember, there are eight investigation areas that we have split the Lennar parcel into, and which are modified versions of the Navy investigation areas. And for each of those, the beginning of our process under the consent agreement, before a draft RI is done, is what we are now calling a site-identification technical memorandum. And the purpose of that is to do a final scrub on the 15, 20 years of Navy investigation that led to the identification of the IR sites, the Group 2, Group 3 sites, the UST sites, and the PCB sites, to make a final determination that -- it's actually a preliminary final determination that there's no other sites that we really need to be focusing on -- focusing our RI work on.

And those will ultimately, when a remedial action plan is done for an investigation area, be the sites where we will anticipate no further action being the recommendation. So that we want to do early so that we can identify anything that's been missed and get it in the process of investigation, et cetera. The first of those will be for Investigation Area A3, which is the north, westernmost part, near IR 08 of our property. But they will be coming in short order all this summer for each of the eight.

The third type of work that's being done this summer are two different no-further-action remedial action plans. We actually do anticipate, by January of next year, getting closure on two part -- on two investigation areas. One is Farragut Village, which is Investigation Area D2, and one is Investigation Area A3, which I just described, which is the area we now call IR 08.

Finally, we have been meeting with Gary and Mike Rochette and people of the Water Board to work out that schedule and approach for petroleum sites and the underground tank sites and have a schedule for making sure that that work fits in nicely and dovetails with the consent agreement work, the DTSC work. And we do anticipate that by the end of the summer there will be some submittals related to closing of certain RI sites. So very aggressive.

It's very exciting. We're actually beginning the work, and as far as we can tell, we're still on track at this point and -- for transfer by the end of September.

Ms. Hayes - Gordon, thank you for the update. It was instructive. Just 'cause this whole world is new and different, will the -- the RAB got -- I know I got a copy of that first document, the groundwater. Will we get a copy of your CRP?

Mr. Hart - Yes.

Ms. Hayes - And will we comment on it? I don't know what -- how this is gonna work.

Mr. Hart - Until -- the -- until property transfers, all the documents are being officially submitted under Naval letterhead, and -- 'cause the Navy still owns the property, and they

are still -- although we are doing the work, the Navy is submitting them under Navy letterhead and using Navy procedures. So until property transfers, there should not be any change in the way in which you've been getting things.

We also don't particularly anticipate a change afterwards. The community relations plan that we're submitting is in large part similar to the Navy's, and it will govern what we do afterwards. You will have an opportunity to comment under the same procedures you've always had with the Navy on our community relations' plan, which would then go into effect after we take title to the land.

Ms. Hayes - I guess the reason I brought that up, I'm not sure that we actually have an item on the agenda for the FOSET, but I think you're gonna say a little bit about it, are you?

(Mr. Dunaway nodded.)

Ms. Hayes - I know that one of my comments in the FOSET was, it wasn't clear how the public was gonna participate, you know, after ownership transfer, and wasn't -- it says something in the FOSET about public review in connection with the feasibility studies, which of course is -- it's necessary, but it's not sufficient.

And you know, I don't want to see us go backwards in terms of public access to documents and public participation, and, you know, I have some questions about, like whether you'll maintain the repository library here, you know, and some of those kinds of things. I haven't heard anything about what your thinking is on that, and it may be premature for us to be talking about that at this point, but at some point I'll want to hear what your thoughts are on that.

Mr. Hart - I'll give you the general assurance that it is our intent that there be at least as much access as there has been under the Navy. Second, what I would suggest, that we do a briefing on the community relations plan at the next RAB meeting, because that would be timely at that point. And I think I can speak for CH2M Hill on that that should be timely. And they can just walk you through what the proposals are, which do indeed speak to the issue of the information repository, for example.

Ms. Krevsky - About the fact that there are two community relations' plans, one for the Navy and one for Lennar, and we -- we did talk at a previous meeting about coordinating that. I hope in your presentation or part of the plan itself is gonna designate how that works, you know, what is the -- the line -- you know, are you gonna be overlapping your efforts, your public -- your PR work, what -- you know. It feels very confused right -- right now, so I appreciate seeing more about that.

