

**MARE ISLAND NAVAL SHIPYARD  
RESTORATION ADVISORY BOARD (RAD) MEETING MINUTES  
HELD THURSDAY, AUGUST 28, 2003**

*Mr Jerry Dunaway, RAB co-chair called the Thursday, August 28, 2003 meeting of the Restoration Advisory Board (RAB) to order at 7:11 PM (1911 hours) with Four (4 RAB members; Nine (9) Regulatory Agency & Navy Representatives; Nine (9) Community members and guests; and community relations staff from CDM, Inc., including Doris M. Bailey, Court Reporter, in attendance.*

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

**RAB Members in attendance:**

- Myrna Hayes (Co-Chair)
- Diana Krevsky
- Kenn Browne
- Paula Tygielski
- Connie Anderson
- Mike Coffey

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

- Jerry Dunaway (Co-Chair)
- Henry Chui
- Steve Farley
- Jill Bensen
- Emily Roth
- David Godsey
- John Cerini
- Gary Riley
- Dwight Gemar

**Community Members and Guests in attendance:**

- Diane Sarmiento
- Emma Popek
- John Bowles
- Amadeo Rossi
- Christy Smith
- Brenda McConathy
- Steve Farley
- Sheila Roebuck
- Kasia Grisso

**RAB Support from CDM:**

- Wally Neville
- Regina Clifford
- Doris M. Bailey, Court Reporter

The meeting was called to order at 7:11PM (1911 hours)

**I. WELCOME AND INTRODUCTIONS**

MR. DUNAWAY: Welcome to our August Restoration Advisory Board meeting. We have a packed agenda tonight and you'll hear a lot of, three different projects that are in the works or upcoming in the near future.

But before that, why don't we start out with introductions.

My name is Jerry Dunaway, I'm the BRAC Environmental Coordinator for the Navy.

**Attendees introduced themselves, as requested.**

MR. DUNAWAY: Thanks, Wally. We have three presentations. We're going to talk about the DRMO scrap yard overview. And the Navy is planning a removal action next summer. And so this is really just a heads up overview of that project.

We also will be talking about an update of the 9th and Tisdale petroleum cleanup that CH2M HILL is doing, partially on the Navy property, near the elementary school.

And then Dwight will be doing an update on area H1 and all the work that's going on there.

So I'm going to start with an update on the DRMO yard. And what I want to do is just start out with kind of an introduction of the team, and then bring up the folks that we have on contract who are, coincidentally have actually planned, also from CH2M HILL. Jaque is not able to be here, she was planning to be here, but Diane is with the Oakland office.

MS. SARMIENTO: I'm Jaque's substitute tonight.

MR. DUNAWAY: And substituting for Jaque is Amadeo Rossi who is from the Seattle office with CH2M HILL.

There is a handout presentation, summary like this on the table. And what this presentation is about is to just introduce the team, this new team from CH2M HILL to the RAB members, and then review the site history, the site use here.

Some of you may remember that it once was part of the eastern early transfer parcel, and at an early part of the negotiations for the cleanup agreement it got dropped, the Navy retained this site, but as part of that agreement we contracted with CH2M HILL so that there was some consistency on the cleanup site, so that they could basically work with the other counterparts working for Lennar, so that there's some integration of the cleanup with redevelopment, although this is a Navy project.

They will be discussing the current status, and then provide a general schedule for this planned removal action. And really the first item of business for the community members will be really the engineering evaluation and cost analysis that will be going out for public comment.

So with that, why don't I bring up Diane to start it off. Diane.

## **II. PRESENTATION: DRMO Scrap Yard Overview**

*Ms Diane Sarmiento*

MS. SARMIENTO: Thank you. We'll start a little bit with the DRMO site history and use. This is just a plate with some historic maps that illustrate the development of the DRMO site, which is at the corner of Dump Road and Azuar Avenue.

The 1940 picture you can see is, barely see, it's not developed as a scrap yard. 1944 it, there's extra fill placed between 40 and 44, and the DRMO scrap yard comes into existence sometime between 1940 and 1944.

The 1949 to 1980 use of the scrap yard, actually up until the 1990s, I believe. And during that time there was a building 715 that showed in the 1975 map.

And then 1980 it was removed.

And then the last photo is a 2003 current photo with, you know, basically the scrap and that stuff that's been removed.

This kind of summarizes the history and use pre-1900's. It was submerged off the western shore.

1900 to 1940 there was probably some deposition of dredge materials.

The 1911 map shows that it's off the shoreline.

In 1941 to 1944 fill was placed for use as a scrap yard, and then the buildings were constructed and it was used as a scrap yard by the navy.

It was used store military equipment, transformers, batteries, and scrap metal. Pretty consistent with other bases and DRMO.

Hazardous substances considerations. There's been a series of investigations done beginning in 1983 through the last one in 2000, which was the IA H2 remedial investigation by Tetra Tech.

Basically the sources of COPCs that have been identified are storage of metal scrap on the ground and paved surfaces.

Battery and electrical transformer storage.

Paper glass recycling.

Weed control.

There is an oil line that's been identified on the west side of Azuar.

And then storm drain lines that run through the site.

Metals, principally lead, and then minor amounts of antimony and arsenic have all been reported PAHs, pesticides. Primarily, those are generally fairly low levels, but they are detected in the shallow soil.

PCBs is another risk driver for the site in addition to the lead, and principally that would be Aroclor 1260.

And then there's TPH motor oil diesel.

This is just, it's going to be hard to see this, but I think what we want to illustrate here is basically there's been quite a few borings performed in this area. And the red dots represent lead concentrations that exceed, in the shallow soils area that exceed 242 milligrams per kilogram. So you can see in the shallow picture there's quite a few red areas.

And then in the next slide, this is from deeper than two feet, and there's three locations spaced out sort of arbitrarily over the site.

So the purpose of these slides is to illustrate that we're dealing with mainly the upper two feet where we have the concentrations of, the major concentrations of chemicals of concern.

And then this is the Aroclor 1260 PCBs. And you can see again the red areas, primarily in the bin scrapyard area, scrap yard bin area.

And then the next slide again is the greater than two feet. And I think there's one location on there that's in red. And those, that -- for comparison, the red dots were anything above one milligram per kilogram.

And now I'll have Amadeo talk about the munition.

*Mr Amadeo Rossi*

MR. ROSSI: Thank you. I'm just going to talk briefly about the munitions explosives of concern.

And based on the site history there's a surface clearance done in 1995 by SSPORTS, and one thing they found was a fuse from a cluster bomb.

Also in 1996, a radiological survey was conducted, and one of the things noted in the investigation was that metal debris and MEC was located within the top fourteen inches of the site.

Kind of a summary of what we know is that the risk at the general site is pretty minimal from the MEC material. And the site wasn't a range or an impact area, so there's no reason to have any buried material.

And then there's no dud munitions that have been found to date.

And the MEC is pretty much located in the top eighteen inches, along with the contamination. So again we're just dealing with the upper couple feet with regard to both the ordnance and the chemical contaminants.

The last slide is a schedule of the EE/CA, that's our initial report that we're going to start working on. And that gives the due date and also the public comment period.

Okay. And that's our presentation. And if there's any questions, we'd be glad to answer them.

### *Questions and Answers*

MS. KREVSKEY: What does ORS stand for? What is that? ORS, it's not on that page.

MR. ROSSI: Oh, ORS is ordnance related scrap. And that's scrap material that has been in contact with high explosives or still contains high explosives.

MS. HAYES: Just for people who don't know, can you explain what a dud is? Is it candy?

MR. ROSSI: It, that's a munition that has been fired but didn't detonate. So, yeah, like if a cannon fires something and the explosive charge doesn't ignite, it just buries itself in the ground to be found at a late date.

MS. HAYES: One of the reasons I bring that up is because in some of our ordnance training that we've had, the public has understood dud to mean something that doesn't work, so it is not live. And so any chance you get to explain what a dud actually is would be a good thing.

The other thing that I wanted to note on, I don't know what category you would put it on in your future presentations or reports, but on investigations or any kind of actions that have taken place on the site, you haven't referenced the RAB clearance that was done probably in '95 or '96 at that site. So I'd suggest adding that to your reports.

MR. ROSSI: Okay. Great.

MR. DUNAWAY: We'll take any questions if you have any. The reason we're going through them quickly is we did boil them down to be very brief and to the point.

One of the things I guess I could point out is where is this located on the base overall. And it happens to be at this intersection at Dump Road and Azuar. It's essentially, it's a very visible site as you're driving onto the base, and you go down Azuar, it's on the right-hand side at Dump Road where Weston is doing all the work down that road.

And it's basically one of the sites that's, that we hope to clean up, basically because of all the redevelopment working in that area to kind of clear the way so that it doesn't become; one, an eyesore; and two, a hazard during redevelopment.

Are there any last questions on that presentation?

Emily?

MS. ROTH: Well, I guess I would say that we, we were given a longer presentation the other day, and maybe I dozed off or something, but in our presentation you mentioned the cleanup, the proposed removal action, and there wasn't a lot of emphasis on that here. But there was a description of it in the presentation, in the briefing that we got the other day, and maybe you just want to mention that in passing.

And the thing I would like to state for the RAB is that today, in response to our having this briefing -- was it yesterday? Yesterday. I spoke with Tom Hall, our munitions expert, and he, he deems this mechanism that is being proposed, the screening mechanism to be, there's a big piece of machinery and it's going to shake the soil and allow the sorting of the MEC from the soil and that kind of thing. And he has seen this effectively used at quite a few sites.

