

Concord RAB Meeting Minutes
December 3, 2002

1 Speaker : (*tape in progress*) ...those of you who are interested and
2 maybe you'll know more after tonight in becoming a restoration
3 advisory board (tape cuts out)there's a RAB application form.
4 So those are two things that you don't have on the ____ on the
5 back table there, the planning table, so be sure you have those.
6 Okay. (pause) . . . water and use tetracycline(?) and what I do most
7 of the time for a living is facilitation. . And I do public meetings
8 and I work with different _____ groups. And my job is just to
9 be focused on process and make sure discussions are productive
10 and that, uh, you achieve the goals that uh you set up to achieve
11 when you do a meeting. So, uh, I'd love to go around the room
12 and hear who everyone is. It would be great if you would state
13 your name. If you have an affiliation or an organization that
14 you're here representing, state that. If you're a community
15 member, you can say that. If you're somebody whose here from
16 the community, if you'd also like to take a minute, um, and just say
17 what your interest is and why you're attending the meeting, that
18 would be great. I think it helps orient every one in the room to
19 what's motivated folks to come here tonight. Um, so, I started, I'm
20 Marie. I'm here with Tetra Tech. Why don't we just start over
21 here, we'll go around the room. We'll hear from _____.

22 Speaker: My name is Joanna Canepa. I'm also with Tetra Tech. And I do
23 work at Concord.

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24 Speaker: My name's Carolyn Hunter and I work also with Tetra Tech and

25 I do community relations for a variety of the bases.

26 Speaker: I'm Mark Julian. I'm a resident of Concord.

27 Speaker: Hi, I'm Gene Sylls. I'm from Concord and I was on the RAB

28 when we were making _____.

29 Speaker: Steve Gallo.

30 Speaker: Good evening. My name's Phillip Ramsey. I'm with the

31 United State's Environmental Protection Agency. I serve as the

32 agency representative on the Bay(?) Clean _____

33 Speaker: Jeff Forrester(?) with the City of Concord.

34 Speaker: I'm Mary Lou Williams. I'm a 40 year resident of Concord.

35 Speaker: My name's Mike Muller and I live here in Clyde and have

36 immediate concerns about what goes on from here on out with the

37 base.

38 Speaker: _____

39 Speaker: With the Contra Costa County Historical Society and I've been

40 working on (Speaker interrupted)

41 Speaker: Good evening. My name is Gil Rivera. I'm the _____ project

42 manager in charge of the clean up for Concord Naval Weapons

43 Stations.

44 Speaker: Good evening. My name is Rudy _____,

45 environmental site manager here at Concord.

46 Speaker: Wanna start with Tricia. Kick us off _____?

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- 47 Speaker: I'm Patricia Ryan. I work for Department of Toxic Substances
48 _____ . I work in public legislation on many _____ facilities ____
49 and help community members deal with technical _____
- 50 Speaker: I'm _____ O'Shea. I work for Tetra Tech. And I have
51 a number projects I'm working on here _____ in
52 Concord(?) and I know I've done a fair amount _____
53 complicated (?) cultural _____ (lot of noise on the tape)
- 54 Speaker: Great!
- 55 Speaker: I'm Tom Pinard. Navy Public Affairs in the Bay Area.
- 56 Speaker: I'm Harry Burn. I live in Concord. I represent the _____
57 Neighborhood Alliance.
- 58 Speaker: _____(laughter) _____
- 59 Speaker: _____, resident advisor (?)
- 60 Speaker: Paul _____ resident, Concord.
- 61 Speaker: Evelyn Freitas, resident, Concord.
- 62 Speaker: _____
- 63 Speaker: _____
- 64 Speaker: _____
- 65 Speaker: Tim _____
- 66 Speaker: 23 residents in one minute (?) laughter
- 67 Speaker: _____
- 68 Speaker: _____
- 69 Speaker: _____
-