Mr. Hart - I will relay that as it gets finalized, and then we can discuss it at the next meeting.

Ms. Hayes - If it would be helpful to your staff, in the past the community outreach focus

group and anybody who was interested has met with the Navy a couple of times, and I hope that you considered it instructive and constructive, and you might be interested in doing that. I know Jill was actually at one of those meetings, so she may have gotten enough information there that -- that she took it back and, you know, wove in some of the issues right into your CRP.

Mr. Hart - That was the idea, and -- and Jill brought I think the person who actually is primarily responsible for the CRP to that meeting. So that was the idea in attending that meeting, was to hear what was needed to be able to forge it. Now, my guess is that there will be some nuances that will come out of the review process.

Ms. Hayes - Okay. 'Cause the person she brought, her main -- only thing she said that night was challenging the RAB's charter. So hopefully she had some other issues that -- that that night came to her besides that. I think that was probably not really even relevant to a CRP.

Mr. Dunaway - No other comments? Thank you very much, Gordon.

**g. Regulatory Agency Update (Chip Gribble/Emily Roth/Gary Riley)**

And on to the regulatory-agency update. I added Gary to that, assuming that you will have something to say. It seemed to be the case for the last few meetings, so -- plus I added Chip and Emily, that we all know.

Ms. Hayes - Except for you have Bonnie Roth.

Mr. Dunaway - I still have her?

Chip, do you want to come up here?

Mr. Gribble - I'll just stay here this time, 'cause it's relatively brief and probably somewhat boring too.

Ms. Hayes - Oh, good.

**Mr Chip Gribble** - I've been working to -- working on the early-transfer stuff for -- for the Lennar parcel, as well as the Weston parcel, and the bulk of my time has been spent on pursuing allegations related to the UXO program. That's -- that's it. I'm done.

Mr. Dunaway - Bonnie? (laughter)

Ms. Hayes - She answered too.

**Ms Emily Roth** - Ms. Roth - Is this on? That's right, my name's Emily Roth, not Bonnie. We have been focusing on a variety of things. The -- by the way, we have our -- copies for people who didn't get it in the mail, we've got copies of our June 18 letter on the

FOSET, and I've got plenty of copies to share with anybody that didn't get it. And -- but we've been primarily focusing I'd say in the last month on the UXO situation and allegations; the dredge ponds; the landfill, though that's been in the past more than right now, current; PCBs. Carolyn reviewed the -- the school fuel-line cleanup and might want to say something about her comments on that.

And I'm -- it's interesting to hear some of your comments from the RAB members on your role under the Lennar parcel, because EPA's trying to figure out what our role is going to be with -- after the transfer to Lennar, because really right now we have no standing whatsoever with Lennar. And we expect to continue oversight of Navy work, but as soon as that's not Navy work and -- then we're not providing oversight anymore. And then the Lennar parcel is a very big parcel with many difficult environmental problems.

So we're concerned about that. We haven't quite figured it out. Typically, with a private party, EPA enters into a consent agreement with the entity conducting the cleanup. In this case, because we're not the lead agency, we're not sure about that as well. So more on that later I guess.

But in the meantime, Carolyn and I have been attending the Lennar meetings, and we plan to review the list of documents that -- that Gordon reeled off and gave us the other day. And he's -- they've given us other documents in the past, and we're -- we're trying to review them all.

But coming back to Jerry's -- Karr's -- comment, there are only so many regulators and there are only so many hours of the day, and Chip is up against this worse -- in a worse way than we are. But we're not gonna be reviewing everything, and we're trying to pick and choose where our efforts should be focused.

You want to add anything to that?

Ms. d'Almeida - Well, there are two of us, and I've already started looking at the groundwater, soil -- soil-and-groundwater-management plan that Lennar submitted last week, and today started looking at the Area D2 RAP.

So we're -- we are working on -- on that. I also submitted comments on the school work plan for the pipeline removal and the soil excavation, basically concurred with the Regional Board's comments regarding the sampling frequency, just added a few extra comments asking for more clarification and explanation of the soil-removal criteria that was selected for the removal, and also adding that they collect biased soil samples if they see anything that looks oily or stained, make sure that that -- that is looked at instead of just taking samples every 40 feet or however frequent it's gonna be. But those are basically the comments that we had, and plan to have comments on the soil-and-groundwater- sampling plan as well, or the management plan that Lennar submitted. And I think that's about it.