And so there's, as far as he's concerned, no concern about the use of that instrument or, looks like a big truck or something. I guess it's like a -- oh, okay, and you probably know about that already.

MS. HAYES: Some of us might not.

MS. ROTH: So I guess just for the benefit of the RAB I want to state that we ran that by Tom and he thinks it's good. And also that, given the type of munitions that were found here, it's very appropriate.

MR. DUNAWAY: Thank you, Emily.

With that, I know I didn't talk a lot about the removal action. The EE/CA for public comment is not coming out for six months, so I don't want to overload you guys with too much cleanup information when the cleanup is several months out, or actually the public review document is several months out.

This was just a warm-up because this is the next big cleanup that the Navy has planned.

And so that's the reason why we're kind of being brief, we just wanted to give a quick overview of the history of the site and why we need to do a cleanup.

With that, why don't I bring up Steve Farley with CH2M HILL. He's working on the 9th and Tisdale petroleum cleanup, and there's been a lot of activity this past month on that site.

So I'll let Steve bring us up to speed on that.

### **III. PRESENTATION: 9<sup>th</sup> and Tisdale Petroleum Cleanup Update**

*Mr Steve Farley*

MR. FARLEY: Thanks, Jerry. Let me start off by just reminding everybody where the 9th and Tisdale site is. It's right out here. It's just immediately east -- or excuse me -- immediately west of the school site along Tisdale near the intersection of 9th. Tisdale is now gone, but it's located in this area of the base.

So tonight I'll spend ten minutes or so going through just a brief overview of the findings so far, and the things that we've accomplished in the field.

And then I thought the best way to convey the conditions out there is to show a series of photographs of the excavation that occurred over the course of the last three weeks or so. I think that helps convey the nature and extent of the contamination, you can see how far we've gone with removing the contamination.

Again, just a quick reminder of something that we presented back in June. The Tisdale area, the actual Tisdale Road is here, school site is over here. This sort of light pink line represented what we thought at the time to be the extent of the contamination exceeding 500 PPM. And it's not too bad. There's a couple of areas and we'll talk about them real briefly.

But down in this are some excavations to the south, and we're about out here now, and we still found a little bit of contamination in the sediment.

I'm going to kind of do this a little bit backwards to give you the final summary of where we are, and then we'll go backwards a little bit and look at the photographs.

But so far we've removed about 30,000 tons of contaminated soil. All of the visual evidence of TPH contamination has been removed from the excavation floor and walls except for the area to the far west. And I'll show you a photograph of that in a little bit.

We have collected soil samples from that portion of the site east of Tisdale, so within, fundamentally, the Navy property and up against the school. And all of those results have come back at concentrations less than 500 milligrams per kilogram, or parts per million.

The highest concentration is about 440 PPM. Most of the results are below a hundred. There's one or two that exceed a hundred, but they're all down less than a hundred. Several of them are non-detect.

We expect the analytical results for the remaining confirmation samples collected to date probably next week.

We're going to meet with the school officials tomorrow. I know that's a concern of a lot of folks here, and it was expressed in the meeting in June to make sure we keep the school folks apprised. And we're, we have a meeting tomorrow morning at 9:00 o'clock with the school, the principal, all the teachers to brief them on the status of the investigation.

And we're also discussing the next steps with the agency.

We had a very brief site visit, Gary Riley was kind enough to take a few minutes out on his way back from Sacramento today, and we went out and looked at the site. Okay. This is, this is a photograph, a very up-close photograph. The scale on this, this is probably six to eight inches. And what I, if it was a little darker in here it might be a little easier to see. But what we have here is a large mass of petroleum hydrocarbons, very black, very gooey, in the matrix of this light clay silt material.

And what we found while we were out there is that -- thank you very much -- is that the bulk of the contamination occurs in various layers, crevices and cracks. And in terms of the sort of gradient from the high concentration material into the matrix of the clay, it's a very, very sharp break. And that has contributed, I think, to the fact that the concentrations, once you get through the contamination, concentrations drop off very dramatically.

This is a photograph that we took just after we started the excavation. On the far right-hand side, over here, is the old stairs leading down into what was the parking lot at one time. I've shown the approximate -- and these, the property line that I show on here is approximate, but this is the Navy side. The school is off to your right. And this is out into the, what will be the central park.

Another photograph sort of from the opposite vantage point. What I wanted to show you is that we used a series of scrapers out in this area to remove the clean overburden, and move that material out to, onto the pre-load material which is off to the east -- or excuse me, off to the west.

This material here is a pile of large rocks that has accumulated over time, it has nothing to do with the 9th and Tisdale investigation. But this just shows that we removed the overburden until we got down near the contaminated soil, and then started our excavations from there.

This is a shot looking to the south. Property line is approximately right here. I think the important thing about this photograph is there was a lot of concern in some of the earlier meetings about the condition of this slope. The school site is up here, there's the jungle gym, and one of the portable buildings right here. And there was a fair amount of concern about whether or not there was going to be a large quantity of petroleum hydrocarbons that was going to be coming out of the wall of that excavation after we started it.

And as you can see here, or maybe you can't, but I assure you this, there was no large accumulations of petroleum hydrocarbons in this area. And in fact, I'll show you in just a second, right over in this area right here is where we found, actually in this area is where we found the bulk of the contamination. Let me rephrase that.

This is the area where we found the largest accumulations in a small area. Because the excavation is so large, the actual quantity, the actual mass of material is actually quite large, but this is an area where there was a lot of accumulation.

This is a view looking to the west from up on the school property looking down. I need about six hands to do this. In the boring program we identified this area which is a little bit to the north of where the stairs were as being an area where there was, we didn't have a lot of contamination, it was very shallow. And sure enough, when we got out there and excavated, this is indurated sandstone material. And once we got through the clay that was on here, the material cleaned up very, very quickly.

This is a view to the south. This shows the excavation wall. It's not abundantly clear, but what we found is when we did these excavations, as we cut down through -- this is about a ten or twelve foot excavation here.

And as we cut down, what we found was that there was a little bit of overburden left over, and there was clay. And then there were several layers, very thin layers of petroleum hydrocarbons that occurred in about an eighteen inch to two and a half foot band. And then once you got below that, the concentrations dropped off very quickly.

In this area, in general, although this excavation is concluded this time, we generally excavated down to the indurated sandstone in that area, we got completely out of the clay.

This is the area that I was pointing to a little while ago. This is right below the school. The stairs and the gate are right here. And this is about fifteen to eighteen feet. And this area right in here is an area where we found some of the largest accumulations, localized accumulations of petroleum hydrocarbons, and a fair amount of debris. There were chunks of pipe. There were pieces of wood. What I found fascinating -- there were telephone poles.

What I found fascinating was I didn't see a, a single board nailed to another board in this entire area, it was just loose pieces of wood. There were, it was just mainly just wood debris.

This is about what it looks like today. This photograph was actually, well it's actually a series of photographs that I stitched together. This is a view actually looking a little bit to the northwest. The edge of the excavation is right along here, moves across this way, and then around and back to the school site. This area right here is an area where there was a

large, a large outcrop of rock that we uncovered. That would be right there, wouldn't it? There we go.

What's important here is the distribution of the hydrocarbons. If you can see right in here, although it's difficult to discern on this, you can see this black staining here -- well there's actually a break geologically right in through here. And this, these hydrocarbons again, as I mentioned before, are in these very, very thin layers. And this is just additional evidence of that kind of distribution. All of this material has since been removed.

I'm going to try to zoom in one more time here. There's Mike Godwin, one of my guys. I hope that was worth it to you all.

What we have here is just; I want to just again point out what we're observing in the field. This is the, about the eastern, western limits. We're about another twenty feet in the westerly direction from this point. And if you look real closely you can see some staining here, here, here. Essentially this is, this marks the horizon where most of the hydrocarbons occur.

And what you're seeing here is as the day gets warm, when you have a cut in the excavation, this stuff just kind of oozes out and drips down the side of the excavation.

So the real, the real point that I would like to draw everybody's attention to is that most of the contamination is a very, very thin band, maybe a couple feet.

MS. HAYES: Steve, is that water?

MR. FARLEY: Yeah. You know, we're not sure, to be candid with you. I believe some of this is very localized water, I could scan back over this way. But in this area where the bedrock was that I showed you, there was some water sort of trapped in pockets over there. And over on the, right about over here, there was an old drain that came down off the school site, and they watered the lawn to the dickens. And so we had a tremendous amount of water that accumulated about right there.

And it was just, every night we'd come back and there would just be -- so we finally plugged it up and moved a line and all kinds of stuff. But it took us a few nights to figure it out. I'm telling you, they watered the lawn well over there.

This is sort of a last activity that we did as of, what's -- Tuesday? Thursday? Tuesday. This is, we lovingly refer to it as the knob. But this area in here was sort of that ivy covered slope right where 9th and Tisdale came together. And this is that little knob I was showing you before where the hydrocarbons were kind of coming out of this boundary between the geologic units, and you can actually see it right in here. Well, all of this has been removed.

So based on what, what I see out there visually right now, the only place where we have visual evidence of hydrocarbons anywhere in the excavation walls is on the far western end. Everything else there's, it's been cleared visually. We're collecting clearing samples and that sort of thing, but it all looks pretty good.