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70 Speaker: _____

71 Speaker: _____

72 Speaker: David Cooper, Environmental Protection Agency, Community
73 Relations.

74 Speaker: Okay.

75 Speaker: Sounds like there's a lot of diversity and a lot of historical a lot
76 of deep (?) historical knowledge here. I heard several references
77 and lot of fine residents and people from the historical society and
78 uh ___ cultural resources. That's great. Uh, we're into the next
79 thing which is meeting which is the meeting guidelines. And this
80 is just a standard set of guidelines that I use in the work that I do.
81 I'll propose a few guides(?), if you're comfortable with that, we'll
82 use this as a way of uh, uh, _____ the meeting today. Speak on at
83 a time. I'll do my best to keep track of hands. (If I) screw up, just
84 let me know and I'll try and get you back in line or make the
85 correction. Speak solution oriented. Um, you know, if you have a
86 criticism of something's that's going on, if you have a suggestion
87 for _____ that would be great. Participate. It's important
88 that you speak what's on your mind. That's what this whole
89 process is about. Is to make sure there is dialogue between you
90 know the regulators, the Navy and the people who have an interest
91 in the community and what's going on. Use "I" statements. Most
92 of the things that are gonna be expressed here tonight are opinions

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93 – so if you just state them as such. Express concerns and interest.
94 This as opposed to saying, “Well I know what we should do. We
95 should do A and B.” As opposed to saying, “you know, I’m really
96 concerned about 1, 2 and 3.” How it _____. You know, I’m
97 open to hearing suggestions kind of thing. And then listen to
98 understand. Really try to hear what people are saying. Um, but the
99 reason I brought up, there seems like there’s a lot of knowledge
100 and resources here. Another standard one that I often put up there,
101 is draw on each other’s experience. It sounds like there’s a lot of
102 diversity experience and knowledge in this room. So, I would add
103 that one. Are there any questions about this? Or comments? It
104 sound like it’s a good game – anybody not comfortable with this as
105 a game plan? Yeah.

106 Speaker: I’m comfortable with that. I wonder are we gonna be able to
107 comment on the agenda? That’s here?

108 Speaker: Yeah. I’m gonna review that next.

109 Speaker: Okay. Good.

110 Speaker: Okay? So great. If uh if nobody objects, then I’ll use this as a
111 guiding principle for the meeting tonight. Okay. Good segue.
112 Thank you. The agenda. There’s basically, I saw the agenda,
113 there’s two main parts. Uh, my understanding is one of the
114 purposes of the meeting tonight is to rejuvenate the Concord RAB.
115 So the first part is kind of an introduction and history and

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116 background on restoration advisory boards And there may I'm
117 aware there may be some of you tonight, who aren't familiar with
118 that process and so that would bring us up to date. And that would
119 include getting an overview of the site itself, talking about what
120 restoration advisory boards are, getting a little history there and
121 then talking about member responsibility in case you're interested
122 in participating as a member. So the second part of the meeting
123 would be about hearing from folks who come here tonight that are
124 from the community. And of course, there would be a question
125 and answer period about particulars. Specifically about the
126 information that's presented here tonight. If you have that interest
127 and you're thinking of pursuing a RAB member, we want to make
128 sure you have the opportunity to question, "well, what does that
129 mean?" And get your questions answered. And next would be
130 setting an agenda, and a location, a date, an agenda and a location
131 for the next meeting. So get input from you guys. What do you
132 want to talk about? If you're gonna be forming as a RAB, what do
133 you wanna talk about? What do you want on the agenda? So that
134 the next meeting you get into the meat of some of issues that are
135 maybe on your minds and concerns that you bring here tonight.
136 And then we could adjourn. So we'd leave here with a plan for
137 what's gonna happen for the next RAB meeting. So that's an
138 overview of the agenda. Are there any questions on the agenda?

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139 Speaker: Uh this this, yeah, I do have a couple of questions.

140 Speaker: 'Kay.

141 Speaker: This is not the first RAB meeting that we've had. We had an
142 informal RAB meeting at the uh on November 5th. And there were
143 some commitments made on things that would be that would
144 happen tonight at that meeting. And I don't necessarily see them
145 on the agenda. Although that again, doesn't mean there not gonna
146 happen.

147 Speaker: Okay.

148 Speaker: The primary one is that we were supposed to about four months
149 ago, we put in applications, we've been pushing to get this RAB
150 started for about 4 or 5 months. And uh one of the commitments
151 that was made was by tonight we would know whether the
152 applications that have been submitted already have been accepted
153 or not. That was a commitment that was made to us. So we been
154 pretty strung out on this. And we've had to – for quite while – so I
155 would like and I think some other people would like closure on
156 that issue.

157 Speaker: Okay.

158 Speaker: Uh, and the other was that we had a person at the last meeting
159 who brought up a question about fire at a at a uh site. Here on the
160 base.