**Mr Gary Riley** - I'll make my comments fairly brief. The Water Board has been actively involved in the school site investigation, as I've already addressed, and we've been putting a fair amount of effort into working with Lennar and CH2M Hill on sort of creating a revised schedule for addressing sort of all the underground storage tanks and petroleum issues at Mare Island on a schedule that will align well with the consent agreement and also satisfy the requirements of a Regional Water Quality Control Board order that specifically governs UST and petroleum cleanups.

**Background:** The Water Board is the lead agency on the petroleum cleanup at Mare Island, which is a little different than DTSC being the lead agency on the remaining issues.

Also at the Water Board we've been commenting on a couple of UST reports, I think UST Site A190 as well as 993-4, where I believe the Navy's planning some action at 993-4. And we've also submitted our comments on the soil-groundwater-management plan, with specific focus on -- on the groundwater issues that are of particular interest to the Water Quality Control Board. And that about does it for me.

**Mr. Gribble** - I apologize, I -- I didn't really address Henry's activities. So if you will, Henry's been working on the IR 8 issues in Investigation Area A3, and has also been involved in the school site -- reviewing the school-site work plans, and then working with Lennar and -- and trying to develop a schedule for their -- their environmental activities. And since several of the people are here tonight that it would be of interest, I had a conversation with the school people here tonight.

I don't know that -- that this has been taken into account, but -- but -- and if it has, never mind, but the IR 23 site which falls on -- in other words, UST 772, which falls on Lennar property, that the school may -- may have some concern about that being done sooner rather than later as that may relate to their ability to accept the school property since it's an environmental issue adjacent to their property. So you may have to consider or you may need to consider trying to accelerate that in the schedule for Lennar property, the IR -- UST 772 in cleanup.

**Mr. Dunaway** - Thank you Chip, Emily, and Gary and Carolyn. We have just two co-chair reports left. Myrna, do you want to go first?

## **VII. Co-Chair Reports (Myrna Hayes/Jerry Dunaway)**

**Ms. Hayes** - Yeah. I'll be fairly brief. I ran across, in all my vast storage facilities, a copy of the ecological-risk-assessment workshop that was done for the RAB and the public June 1st of '96 by the UC Davis staff. So I've made a copy and have a little check-out sheet here if anybody's interested in taking a look at that, who wasn't present or wants a refresher course.

Also, I represented the RAB at a public meeting that was held this last Monday hosted by the Mare Island Historic Park Foundation, and the folks are interested in talking with me

about what was reported there by the Historic Park Foundation about their plans for the museum and acquisition of up to two vessels for the museum. You can talk with me afterwards.

I basically stressed to them or communicated to the public that night that the historic resources would be involved in the accelerated cleanup and be affected by the accelerated cleanup that Lennar/CH2M Hill plans and that they should be attending RAB meetings so that they can be kept abreast. And I'm hoping that that community will also be being brought in by your CRP activities.

And then I also did ask for some assistance in preparing some comments to the FOSET, so folks can take a look at what I wrote later.

**Mr. Dunaway** - I'll go through mine real quick. You should have a copy of -- of mine in front of you. And the first page is a BCT report, and it's really stuff that Patricia already talked about, so I'm gonna skip over that. But I do want to focus that we're probably gonna target July 24th, and we'll work with the RAB members for that presentation to city council.

Other activities that have been going on for the last month, we held an RPM meeting on June 6, and we talked about that IR 23 site at the elementary school. That really -- we got a lot of resolution there, at least tentative. What we agreed to do was redefine the boundary IR 23 to not include school property. We sent out a letter this week to formalize that proposal, and essentially what that does is it takes the CERCLA process out of the cleanup that we're doing out there.

This cleanup that was presented earlier today, if we were to follow the CERCLA process, we wouldn't be out there until next year. That's the benefit that we have been pursuing since August of last year by taking CERCLA off of the school site.