And I think the real fortunate thing here is that the distribution of the contamination appears to be essentially in step function. You're in it and out of it very, very quickly. It's probably about three feet down you get to it.

So that's kind of the status. We're pretty well done with things we think, waiting for the rest of the analytical results to come back. Meeting with the city -- or excuse me -- with the school tomorrow to brief all the teachers, answer any questions, address any issues.

The other thing is that there's been a silt fence put up all along the fence on the far western side of the school site, try to keep the kids' anticipation down. It was actually put on the inside of the fence. And as Jerry pointed out earlier, it will help, we hope, keeping the kids from climbing the fence and go out and get a soccer ball.

So that's the status of things. I'd be happy to answer any questions.

### *Questions and Answers*

MS. KREVSKY: Just more of a comment. I think it's really helpful to see a human figure relative to how much you're digging up there cause --

MR. FARLEY: Yeah, you know, it's a very large excavation. The other thing is, I've been out there so many times I know how big that excavator is. But it could be this big. I'd like to point out that that bucket is almost a five yard bucket, and we could put half of us, we could put several of us in there and we'd be comfortable.

MS. KREVSKY: And then one more question. We're you going to follow the, the deposits underneath, towards the school underneath their property? Weren't there samples being done to see, to dig further down?

MR. FARLEY: Jerry's going to address that, yeah.

Anything else? Yes.

MS. HAYES: Well, Adam Chavez and I happened to be out, and we saw your trucks rolling and rolling and rolling. There were lots of vehicles leaving loaded, with their tarps all very carefully covered. And so once I got the idea of what one of those trucks looked like, later in the evening, like 9:30 at night, I saw one rumbling along Tennessee Street towards Mare Island.

So that got my curiosity up, so I followed it. And I got in trouble with John's crew out there because they waved me through and then later noticed I had a dog with me, and they were going to tell me not to have a dog in there.

But I followed the truck, and it went over and sat idling for a while, not in the, with the group of other trucks, but over on your work site.

MR. FARLEY: This was at 9:30 at night?

MS. HAYES: Yeah. So I'm just curious. And then he eventually went around with his buddies and smuggled up and -- but I got in big trouble, but it was interesting.

MR. FARLEY: I think the interesting part was that you got in trouble.

MS. HAYES: That's not interesting to me, it's typical.

MR. FARLEY: We had a lot of trucks. And I'm glad that, I am tickled to hear that the ones you saw all had their tarps on 'em. They would, we had a station down by building H66 where they would go through and they'd be swept and made sure there wasn't any dingleberries hanging off of them, and put the tarps over and that sort of thing.

And then they would drive up to not quite to G Street, and they would pull off over there and the guys would tighten everything down and make sure everything was, you know, in line before they left the facility.

We had, on the average, something like 150 truck trips per day, something like that. Well, three hundred truck trips, one in, one out. We had just about every truck you could find in the Bay Area.

MS. HAYES: It looked like it.

MR. FARLEY: A lot of those guys, they're sleeper trucks and, you know, and they pull over and they would find a spot. Because the work started basically at, you know, not quite at dawn, but 6:00 o'clock, 6:15 there were trucks rolling out of there so -- okay. Thank you.

MR. DUNAWAY: Thanks, Steve. And yeah, that is a tremendous amount of work. They're doing a really good job out there, and they got the work done up against the school site in time for school to start on Tuesday. And hopefully there won't be any impacts, or at least it will be some distance away from the school where it won't be an impact to the school operations.

The Navy had gone out there last week with Tetra Tech and took samples.

You heard Steve talk about samples up against this wall here. That chain link fence was kind of like the driver for how far east we could go. We did not want to go tear up the

school playground with school starting next week. So they started the excavation cut right at that fence as close as possible, and the samples along there basically all came back clean based on the criteria we're using except for one, and that's good.

What the Navy was doing last week was taking samples further east of there. And there were eight boring locations taken, with several samples within each boring. And those are at the lab right now. We should be getting the data back in September. And basically we have samples as far back as about 75 feet from this wall. So we think we have all the samples we need to demonstrate the limits of this petroleum, which should be very limited based on the data that we saw in that wall. But that's essentially what the Navy is doing is characterizing the eastern extent.

Any questions on that? We'll be reporting more on that data and actually the finishing touches on this project next month.

So thanks again, Steve. And what I'm going to do then is just introduce the next CH2M HILL team -- oh no, I'll introduce the next presentation team, that's Dwight Gemar.

MR. GEMAR: I'll work for anybody, just pay me.

MS. HAYES: He's a one-man team, and doing an update on area H1. And he'll touch on pretty much all the different things that are going on there.

So Dwight, thank you very much.

#### **IV. PRESENTATION: Area H1 Update**

*Mr Dwight Gemar*

MR. GEMAR: Thanks, Jerry. I'll be giving an update on one of three areas that Weston has responsibility for to provide environmental services on behalf of the Navy through a contract with the city.

And I'll be talking about area H1, which is roughly in the west central part of the island. And here is a photograph, which you should have in your handouts as well.

H1 encompasses, I think, about 160 acres, give or take, and includes several different historic disposal areas.

One of the largest and most prominent -- oh, by the way, this is Dump Road, affectionately named Dump Road.

And this area over here is known as the facility landfill. It's about 35 acres and it used, as its name implied, as a landfill from the forties through the late eighties, and encompasses roughly about 35 acres.

On the western portion of that landfill, in this kind of raised area here which you can see a little higher topography, that's known as the RCRA landfill.

And that's because after 1980 any waste containing RCRA hazardous materials were placed on top of the facility landfill in this western portion. So that's roughly about 22 acres, and that's considered a RCRA regulated unit by the state. And I'll be talking a little bit about RCRA later in the presentation.

To the north of the landfill we have a former industrial wastewater treatment plant, and some former surface impoundments, which also operated after 1980, receiving industrial waste from throughout the island. And that's also considered a RCRA regulated unit.

And although you can't see it in this drawing, from the boundary of H1 here up to the IR, or out to the industrial wastewater treatment plant there's a single pipeline that fed the plant, and the state also considers that a RCRA regulated unit.

And that line is probably going to be of some interest also to the IR team because that continues on into the eastern early transfer parcel. So I'm sure you'll have fun with that. We are.

In this area here there was a former oil disposal area of several acres where oil was dumped from the 1940s into the 1960s and then backfilled.

Down in this area there was some lead oxide disposal areas as well as on top of the IR 02 site or the oil sump area.

There's some demo debris area here.

And also there's some historic dumping along here and over here in the south part of pond one.

This area over here is a former sanitary sewage treatment plant and a pond.

And then there's also some wetlands that basically surround the area known as wetlands C, B, A, and D. And there's also a small wetland area in the disposal area here called wetland X.

So I think that covers most of the goodies in area H1. So what I'm going to be talking about today is basically four subtopics that are the priorities for area H1.

The first being time critical removal action, which we had talked about three months ago at the RAB meeting, which will involve the implementation of a vertical groundwater containment barrier and groundwater extraction trench around about seventy acres of area H1 containing the landfill and some other things.

We submitted an action memorandum to the state, and they're currently, the agencies are reviewing that as we speak, hopefully.

We also plan to do a construct ability test in September of one of the alternatives being considered, which is a slurry wall. And that will also help to firm up the selection process for the appropriate technology to be employed for the vertical containment barrier.

Also going to be talking about the draft final soil and groundwater remedial investigation status which includes our data gaps sampling plan.

And also, although I won't get into it in any great detail, we're also anxiously awaiting from Gary some input on the, from the Regional Water Quality Control Board on the beneficial use determination for the groundwater in that area. So hopefully it's at the top of his pile, and hopefully the Weston pile is at the top of the other piles, but we'll find out.

Also I'm going to touch on the wetlands delineation that's been made for area H1, wetlands mitigation plan and biological assessment under development and as well as I mentioned a few RCRA issues that have come up recently.

The time critical removal action that I mentioned is going to address some known groundwater impacts in the area of the landfill, and also the surface impoundment and waste oil disposal sump which are the more heavily contaminated areas within the area H1.

This is considered a priority because of its proximity to the State Lands property which, as you recall, was the western early transfer parcel that was transferred to the state last year, and that property now adjoins to the landfill area, as well as some sensitive habitat areas surrounding the landfill area.

We also, as part of the evaluation we'll be looking at two different approaches for the vertical containment barrier; one is a soil Bentonite slurry wall, and the other is a polyethylene vertical panel approach.

And I touched a little bit on this back on my presentation I think it was three months ago at the RAB. But just as a refresher, a slurry wall consists of a typically a three foot wide trench that's dug down into the underlying clay material, in this case the young bay mud, not to be confused with the old bay mud. But this is typically about 20 to 25 feet down, give or take.

And the excavator removes soil down to that depth and sets it next to the trench. And then water and bentonite slurry is pumped into the trench. And bentonite is a clay which tends to swell tremendously when it's mixed with water and forms a very highly impermeable slurry. That's used to hold the trench open as well as to form a impermeable or very low permeable cake on the interior of the trench.

And then, as the excavation moves further away, in this case to the left, the soil that was excavated from the trench is mixed with some more slurry, and then is developed into a consistency of basically like wet cement, if you will. And then that's basically pushed into the excavation, and is used to backfill the trench.