161 Speaker: A fire that had occurred here?

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162 Speaker: That had occurred here. And she was promised some answers
163 here tonight on that site. And I wanna make sure that that is
164 covered on your agenda here.

165 Speaker: Okay.

166 Speaker: Um, I don't know because I don't know everything that's
167 happening tonight. But what I will do, at the break, I will talk to
168 the folks that I know that are representing the base and the
169 regulators and stuff and see if that, if it hasn't been covered there.

170 Speaker: Well, before we go on through an hour and a half, can we get
171 those questions answered? I think they're pretty straight forward –
172 whether they're gonna be covered.

173 Speaker: Okay. Are there folks from the Navy that were in attendance at
174 that meeting that can speak to _____

175 Speaker: I'd like to start if I may _____ point and ask Mr. Rivera
176 how many names he has from people uh who have applied and the
177 numbers? And also I'd like to see a list of names.

178 Speaker: _____ don't have the information with me. There are
179 seven applicants for the RAB. There is one re-applicant for the
180 RAB who is former RAB member who would like to be reinstated.
181 _____ the total number _____

182 Speaker: I _____ confirm that you have those names.

183 Speaker: Yes, I do. _____

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184 Speaker: I have a list here. _____ tried to tick off whose come
185 in here. I may have missed somebody. But I've got Steve
186 _____ that's here, uh Jean _____ and Randall
187 _____ I might have missed Randall, and David Griffith.
188 Anyone else here tonight who was on the RAB or submitted an
189 application? (laughter)

190

191 Speaker: _____ change, huh?

192 Speaker: Well, why are we waiting so long to come to a decision, because
193 this does not appear to me to be an actual RAB meeting, (but) an
194 introduction to what a RAB is about.

195 Speaker: Okay, to your first question. The applications were ordered
196 through me at the last the previous meeting, the general facilities
197 agreement public meeting that was held.

198 Speaker: _____ months ago.

199 Speaker: Those applicants were given to me or sent to me at various times
200 and I held them all eventually transferring all to the Concord
201 Weapon stations _____ We had the previous pre-RAB meeting
202 if you wanna call it that only we had no RAB member
203 _____ civilian co-chair and one other person, correct me if
204 I'm wrong _____ according to _____ and the commanding
205 officer or officer in charge of legal legislation will screen all the
206 applicants for _____ I reviewed the applications. I believe Rudy

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207 reviewed them and we saw no one that would fall short as far as
208 being a member of the RAB. Designation of a RAB membership
209 if up to a commanding officer _____ field _____ correct me
210 if I'm wrong has those names _____ approval of those
211 names.

212 Speaker: ___ concerned because these deadlines are approaching and have
213 passed and we do not have a RAB re-established. I mean I think
214 the fair thing to do would be stop the process until a RAB is
215 established.

216 Speaker: _____ want the community to be involved, then we can't
217 just go a head and ignore the community and that's what been
218 going on for two years.

219 Speaker: You haven't had any oversight in over two years. The RAB
220 hasn't been in existence. Yet you've continued to release these
221 records and decisions which are essentially signing off on the clean
222 up without any public oversight. That's a clear violation of federal
223 law.

224 Speaker: Okay. Okay. So I'm hearing that there are some concerns and I
225 also see that there's some emotion attached to it. So I would
226 appreciate that um –

227 Speaker: The emotion is very well controlled.

228 Speaker: And I understand. (laughter) And thank you for saying that.

229 And I'm agreeing and bringing you know _____relieving

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230 laugh here. Um, I don't know the history, but what I can tell you
231 right now is that what we want to do tonight is be solution
232 oriented. That's why they invited me to come here. And I
233 apologize for things ___ historically and they don't seem to be
234 coming to fruition but I was looking through the presentation and
235 one of the things one of the things one of the _____ is the
236 RAB selection process. I'm hearing, Gil you're saying that there's
237 no reason for you to believe that any of those names would be
238 rejected.

239 Speaker: That's correct.

240 Speaker: So as far as you know, it's making its way through the
241 bureaucracy. That everyone who applied will be a RAB member.
242 Unless you hear differently from your commanding officer.
243 Correct? You want to add to that?

244 Speaker: Yeah, one further then. One other thing, we do have an existing
245 RAB membership _____ add the names. And we had to make sure
246 that we contacted those people. To ensure that we weren't
247 bypassing them because they are RAB members.