We also discussed the Navy's recent completion of the storm drain-cleanup fieldwork. We are basically assembling the data at this point and in July anticipate meeting with the agencies to discuss the results of that cleanup and basically what -- what does the data say, do we need to do more work, are we done. That's planned for July. We haven't set a date yet, but that's our target.

And one other significant item. Of course, there are several things we discussed at the meeting, but one of the more significant was DTSC's formal -- or request for a formal site-control plan from the Navy. We have been dealing with site control I guess more or less -- or less formally than a complete plan. We've used other formats for describing our site-control procedures. We agreed to doing that. We don't think that's a -- a major problem. And actually, I think with Lennar's plan coming -- coming through, we may do the same with that as they did with our CRP: We may look at that and use that same format, since that will obviously have gone through the agencies for approval, at some time in the future.

We had scheduled the next RPM meeting for July 18th. For some staffing reasons and -- and folks going on vacation and such around that time period, we're looking at actually not holding that RPM meeting and holding a BCT meeting instead, particularly because one item that needs to happen before early transfer that has kind of been brought to the forefront in the recent months is the need to amend our Federal Facility Site Remediation Agreement, and to do that we need to get a schedule established, which we haven't had an agreed-upon schedule since 1996 I don't think. So it's been quite awhile. We need to get that schedule formalized, and then we also need to actually change the language in that agreement, too, to reflect early transfer.

Program-status issues. Our community relations' plan is forthcoming. We did have a teleconference with Myrna and Diana on June 4th of this month. That was a follow-up to the May 10th RAB focus group meeting. The prefinal CRP is going to go out informally to RAB members, and then that would be unbound copy for the RAB members that have been involved in providing comments to the CRP, as well as to the agencies. They'll be receiving electronic copies.

The school-investigation cleanup. You heard the cleanup discussion earlier today. We are finalizing the work plan to get out in the field next month, and it will be full restoration before the next new school year starts. This work does support the transfer of the property from the Navy to the Department of Education, who will then allocate it to the Vallejo Unified School District. Property transfer isn't scheduled until sometime in 2002 to allow for this cleanup work to happen.

The early-transfer status. For the Lennar early transfer, you all know the ESCA was awarded in April. Work is well under way with CH2M Hill, as Gordon reported. The draft final FOSET was issued May 17th. The public-comment period ended on June 18th. We received comments from all the agencies, as well as ARC Ecology and Myrna. Some of the significant comments are listed here. One that we're working with DTSC on hopefully is to resolve some confusion on the governor's concurrence using the Navy's FOSET for his independent finding, that the state utilizes other resources to make their finding. That's something that we're looking to clarify very soon.

Navy remedy or Navy role in the remedy selection after transfer was another comment. PCBs is -- is definitely an issue, and I think we're gonna work directly with EPA on that one since that comment came from them. Impacts to public trust lands, we need to clarify some of that language or respond to it for clarification purposes, and, again, concern for public oversight or public participation after the transfer. The Navy's currently evaluating comments and developing responses. Our tentative plan is to have a signed final FOSET in July.

For the western early-transfer parcel, the official proposal was received back on January 31st. We've had several meetings to negotiate the terms of that ESCA. The final negotiation session was June 20th. What we're now waiting for is our -- our Navy staff at the highest level, at the secretary level, is still evaluating funding scenarios due to the budget constraints that are currently being experienced across the BRAC program. This

has been ongoing since April. We don't know when we're gonna get the answer. We're hoping this month, but that's coming very shortly here tomorrow. We'll keep you all informed.

Information's the same. It does exclude H1. The Navy will retain that as ownership. We will award the ESCA early, before the deed transfer, just as we did with Lennar, when that decision comes about from headquarters; and, of course, State Lands has been in the process, in the loop, the whole time.

**VIII. Public Comment - None.**

That's my report. Any final questions, comments from anyone? No public comments? If there are none, we'll adjourn the meeting. Thank you.

**IX. Meeting Adjourned at 9:09 pm (2109 HOURS)  
- Next meeting Thursday, July 26, 2001 7:00 PM (1900 hours)**