And then, of course, that displaces the slurry, which is then reused over and over again as the trench proceeds. So this ends up being, as I mentioned, about a three foot wide vertical material that's very, has very low permeability.

And of course, in our case we already have quite a low permeability with the clays that are out here, so this is really just going to augment that. But any debris or any other interferences or preferential pathways that might be present would also be removed in this process because you physically remove the soil. So you get to basically look at it as it's being taken out of the ground.

The other approach that we've evaluated as part of the action memorandum is vertical polyethylene panels. And I'll pass this around. But this is basically an interlocking joint of a polyethylene panel that has been used in a number of installations where you drive a panel, which also consists of material that's anywhere from eighty to a hundred mil thick, happens to be 60 mil thick. And the manufacturer will attach a wedge shaped piece to the, to the panel, which is about six feet wide, and this, and a steel plate is inserted into this wedge.

And it's actually, and they use a rough repertory hammer on a crane typically, and they'll just pound this down into the ground, which carries the sheet down with it. And then when they reach the desired depth they'll just pull out the plate that slips into this groove and this, of course, will spring out and will lock in place basically, so the panel, the plastic, the polyethylene will stay in place.

And then they move six feet over or whatever the width of the panel is, typically they're six to eight feet, and they'll slide the next panel into that interlock groove, and will vibrate another sheet down.

And you'll just keep on moving along, vibrating sheets of polyethylene into the ground as you move along.

So that's been used at some sites. I believe Hunter's Point employed that technology at one of their sites. I'm not sure; several others have also. So it's been used in the area, although it's not as common as slurry walls.

Based on our bench scale testing that's been completed to date, the slurry walls show excellent results, permeabilities are typically in the range of five times ten to the minus eight centimeters per second. Typically the goal is anything less than one-tenths, ten to the minus seven.

So we're getting good results with the bench scale tests that we've done on the slurry wall. Also this is a fairly cost effective technology. And it's proven technology, it's been in use for years. And it's used in levees, for example, in the Delta for keeping, you know, from leaching out through the dikes.

And also one of the other advantages is you also get a continuous geotechnical cross-section of the area that you're building your trench, because all of the material is actually removed from the trench, and you get to view it as it's being constructed.

The polyethylene panels have sometimes unlimited depth depending on the soil conditions. If the soil is too hard to vibrate the panels in, that can be a problem. Also the debris or the presence of debris or refusal, which basically means you run into an obstacle and you can't drive through it, is another problem with the panel approach. And you do have the joint about every six feet, so if you have any problems with the joints that can be an issue

One of the advantages, though, of the panels is that no excavation is required. So if you're in an area where you're next to a building foundation or you're next to a school or whatever, and you don't want to expose the soil to the atmosphere for any reason, you know, the panels do have an advantage.

At this point I think we're leaning toward the slurry wall approach.

So basically I'd like to conclude on this topic with the milestone of the schedule for the time critical removal action. There's a lot of steps that need to be taken care of. And I guess the color of the dates is not very good on this slide.

But we're shooting for a public meeting in late October.

And proceeding with the work in December.

And since Chip is not here, at least I'll defend by saying that he thinks this is an aggressive schedule, but I think it's doable. If it was easy everybody would be doing it, I guess.

Next topic is data gaps sampling plan. When we submitted the remedial investigations, both the draft final groundwater remedial investigation for H1 and the draft soil RI, we received a number of comments that felt that there were still some areas that could be, additional analysis could be performed.

And so we've taken a look at that in order to respond to both the RAB comments through the TAPP grant professors as well as the agency comments. So we're trying to address all that in a next round of, and what we hope will be the final round of sampling.

And the objective of this is to obviously further refine and characterize the nature and extent of contamination outside of that proposed containment area, which is the slurry wall I just mentioned.

And finally, we want to define any risk-based hot spots for potential future removal actions.

I show on this slide a number of monitoring wells. We already have quite a number of wells in the area that we plan to -- in some of these, the ones that are shown in the green are sampled on a quarterly basis as part of the landfill monitoring program.

But we also have a number of other wells that we can sample. And a number of these are not sampled on a very regular frequency, but we do plan to sample most of these wells in the next round of sampling in order to try to get the most current information available before we finalize the RI.

And then this is a busy slide. But again, if you can see this blue line here, that's the proposed alignment for the vertical containment barrier. And everything inside that blue line will obviously be contained and will have a groundwater extraction system that will be placed inside the containment barrier.

And so the advantage of this barrier, of course, will be that it, the groundwater that's inside this area cannot get in -- or excuse me, cannot get out. And also, it will be a barrier for anything obviously trans -- or going from either direction.

So for example, one of the advantages of a slurry wall would be that that nasty contamination at 9th and Tisdale won't be able to get into my landfill. So I didn't think about that as an advantage -- ahh, just kidding.

There's some orange hot spots that are difficult to see, but there's a number of areas that have been defined in the soil sampling as being suspect, so we're going to go back and take a look at those areas, as well as some other areas to get a good spatial distribution of sampling. And we hope that that will suffice to respond to the comments that we received on the RIs.

We're also going to check for emergent chemicals, which are defined by the water board as some certain water soluble and highly toxic compounds. Typically these are associated with former and active military and manufacturing facilities, and often include things like rocket propellant and some solvents, hexavalent chromium.

And finally, the overall objective of the data gaps sampling plan is to try to complete the RI and move onto the feasibility study.

And as General Patton said, all good things must come to an end. So we hope that after two decades we can complete the RI for H1 and move forward.

The next topic I'll briefly talk about is the wetlands delineation, mitigation, and biological assessment.

We have submitted a wetlands delineation of H1 and submitted that to the Corps of Engineers. That's the first step under a nationwide permit, it's called nationwide permit number 38, which is for wetland impacts in relation to the cleanup of hazardous waste sites.

Under the landfill, or the presumptive remedy for landfills, which is containment, we plan to impact approximately seven acres of wetlands associated with these disposal areas. And so because we're going to be impacting these wetlands, we're going to need to mitigate those impacts by creating new wetlands to offset those impacts.

Finally, because of endangered species concerns, we are developing a biological assessment to address any potential impacts to the Salt Marsh Harvest Mouse.

And this slide is, just shows the hatched areas which are existing wetlands, and then we show some acreage associated or adjacent to those wetlands which are some areas that we are proposing to develop into new wetlands. So basically we're going to tie some upland areas that are adjacent to existing wetlands, remove those upland areas, and try to generate additional wetlands.

And this happens to be in the north, kind of the north part of the site. This is pond three west over here, and these are the other ponds. So this is to the west. And this is along the eastern boundary. And this is wetland A here. And this is the demo debris area, which is a fairly large upland area. And this is the old fire training area.

And then finally, last topic is some RCRA issues that have come up. The original RCRA boundaries were not very well defined from a legal standpoint, and so one of the requests from DTSC has been to survey the actual boundaries of the RCRA regulated units and submit those to DTSC for agreement.

And based on our discussions, they're in agreement with the proposed areas, we just need to go out and now survey them and submit that in a formal manner to DTSC.

And it will basically include, as I mentioned, the RCRA landfill, the surface impoundments, and the industrial wastewater treatment plant, and the pipeline treating the industrial wastewater treatment plant.

There was a recent inspection back in February that RCRA initiated of area H1, and they noted some violations. And we have a response in progress, but I'll conclude with just an update on some proposed corrective actions based on their initial findings which, some of which may be disputed.

But the bottom line is we think that we will be increasing the frequency of sampling of the intermediate and deep water bearing zones.

Typically we only get sporadic hits of these deeper zones. We typically, so what we typically focus on is the shallow surface water. But because of some comments, we will be doing some additional, stepping up our frequency of sampling of these deeper zones.

We're also going to be addressing the nature and extent of contamination and emergent chemicals through both the data gaps sampling plan and the finalization of the remedial investigation.

And finally, the industrial wastewater treatment plant, since the state considers that a regulated unit, they feel that it should either be monitored or removed. And we favor the removal approach, so that's a matter of further discussion. But at this point we'd prefer just removing the pipeline rather than trying to remove or monitor it, I should say.

So that's what I had. And I'll be happy to try to answer any questions.

I guess I said it all. Okay. Very good.

Thank you.

*Mr Jerry Dunaway*

MR. DUNAWAY: Thanks, Dwight, that was very thorough. And I guess one thing I would point out, I know we're putting a wall around that whole landfill area.

And one is the concern if contamination is deeper, well would the groundwater pumping that will go on inside of the wall, it will create more like a suction for, if any pathways occur in the deeper zones underneath the wall and other water bearing zones, it would draw it in as kind of a suction, and then get handled through the extraction of the groundwater.

Wow, I was very worried about three presentations in the first hour. We got through that fairly quickly. I think with that, why don't we take our break? Unless there's any other comments, questions from anyone? Let's take a break and try to resume at 8:15.

**(Thereupon there was a brief recess.)**

MS. HAYES: As usual, it's hard to come back to a meeting because we have so much fun in the break. But let's see if we can get home at a reasonable hour as we were here way too late at the last meeting.

#### **V ADMINISTRATIVE BUSINESS - (July minutes distributed)**

MR. DUNAWAY: Okay. I think we can get through ours here in the next 35 minutes. You have the July meeting minutes in your packet. If you have comments, please pass

forward the comments of those minutes, otherwise they'll be finalized and published on the Navy RAB website.

Thanks for your comments, John.