248 Speaker: You haven't exceeded your limit if you add the new applicants
249 as well as the old RAB members.

250 Speaker: No not at all. Not at all.

251 Speaker: Okay. I'm not sure I don't understand what the _____ and
252 what's _____. What is that?

253 Speaker: See there are all the problems with this informal meeting that
254 happened and the promises were made. Because there have been
255 people who have been involved previously that were not aware of
256 this meeting. And I'm very concerned that commitments were
257 made and those of us who were involved, aren't aware of it.

258 (Several people start to talk at once)

259 Speaker: Time out! Time out! Can we arrive – can we move forward?. It
260 sounds like there were some miscommunications. There weren't
261 people in the loop.

262 Speaker: _____? I don't think it's fair that we move forward without
263 answering these questions. Some of us have been working, we
264 started in August, getting a public, trying to get a public comment
265 period. We have nothing but stalled as far as getting the public
266 working together. Documents are being put through on a regular
267 basis without any public input. I don't know why the meeting took
268 place in November and other people were not informed, but there
269 were eight of us – I think about six or eight of us that were at the
270 last meeting. And we were promised – all of us handed in our
271 applications – and we were promised that tonight we would be on
272 the RAB, or know why we weren't. We need to move forward.
273 There are some very important issues at hand. The Federal Facility
274 Agreement has gone through. It's not being followed. The
275 circular rules are not being followed. Why have these declarations,

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276 if they're not being followed, the public is not getting their input. I
277 am very angry because I have been putting in a lot time reading
278 documents, talking to the EPA, talking to the other people in the
279 community and believe me, I can give you a list of things that I
280 feel are wrong and not being followed. And we cannot just keep
281 getting this snowball effect and being pushed aside, and say, "well,
282 I'm sorry. We don't have time for this. Or we've been moving
283 and we don't have time for this. Tonight, we've got to have some
284 answers or I think the next step we just go and find a lawyer and
285 stop this process right in its tracks. And make sure we can move
286 forward with community involvement if that's what it's going to
287 take. 'Cause this is a bunch of crap!

288 Speaker: Okay.

289 Speaker: _____ presentation is to give us the impression that it's about
290 community involvement. And I was frankly just shocked on
291 November 5th when we decided to have this meeting tonight and
292 we suggested that there be communications to the media to advise
293 the community that there was gonna be a meeting and it was said,
294 "well, we don't think that's a good idea". _____ to that.

295 Speaker: Okay. Let me ask – with a show of hands- are there people here
296 tonight who want to get an overview of what a RAB is and what
297 RAB responsibilities are? That's what was slated. I know that's
298 what people have come prepared for tonight to do. My

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299 understanding um was that was going to be the kick-off for this
300 rejuvenation of the conference.

301 Speaker: Why do it?

302 Speaker: Okay, can I just finish? Evelyn. I just wanna get – I wanna
303 touch base with everybody. I totally appreciate where you're
304 coming from. I appreciate your frustration. I'm sorry if I sound
305 rude, but really.

306 Speaker: No, I understand.

307 Speaker: I understand that there is a lot of – I mean you're frustrated. I
308 hear your concerns.

309 Speaker: I'm angry.

310 Speaker: I understand.

311 Speaker: I really am. I'm angry about this.

312 Speaker And my question to the group is, we can't change the past, I
313 understand that you wanna have a commitment for coming through
314 on what's being stated that's going to be done in the future. So,
315 my question to you is, do you folks want to hear the presentation
316 on restoration advisory boards, give a little context and can orient
317 maybe some of the new people who have shown up here tonight.
318 And then do what said, which is second part of the meeting, get on
319 the agenda. What do you wanna talk about the next meeting.
320 Some of these issues you're talking about. Okay? Like the you
321 know, FFA, FSS, whatever that is.

322 Speakers: (several people speak up) Federal Facilities Agreement.

323 Speaker: Thank you. Would that be okay?

324 Speaker: I basically – everyone wants a really wide representation on this
325 board. This restoration advisory board. We do have new people
326 here tonight. Some of us have been put through a lot of hoops.
327 Already. We've gone to a restoration advisory board training
328 session. An all day training session on Treasure Island. We've
329 been to an informal meeting. We've been pushing this. I know
330 that we're anxious to get on. But I recognize that there are people
331 who haven't yet been brought into the process and could use the
332 information. And I think it's - I think it would be valuable. I
333 don't think it's acceptable though to put off these decisions until
334 the next meeting. I think the second half of this meeting has to be
335 coming to grips with some outstanding issues. And there are
336 things that have not been done that are critical and answers have to
337 be – we have to have answers tonight. Uh, we've been putting this
338 off for a long time. So as far as like just question and answer or
339 setting an agenda for next and putting all the answers off for the
340 next time, no we need answers – we need *some* answers tonight. I
341 realize we can't have 'em all. But I do think it's important to
342 introduce, to bring people into the process. That's one of the
343 functions of this meeting. And that's a good thing.