Myrna is handing out a flyer for a proposed Restoration Advisory Board site tour. And we have the date of October 23rd -- or excuse me, October 25th, Saturday. We hope that date will work for you all.

We have a few sites there that we want to take you all on. The area that the Navy is working on in the Ridge should be well underway. 9th and Tisdale, you heard about the work that Lennar is doing. The Navy is working on production and manufacturing in the south shore area.

You won't see too much in the offshore, but we'll certainly point out the areas where we've been doing the geophysical survey work. And I'll talk a little bit about that later on. And Lennar's work at investigation area D1. I think we wanted to include H1 on here also, so --

MR. GEMAR: I'm hurt, Jerry.

MS. HAYES: Yeah, I don't know about those guys.

We'll probably include H1. And you'll probably see a dirt pile out there, but not sure if you'll see that trench under construction by October. I don't think so.

We should have the work plan out there, so that may be during the public comment period.

MR. GEMAR: Yeah.

MR. DUNAWAY: So go ahead and read through the flyer and RSVP if you can. Let me know if you think of any other areas that you might think is important to look at at that time. We're going to mail out any extra copies to the RAB members who couldn't make it tonight.

And with that, why don't we go into the focus group reports.

And Diana is always up first. I should change that around sometime.

## **VI: FOCUS GROUP REPORTS:**

### **(a) Community**

*Diana Krevsky*

MS. KREVSKY: I don't have a report tonight; we didn't meet.

**(b) Natural Resources**

MR. DUNAWAY: Thank you, Diana. Jerry is out on their 37th --

MS. HAYES: 38th.

MR. DUNAWAY: 38th wedding anniversary tonight up in Portland, Oregon, so he's not here. I don't know if others want to do a natural resources report for him?

If not, why don't we move to our technical report. Paula.

**(c) Technical**

*Paula Tygielski*

MS. TYGIELSKI: I've been out of town but I know that Leah has been working on setting up some meetings soon, like next week I think, the 2nd?

MS. KREVSKY: The 2nd.

MS. TYGIELSKI: Okay. So there's a meeting planned for the second at --

MS. HAYES: At Lennar's.

MS. TYGIELSKI: At Lennar's? Okay.

MS. KREVSKY: 6:30.

MS. TYGIELSKI: So I don't have too many details of it yet, I forgot to check my e-mail before I came here.

MS. GRISSO: Sorry, I'll give you the details. The meeting is next Tuesday night at Lennar's offices. It's going to be in quarters K, I believe that's a change from where we've held it in the past. It will be on the actual corner of 9th and Walnut. This is Lennar's current -- is it current offices? Yeah, Lennar's current main offices. And so it will be Tuesday night from 6:00 to 8:00 p.m. Everyone is welcome. And the subject will be essentially the big picture of Lennar's plans and CH2M HILL's environmental remediation work for them.

Is that enough information for folks? And there will be some refreshments provided.

MS. TYGIELSKI: Thank you.

MR. DUNAWAY Thanks, Paula.

**(d) City Report**  
*John Cerini*

John, you want to do a city report?

MR. CERINI: I have no report for tonight.

MR. DUNAWAY: Nothing to report.

**(e) Lennar Update**

Lennar, Jill Bensen. Jill has been out.

*Jill Bensen:*

MS. BENSEN: Everyone stole my thunder. Presentations, Kassia. I was going to say that we have the Lennar focus group meeting Tuesday, and that we've been excavating -- (thereupon there was noise interference). It's the thunder.

And then there's a RAB tour coming up in October. See, I've been gone but I know what's going on.

Here's the RAB update. And essentially --

MS. HAYES: Would you try wiggling that switch?

(Thereupon there was a discussion off the record.)

MS. BENSEN: Okay. As summarized in the handout, the primary activities that have been ongoing over the last month include the seven interim removal actions that were presented back in the May RAB, and also underground storage tank removal activities. Those are all ongoing. Some are in different stages of completion and confirmation sampling.

And rather than going through each one, I think I'll just let you read the handout.

If you've got any specific questions, I've got my friend here, Steve Farley, to answer them.

Anything you want to add about these?

MR. FARLEY: As Jill mentioned, we've been pretty busy lately with IRAs, interim remedial actions, and UST removals. These are things that are completely separate from 9th and Tisdale, for example.

The range of sites range from pump stations to small localized areas like in IR 1 on the east side of the sports complex, buildings, it's quite a range of things.

The work at pump station number twelve, we began some excavations, or excuse me, the initial excavation activities have been completed, we're waiting for some feedback from EPA on that.

IR 01, two areas. One is the area east of the sports complex, we finished the excavation, backfilled it.

The crane test area, which is actually described on the back side of your handout, we got into that work and decided that we needed to reevaluate some of the nature and extent of the contamination, so we're looking into that a little more deeply.

We've completed some excavations at buildings 690 and 461 and pump station number one. We had to go back out and redo some or extend the excavations a little bit, we're waiting for the results of that second round of analyses.

IR 19 we completed a large removal of concrete foundation at that location, and did some soil excavation based on visual observations, and we're waiting for the results back on that.

And then building 461 we completed some soil removal around the outside of the building. We're going to hold off on completing the remedial action anticipated in the work plan because of some decisions about whether or not the building is going to stay.

For the underground storage tanks we've removed tanks at four different sites. At two of those sites there were two tanks, so there was a total of six tank locations. And those tanks have been either removed or looked for and not found.

So, for example, the USTs 102 and 142, we dug around and couldn't find the tanks. So we think we're done, but no tanks were located.

So that's kind of the big picture. If you have any questions I'd be happy to answer 'em. It was a very, very busy time, and we got a lot accomplished.

MS. BENSON: I guess there was one more activity ongoing over the last week or two, and that was some work that was done on a fuel oil pipeline near the school site. And they went in just recently and removed some asbestos that was wrapped around the pipe, and then there's some black tarry looking material that was stuck on the pipe. We sampled that to see if it is asbestos or not. Waiting for that data to come back to determine what needs to be done with the pipe itself.

And then on the far north end of the pipeline they discovered a large concrete vault that's about eight feet below ground surface, and it's got some oily water inside of it. Samples were drawn, it appears to have some oily soil adjacent to it, so we're looking at some activities there as well.

I don't know, Gary, if you were out to see that this week or not? So that's ongoing as well.

Any questions for CH2M HILL?

MS. KREVSKY: Where is the concrete block vault?

MS. BENSEN: The concrete vault is on the north end of the fuel pipe that they're working on near the school site.

Steve, can you --

MR. FARLEY: Yeah. It's, have you driven in along the north side of the school? You know where the fence makes a bend and goes to the north? It's right there. And the utilidoor has, there were actually a couple of steam pipes and a couple fuel, oil pipelines, they run perpendicular to the road coming in. So they run essentially north, south, right there where the fence bends.

And we, it's fortunate that we were able to get in and pop the covers off on the utilidoor. You can actually look down and tell, it appears that the pipelines end literally at the fence line, maybe a couple feet on the south side of the fence line. So they don't appear to go a great distance into the school site.

MR. DUNAWAY: Is it accurate to say that it came from the old tank that was just north of the school site and it's going south?

MR. FARLEY: Yeah, it appears that way, although it's, we didn't see any connection, physical connection between those pipes and the old tank. They were actually cut off about 30 feet north of the fence line and capped with a concrete plug.

MR. DUNAWAY: So just a short segment?

MR. FARLEY: Yeah, just 30 or 40 foot long sections of pipe.

MS. ROTH: Steve, are you talking about us when you say you're waiting for something from the EPA on pump station number twelve?

MR. FARLEY: That's what it looks like, huh.

MS. ROTH: U.S. EPA, Cal EPA?

MR. FARLEY: I don't know specifically.

MS. ROTH: What is it?

MS. BENSEN: It's a PCB question.

MS. ROTH: So it's a PCB site? So it's one of the letters?

MS. BENSEN: Right.

MS. ROTH: And which one?

MS. BENSEN: On pump station twenty. I don't know, I'd have to look.

MS. ROTH: Okay. I'll look for it, thanks.

MS. BENSEN: We'll squirt you an e-mail and let you know.

MR. FARLEY: Yeah, we'll shoot you an e-mail and let you know.

MS. ROTH: Squirt?

MS. BENSEN: Yeah, squirt.

MS. ROTH: Does it have another name like a building number?

MS. BENSEN: I really don't know, I'd have to look it up.

MS. ROBECK: I actually know a little bit about that.

MS. HAYES: Can you say who you are?

MS. ROBECK: I'm Sheila Robeck with Lennar. I actually spoke with Jeff about that today. And he, what he told me is that the, that there was notification that was really to go to DTSC because it was for something that was outside in the soil, and EPA was copied on it, but wanted it to be in their format. And so I think it's more a format issue than anything at this point.

MS. ROTH: Okay. Thanks.

MR. DUNAWAY: Just to clarify, the asbestos is not associated with the fuel oil pipeline, but the steam lines that used to run in there, is that accurate?

MR. FARLEY: Yeah. But there was some wrapped around the fuel oil pipelines that they checked to make sure that it wasn't asbestos and they --

MS. BENSEN: That's the black greasy?

MR. FARLEY: Yeah, that's the stuff we're talking about.

MS. HAYES: Thank you, Jill, and thank you, Steve.

**f) Weston Update (Cris Jespersen)**

And next is the Weston update. Cris is out, I think we've had a pretty thorough update for the future, but if there's anything else you want to add, Dwight, you have fifteen seconds.

***Dwight Gemar***

MR. GEMAR: I don't know, I'll try to speak really, really deep since Cris isn't here.

But we didn't complete the third quarter groundwater-sampling program this month. And the annual sampling of the dredge pond sediment is also planned for probably September.

Under the Weston early transfer parcel RAB we are required to go out there once a year and sample the sediment to make sure nothing has significantly changed from the conditions that we previously have had out there. So that will be done in September.

And the agencies have commented on the slurry wall constructability test procedure, and just had some minor comments which we've addressed and sent back to the agency.

So I think that we should have a go for hopefully the week of September 8th to do the constructability tests for the slurry wall.

That's about it.

MR. DUNAWAY: Thanks, Dwight

**(g) Regulatory Update**

MR. DUNAWAY: And now onto the regulatory update. Henry, you want to go for DTSC first?

***Mr Henry Chui***

MR. CHUI: Not really much to report, just that we're, I'm busy working on closing a number of USTs and PTB sites, and then also finishing up my review of the two RR reports from Lennar and that's the area of B and H 2. And I think that Chip is going to be start working on the OPOD stuff, I think fairly soon, so I think that's what he's working on right now.

So other than that --

MR. DUNAWAY: That OBOD range I had reported several months ago back in December we were looking to start a public comment period for it, and EE/CA, and that's so that the Navy can handle ordnance or treat ordnance out at the open burn, open detonation range.

Because of the Marine Corps fire removal action, the need for having that facility operational is more important, so I think we caught Chip's attention on that. And we'll be putting that one out also within the next few months, probably before the DRMO EE/CA. And I'd already talked a bit about that in the December timeframe. So we haven't heard much, but it probably would be a refresher next month, so I'll note that.

So how about Emily or Gary?

*Ms Emily Roth*

MS. ROTH: Ladies first. The chairwoman and I have written some letters this month. We got a letter out on building 680, the PCB, with respect to the PCBs. And if people are interested in that I've given a copy to Myrna and Diana so they'll have our comments on that.

Another one was buildings 944, we had a letter sent out just recently. I think today I sent a letter out on the Marine Corps firing range action memorandum that, but I won't say anything about that because Jerry doesn't even have it yet, and we approve of that.

Let's see. Carolyn went out and looked at 9th and Tisdale and -- but anyway, skipping all that. We've been doing the same things everybody else has been doing.

But the most interesting thing that happened this month is that EPA put out a memo that reverses their previous interpretation of the prohibition on the distribution and commerce.

And if everybody can think back and try to remember what that was, what it was was an interpretation of TSCA to apply, and in TSCA is a prohibition on the distribution in commerce of PCBs.

And EPA interpreted that to apply to land or real estate transfers. And that was the wedge that EPA used to demand the consent agreement that we currently have with Lennar and Hill that governs the cleanup of PCBs on the Lennar parcel.

But it was so controversial that people complained. And in fact, there wasn't a lot of consistency in the way this interpretation was applied nationwide. It seemed, I shouldn't say arbitrary, but it wasn't, let's just say it wasn't being consistently applied. We noticed that as well.

And the agency has withdrawn that interpretation, and they believe that PCBs will be cleaned up well enough without it.

So there is now no longer, I think it -- it was probably always a weak way to get the leverage to demand PCB cleanups. And although weak, it was effective. Now people in the TSCA programs are a little less sure about what their wedge is to demand cleanup after or before land transfers. But our headquarters is telling us not to worry about that, they're sure that PCBs will be cleaned up under TSCA the regular way, whatever that way is.

So I do know, Jerry helped me make some copies of this tonight, so we've got extra copies for people if you're interested in having, getting a copy of this new policy statement from EPA headquarters.

MS. HAYES: How many pages are there supposed to be?

MS. ROTH: It should be six.

MS. HAYES: I only have five.

MS. ROTH: Did you only get five?

MS. HAYES: Oh, well. Okay, I can get you one that has six.

MS. HAYES: I was just getting to the good part staff.

MS. ROTH: And Mare Island is mentioned in particular. And interestingly, they call Mare Island a ship repair site. What? So I want you to know that I didn't put those words in there, you would have --definitely Mare Island is something more than a ship repair site, but I guess it was also a ship repair site.

But anyway, yeah, you might be interested to read the history of the interpretation, some examples of when it was applied and found in different letters, etcetera, and then this decision to revoke it. Enough said.

MR. DUNAWAY: So Emily, as a party to that consent agreement, the Navy played a role in that and signed up to it, does this decision affect it, nullify it, the consent agreement, that is?

MS. ROTH: I don't think so. A consent agreement applies once it's signed. And I, that's our interpretation.

Now Jill, have you been thinking about this much? A consent agreement is a consent agreement, and once you sign it, even though we might have been the last horse out of the barn, or whatever the phrase might be, I think it's, it's a valid consent agreement and we certainly think it applies.

MS. BENSON: It's working? It's working. Well, when you think about the consent agreement final order, it really accomplished three things, it, at least in my opinion.

The first two are that it clarified that it was okay for the early transfer to proceed under TSCA, and then that continued use authorization or something that looked and smelled and tasted a lot like it would be available to subsequent landowners.

And that it did not, the prohibition of distribution and commerce did not apply necessarily, I think it was more of an agreement to disagree and those two issues were set aside. And so those were two key things that needed to be in place for the eastern early transfer to go forward.

The third component of the CA/FO that's accomplished is that it clarifies how the TSCA regulations will be applied at the EETP.

And with kind of the gray zone between the mega rule and the old cleanup standards, how those are applied at Mare Island, given that much of the Navy's cleanup activities and sampling activities took place prior to the mega rule, although the mega rule can't be retroactively enforced, created quite a business of concern on our part as to how we were going to be regulated.

And so the CA/FO does clarify that, and it lays out specific processes and procedures and pre-approved activities and a clear way to get to closure. And so I'm not sure that we would want the CA/FO to go away, I think that's something that's in place and allows us to move quickly through the process and it clarifies what's required.

And so those, in my opinion those are the three things that it really accomplished for us, and so we needed to have it in place at the time for the early transfer to happen.

Thanks.

MR. DUNAWAY Thanks, Emily.

I wasn't sure how or what Mare Island's reference was, so thanks for the update.

And Gary, you're last.

*Mr Gary Riley*

MR. RILEY: You've seen a large discussion of the 9th and Tisdale cleanup site, it's a large petroleum cleanup site that really all the agencies have put a lot of effort into the last couple of months to make sure that could get off the ground and be well along the way, and school starts next week so we don't have impacts to the school.

And I don't have much more to add other than to update or perhaps provide a non-update to the RAB on the serious budget crisis that the state is still facing.

It, there are a lot of unknowns as to what's going to happen at all the state agencies, including DTSC and the state and regional board system in terms of staff reductions and the like.

And the latest guidance I know I've received from my agency management is that they do not foresee a way to resolve the problem without staffing reductions and personnel cost reductions. So at least at our agency I think that that's expected.

Those decisions will be made in mid-September. So perhaps at the next RAB meeting I'll be able to still be here, but perhaps only for one more RAB meeting. So it will be interesting to see how that shakes out, so stay tuned.

MR. DUNAWAY: Thanks, Gary. I understand the first layoffs begin September 15th, if any?

MR. RILEY: Yeah, well actually 30 day notifications would be issued on September 15th, and then those employees would be laid off October 16th is my understanding.

MR. DUNAWAY: Jill.

MS. BENSEN: Yeah, the Lennar and CH2M HILL staff has been working with a number of other folks behind AB 1700, a bill that's out on the floor today that is proposed to protect positions within the regional board and DTSC that are not funded through the general fund.

And so to the extent that we can all join in and support that to hopefully get it through, that will hopefully protect folks like Gary and Henry and Chip.

Thanks.

MR. DUNAWAY: What bill number, AB --

MS. BENSEN: 1700.

MS. HAYES: I'll report on that.

MS. BENSEN: Myrna will report on it for us.

MS. HAYES: Steal your thunder.

MS. BENSEN: Steal my thunder yet again.

MR. DUNAWAY Okay. Thanks, Jill.

Thanks, Gary.

## **Vii. CO-CHAIRS' REPORT**

Myrna, you and I are left.

### ***Ms Myrna Hayes***

MS. HAYES: Yeah. Well, you stole my thunder, so it's a great game we're playing here tonight.

Actually I just have several things. One of them is that Sheila Robeck from Lennar did send over a letter on Tuesday that I thought was an excellent letter. It's a lot more specific than the letter that was sent to us a couple months ago from Tustin that basically just said please keep the staffing levels up at DTSC and the regional board because they are somewhat self-generating positions.

But this one is specific to the Assembly Bill that is offered jointly by a John Laird and then our local representative, Patricia Wiggins.

And I can send this letter around, it's a sample letter. And I'm going to be recommending to the community members of the RAB some additional wording.

Basically just to note for the record that it isn't just the Lennar parcel that was benefitted from a Navy grant for environmental cleanup, that it also would include the Weston early transfer, and that property as well that will be affected by a staff reduction.

So this legislation basically says that since the federal government has already funded Mare Island through its cleanup, through grants, and that the state has already agreed to those, is the language that I would also add to this letter, you know. That the Governor signed an agreement binding the state staff to regulate that, you know, that we support this bill.

So I'll just pass that around. For some reason I didn't, my request for electronic copy went into outer space or internet space, and so we'll want to know -- Jill, you said it went, it was on the floor today, so we want to know if our letter would be timely if it was sent.

MS. BENSEN: I don't know if it was on the floor today, but it's getting close.

MS. HAYES: I'd like to know if you can tell us what the timeline is that we have to receive an electronic copy and make our modification and submit it.

MS. BENSEN: We can find out tomorrow morning and send that out.

MS. HAYES: Thanks. Speaking of DTSC, I just wanted to note that I received a faxed copy a couple of days ago of a letter that I think Jerry's probably going to have in your report on the Mare Island Strait offshore use restrictions from DTSC. You'll have that in your report?

MR. DUNAWAY: Yeah, I'll talk briefly about the discussions that we had.

MS. HAYES: Okay. Okay. Then the only other brief presentation I have this evening is that the ubiquitous green sand has appeared again. And I mentioned this to John.

Adam and I were on a visit to, and I won't make you guess where it is like I did everybody else, but we were on a visit to St. Peter's Chapel the day before yesterday. Everyone knows St. Peter's Chapel? And the back in the lawn has this nice dose of green sand in it, right behind the building. So I thought maybe the landlords might want to go out and take a look at it.

I could show you where it is, but it was pretty amazing. Chip said that there was green sand on the parking lot across the street from it when Dick Logar was our BEC, and he suggested that the Navy swept that up and put it away, so I don't know where it went -- it might have gone behind the chapel.

But this might also, this might also be from some trenching that might have been done for land, I'm thinking for putting landscape faucets or sprinklers in. There's some large landscape sprinklers there. There's also a small building that looks rather recently built that houses the church's heater. So it might have been from disturbing the soil and building that structure.

But anyway, it's always exciting to see where green sand appears next.

And that's it for my report.

*Mr Jerry Dunaway*

MR. DUNAWAY: Thank you, Myrna. I'll go through mine briefly here. And I'm handing out my slides for an overview of what work the Navy has been doing for the last few weeks here. And we had a regulatory meeting, our RPM meeting on August 7th.

And just to highlight some of the projects that we focused on, one of 'em Myrna mentioned, but the first one I wanted to highlight is that we reported at the end of last year we found some paint cans out at the Fish and Wildlife Service parcel area, and we're planning to do something about it.

Prior to going out there and addressing just that site we thought it might be prudent to get a bigger picture view of the whole parcel. A lot of that area is difficult to access, vegetation grows pretty tall, and we didn't want to trample all over the place out there.

We finished a infrared and aerial survey or aerial photo efforts of that area and some adjacent areas around it, and we have those maps or those photos available and we're assessing or analyzing those photos right now because they're for other areas.

We see small areas that they need to get some foot reconnaissance done. And essentially once we get a handle on what areas we do want to go out and take a look at, we'll then go out with equipment and see what we can do as far as sampling any kind of immediate removal work and such.

So that work would probably be upcoming over the next few months here, and I'll keep you updated on that.

What Myrna mentioned on was the discussion of waterfront activity. I believe it's obvious that we have some more ships or larger vessels at the waterfront at Mare Island. I think it's called the Independence Norwegian Star or Norwegian Cruise Lines has a boat there through some organization, working with them to refurbish it.

And that sparked a bit of interest about how we're controlling the activity on the waterfront, because the Navy still is doing assessment work on the sediments underneath that water for the piece of water that we own which goes out a couple hundred yards from Mare Island.

And we've been working on the sediments for quite a long time. We have a report that we issued last week actually to propose additional sampling. And what that reuse activity had suggested to us is that, is the data being preserved with all the ship activity?

There are newspaper articles talking about the Independence actually sitting on the sediment at very low tides, and does that really cause a problem for us in our investigations?

And so we're looking into the possible need to develop use restrictions for the waterfront so that our sediments aren't impacted, and that we can continue on investigating without any disturbance to the data, or disturbance to the sediments, contamination caused by current activities that would be hard to detect or differentiate between what the Navy is trying to determine from our use of the waterfront. So that had a fairly lengthy discussion.

So thanks for pointing that out, Myrna.

We met with Lennar today actually and discussed that. And we'll certainly be looking more into what kind of work we need to do in the future.

Our next meeting is scheduled for next month on the 11th. And again, that's open to RAB members if you're, if you have the opportunity to make it at 9:30 in the morning at building 535.

The southern offshore geophysical survey work. Some of the RAB members actually got to go out there this past month. I believe Diana, Myrna, and Jim went out and took a look at the work.

We also had visitors from some of the work that we have in the Navy up in the northwest area for a site called Jackson Park.

We had a visit from the Washington State Department of Ecology, I believe is the name of their organization, along with U.S. EPA region ten visiting the site, along with our own regulators from,  
I think --

Gary, you were there? Along with DTSC and EPA.

So that's caused quite a bit of interest. It's very innovative. There's not too much of this work going on in the Navy, so there's folks really looking at how successful this is.

With a lot of effort to just get started, I think John has been able to get up to twelve percent accomplished of the actual survey work, with the bulk of it left, but it's projected to be completed by October 15th. And then a draft report of that work would be issued in December.

So we think maybe by November, end of November, at the RAB meeting the last month of this year we might be able to give you kind of a more comprehensive report of what we found out there.

MS. HAYES: We can say what we found out there.

MR. DUNAWAY: I'm surprised no one mentioned it. Would you like to say anything?

MS. HAYES: Yeah, maybe Diana might want to as well. But I thought it was a very informative tour. We saw an osprey up close, and that's one of those guys that Wally's been monitoring for years, so that was really fascinating. And we walked on one beach where we got to pick up shells, Diana can tell us about that.

We didn't get to pick them up, we only got to look at them we only got to see them, see shells.

MR. DUNAWAY: I forgot I had photos, too, to pass around, too, from the jaunt.  
Thanks, John.

MS. KREVSKY: I think the highlight was Myrna putting on some mudders and getting her picture taken.

I don't know if it's in here, but.-- And the other thing that struck me is it was interesting to see the workers out there kind of heave hoeing the surveyor out there in the mud. And just seeing it firsthand was really worthwhile.

So thank you.

MR. DUNAWAY: We have a photo of some of that mud flap work in there.

MS. HAYES: The shells were fifty caliber and smaller pieces of, remnants of them. So apparently that's not a size that's of concern, but it was kind of interesting to go along and find 'em, see a bunch of them on the beach.

So I can see why the regulators are concerned that the public will find trophy seeking of interest out there because it is pretty irresistible. And I think education by itself is not going to do the trick.

I don't, I'm going to trust you that there's nothing to be concerned about about a piece of an old fifty-millimeter -- I mean a fifty caliber. But I still say that you have some responsibility to the community because that was an ordnance manufacturing area for so long, that in perpetuity I'd like to encourage you to consider our idea of working with us to possibly have some kind of permanent ordnance education facility.

And we like to call it Diana's name of Bomb Museum, but that's just the concept of it. But something where the artifacts that have been found at Mare Island could be ensured that they would actually be on view and be educational and instructive to people.

And I personally am not in favor of it just going into a, the larger collection of Mare Island historical artifacts. And I know Patricia is just assuming that it's going to go to the Mare Island Historic Park Foundation.

But I'm concerned that it's much easier to tell the story, and it's much more compelling for long term the city education if those actual materials are available. And I would be concerned if they would just be going into hiding somewhere in that mass of material that they've received to be responsible for.

So I'd like to begin to talk at some point about a facility or a program that we might put in place for long-term education, cause it looks like to me it will be necessary.

MR. DUNAWAY: Good comments, Myrna. And it may be something we possibly could do in conjunction with the Park Foundation. So --

MS. HAYES: Well, or with some other organization.

MR. DUNAWAY: Education is a major component of a response action for ordnance sites. And just as an example, skiing over the weekend, even though you don't think of it,

the ski resorts use military munitions for avalanche control. And I got educated on that because they have signs that warn you about that at the top of some of the higher ski lifts.

So yeah, we need to do something. And I'm sure it's going to be some ordnance response action out there once we figure out the extent of our work.

On the second page of my update, just talking about some of the cleanup actions that we're doing right now. The Marine Corps firing range. The public, or really the state's CEQA documentation, but also we had our action memorandum and work plan out there also. That period, that comment period ended earlier this week. And we are, essentially I haven't received any comments yet, but I hear Emily has a comment, and so I'll be gathering those.

Once we get all the comments together, respond to them, I believe we'll be in a position to sign that action memorandum, and then start that work hopefully in the earlier part of September.

I talked about the elementary school sampling earlier with Steve, so the next item is the fiscal year '04 site management plan. And we issued the draft plan to the regulators last week. It describes the work that is planned between October of this year and September of next year. It also takes a look at the out years in conceptual form.

It's currently with the agencies for review, and we hope to get their comments next month, in September, and then get the next version out by September or October in time for us to essentially work under it.

Then my last slide is about potential early transfer parcels. We had been discussing with the city since they initially sent us a request for an early transfer in the springtime. And after obtaining correspondence, clarifying what parcels they are interested in and what kind of arrangements that they may be considering; essentially we have two categories of early transfers that we think we've interpreted from the interest we've received.

There's essentially a typical early transfer like we've done in the past here, an early transfer with an ESCA, a cleanup agreement. And the sites that we think that would be apply are those sites in area one, that's parcel two and parcel fifteen of this area north of the causeway. The city already owns about a third of this area. And those two parcels would make up the remainder of that north parcel.

And then Lennar would be interested in the two sites that we have removal actions planned, the Marine Corps firing range as well as the DRMO yard.

The other one would be new and different for us here, it would be an early transfer where the Navy retains the cleanup responsibility. And we put this in the letter to the city. And overall we think we need to discuss all of these with the city.

But the two areas that we'd looking at for that category would be area ten, the production and manufacturing area. And Lennar has the redevelopment agreement or master development agreement with the city for that area, so they would be most likely the recipients, but we don't know.

And then the south shore, the remainder of the regional park, there's an area that extends underneath the golf course, just a strip of land right here that is part of that park. And again, it would be set up as an early transfer where the Navy still does the cleanup.

And this is what we put out in that letter.

We all need to sit down and discuss it and see how this could possibly work, if we go this direction.

MS. HAYES: Sorry to interrupt. But isn't that area on the south shore going to State Lands?

MR. DUNAWAY: I believe State Lands has a claim with that with the city. We'd, I don't list any recipients or who would actually have ownership because that's a mystery to us. We have an agreement with the city that we transfer it to the city. We don't recognize the state's claim based on that 1930 Supreme Court case, but --

MS. HAYES: Well, we better not.

MS. HAYES: We transfer it to the city, and the city has a settlement and exchange agreement with the state, so we don't know how that would work. That's essentially why we need to sit down and discuss it.

So with that, questions on any of this?

Diana.

MS. KREVSKY: What is the advantage of doing it that way? I'm not even, I don't understand the concept of transferring it, and yet you're still retaining the cleanup. What is the advantage of having an early transfer for that?

MR. DUNAWAY: Ownership provides the new owner some more opportunities to use the land. Essentially I think you see with the early transfers with the eastern early transfer parcel, they just have the additional benefit of doing the cleanup at the same time.

It does make for a complex arrangement for completing the cleanup, but it does give more opportunity to redevelopment and someone, when the ultimate reuser has the title to the property.

MS. HAYES: Well I think those discussions will be pretty interesting concerning, I think, actually both area ten and the south shore area. Those both are part of the settlement agreement with the State Lands Commission.

So they, the city of Vallejo would only be a temporary fee titleholder. They'd have to give that land up probably on the same day to State Lands and you would have to, you'd have a situation like the western early transfer where basically all of the cleanup was required to take, to have taken place before you did the transfer.

MR. DUNAWAY: That same condition existed along the eastern early transfer along essentially the entire waterfront. Those arrangements were settled through that settlement and exchange agreement. I don't know the details of it, but --

MS. HAYES: So right now Lennar owns that waterfront until it's cleaned, is that that hot potato?

MS. BENSEN: That's the hot potato.

MS. HAYES: So that's what you would do with ten and --

MS. BENSEN: That is being contemplated, the ten was being contemplated. So I'd have to ask Lennar about that, but the Symtech property went from the city to the Navy to the city to Lennar. Lennar holds it during cleanup, and when the cleanup is complete it goes back to the city to State Lands who leases it to the city who leases it to Lennar. The hot potato.

MS. HAYES: But in the south shore, the city, I mean I don't -- well anyway, this is probably a topic for another day.

But you have -- I'm not comfortable with the city of Vallejo receiving that property with it in the condition that we, that it, where it hasn't had a second survey or confirmation surveys or QA, QCs work done on it. So I'll just put that out there right now.

I don't think the Navy is being responsible to give that land and that burden to a city that is tremendously burdened and stretched already financially, and then expect us to do site control and those kinds of things.

MR. DUNAWAY: Well I don't know the mechanics and the dealings of the city of Vallejo. It's out there in a letter, there's no commitment to that, we don't even know if the city will laugh at it or just say no. But that's how we interpreted what we've gotten from the interested parties who wanted the early transfer.

As part of this there is the opportunity for once additional data is gathered to a point where there's more certainty about what cleanup needs to be done out there, what additional cleanup beyond what the Navy's done, we can discuss an ESCA at some point after the transfer.

So what we saw was that there was a level of comfort to negotiate a cleanup agreement at this point in time. Given the Governor's situation right now, we did not feel trying to do multiple early transfers over the course of the next couple of years made a whole lot of sense. We want to try and wrap this all up as one covenant deferral request to the Governor, whichever Governor that may be, and try to get some economy of scale here. That's the nature of it.

If at a point in time in the future there is more comfort in settling on a cleanup agreement, a dollar amount, if you will, that can be done after the transfer. And we've had that discussion with our legal folks, which kind of put us into that position.

Otherwise we'd say that there's no opportunity for an early transfer there at all.

MS. KREVSKY: It just, it feels like de ja vu all over again with what we went through with the western early transfer and the ordnance situation that -- you're talking about areas that have the ordnance problems, and I don't see what would change between the state, you know, opposing and that, to transfer it until it's clean and safe. I don't know why that would change all of the sudden.

MR. DUNAWAY: Well, we transferred directly to the state for the western early transfer parcel.

In this case we have a transfer agreement already with the city of Vallejo, and that's essentially what we would do. The agreement between the city and the state is up to them.

And again, I don't know the mechanics, I don't know how the city feels about this, it is simply just something that we put together based on the information we got.

MS. HAYES: I just wanted to add to that that it was always my understanding in these early transfers that the city wanted to retain liability, the least amount of liability for holding land that has contamination on it was one of the reasons why they quickly transferred the responsibility for, the ownership responsibility to Lennar and -- well, to Lennar.

So I don't see what advantage. Again, I live in this town, and we're making comments to you not based on whether we've sat down with our city and found out whether they think it's a good idea but we are because we're on the RAB we're making comments to you directly.

So my comments are that I'd like to see what has changed in the city's liability picture that they now would think that taking on an ordnance-laced area and other contaminants would now be suitable to them without having a transferee.

And I'm just sure that the State Lands Commission will not be accepting that property without it having been remediated.

MR. CERINI: Jerry, let me make a comment. But there hasn't been a lot of meetings in regards to the early transfers, and there's been recent discussions from the city side to start having some additional meetings or conversations.

So a lot of this hasn't really been discussed in detail with the city, so it makes it kind of early to assume that the city is totally in favor of the transfer.

MR. DUNAWAY: Yeah, read it carefully. We sent a letter, and it's really just our interpretation of information. We're not signing any agreement. We're not saying that this is how it's going to be done. We don't speak for the city as far as what their liability and risk protection would be, that's really for them to figure out.

It's simply what we saw in the information that we got, that if they were interested in these parcels this is what we think we could do. Otherwise there is really no opportunity for early transfer because we believe that, yeah, they are not comfortable doing that work, we didn't hear them say we're not comfortable taking title, their letter clearly indicated earlier that in the spring that they were interested in an early transfer.

And really, I'm doing this because you all want to know as the progress is going where we're at with things. So it's just a snapshot of where things are today.

MS. HAYES: Well, I think it's fair to say this is a snapshot of our response to where things are today. Read carefully what I just said. That's it.

I'm not asking you to change your letter based on what we say, but that's what the purpose of the RAB is for you to give us information early and often in the decision-making process before decisions are finalized and for us to make comment on it.

So I think we're on the same track here.

MR. DUNAWAY: Any more questions?

MR. CHUI: Why would an ESCA be necessary for the Marine Corps refinery, isn't the Navy going out there next month to clean up that site?

MR. DUNAWAY: We would complete the removal action, but the actual physical closure paperwork through your organization and through the others that would be remaining. So it wouldn't be, maybe not a lot of actual cleanup, but as you may be aware, DTSC has not made a decision on whether an RI would be necessary after the removal action, whether another decision document is necessary, what form would that take. There's a lot of work left even after the removal action.

MR. RILEY: In an early transfer where the Navy retains the environmental liability for the property is regulatory agency oversight funding typically handled, continued through the Navy's existing agreements, particularly with the U.S. EPA and others, or is it properly owned?

MR. DUNAWAY: My understanding it would continue as it is today, we fund the regulatory agencies, we would fund the EPA, we would maintain the RAB, all of that.

#### **VIII. MEETING ADJOURNED**

*Mr Jerry Dunaway*

No other questions? Okay. With that, why don't we come to a close?

Thank you.

**(Thereupon the foregoing was concluded at 9:24 p.m. 2124 hours)**

# CDM Transmittal

**CDM.**

3760 Convoy Street, Suite 210  
San Diego, California 92111  
(858) 268-3383  
(858) 268-9677

**To:** Diane Silva  
**Organization/Address:** Navy SWDIV  
1220 Pacific Hwy., Bldg 129  
San Diego, CA 92132  
Phone: (619) 532-3676

**From:** Regina Clifford  
**Date:** September 8, 2003

**Re:** Mare Island Information Repository – Final Minutes for the July and August RAB Meetings

**Job #:**

**Via:** *Mail:* *Overnight:* Fedex 2-day *Courier:*

Enclosed please find:

For your information

X

For your review

For your signature

Approved

Approved as noted

Returned to you for correction

● **Message:**

Diane,

Enclosed please find two copies each of the final RAB meeting minutes from the July and August RAB meetings at Mare Island Naval Shipyard for the administration record/information repository. Please call me with any questions

Thank you,

Regina Clifford  
Project Manager

Signed