344 Speaker: Okay. So maybe we could spend the second part not just doing
345 q and a, but getting some of the concerns about things that folks
346 feel weren't satisfied that were promised. Get that on the map so
347 we know what we're talking about, I can do graphic recording,
348 record everything that people say and some of those concerns,
349 maybe there's answers tonight, maybe there aren't. But we'll mark
350 the ones that aren't and make sure there's follow up. Maybe set a
351 lead and a due date. So we can do things like that. My purpose in
352 here, you guys, is to support you where you wanna go. It sounds
353 like there's a lot of frustration. There's a lot of concern. I wanna
354 make that those things get methodically(?) recorded, we have a
355 plan for those things to be answered. Okay? What I don't wanna
356 have is just a venting session where it doesn't happen and we
357 escalate and people get very angry and those things don't get
358 answered. And really that's all my job. I don't care what the
359 answers are. I care that you guys get your questions answered.
360 Okay? That's my job. That's why I show up. So, I really want
361 you to know, that's my commitment. And so when I'm trying to
362 say, can we do this, can we do that, it's to serve the process and
363 make sure it doesn't become something that's just everybody
364 yelling at each other. Okay?

365 Speaker: I appreciate your facilitation.

366 Speaker: Thank you.

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367 Speaker: Believe me. Um, my concern is I want to know how I can be
368 assured that the agenda developed tonight is actually gonna be
369 followed since the agenda that was developed prior to this is not
370 being followed.

371 Speaker: I hear ya. And I think that that's – I think the discussion here – I
372 might go out on a limb and say that the discussion here has brought
373 probably to the attention of all entities involved that this is an issue
374 and it needs to be addressed. I would feel safe in saying _____

375 Speaker: Well, I have a question though. For those of us who were not
376 part of the informal meeting, where's the agenda? I don't have a
377 copy of the agenda. I wasn't even aware of the meeting.

378 Speaker: Okay.

379 Speaker: I have a real concern is that you guys is bringing up stuff, you're
380 demanding answers tonight and I don't even know what the heck
381 you were talking about.

382 Speaker: Okay.

383 Speaker: And one of our concerns is he doesn't know what he's talking
384 about because he wasn't informed. You know. (some laughter)

385 Speaker: No, no, no. I've heard a couple of things. That communication
386 is an issue. Both among the folks that you see here in the room
387 tonight and also communication to the broader community. About
388 what's going on with restoration advisory. So I'm hearing two
389 things there. So we can get these on the board. So, I guess what

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390 I've heard, I've heard a comment that people think it would be
391 valuable for some of the folks in the room if we hear the
392 presentation that was planned, with an overview of the site and the
393 restoration advisory board, recognizing that a lot of you have been
394 involved historically. A lot you went to the workshop on TI(?) and
395 so you got a lot of information and it's probably be boring for you
396 to get a rehash. But maybe it'll bring some of the folks in the room
397 who haven't had that exposure, bring them up to speed. Then the
398 second part of the meeting, we'll get these things out there. We'll
399 do them methodical. And if I'm to continue to be part of this
400 process, I will convey the importance of following through on
401 these things. Okay? Is that a deal? Can we move forward with
402 that?

403 Speaker: Please do.

404 Speaker: Okay. So then given that, why don't we kick it off. We've got a
405 coupla folks here who are gonna do the _____ on the RAB. All
406 the folks who have already heard this., but we'll get the other folks
407 um caught up.

408 Speaker: Okay, my name is Joanna Canepa, and I work for Tetra Tech
409 _____. I introduced myself earlier, and I work at Concord Naval
410 Weapons Station. So I'll be giving the first half of the
411 presentation. I'm gonna review a bit of the site security at
412 Concord and review what a RAB is. So again I apologize if this is

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413 a bit redundant for some of you that are well aware of what a RAB
414 is, but I think it is important that we start from the same page.
415 Actually _____ yeah, we've run out of space up front, so, but
416 Naval Weapons Station at Concord has been operating since 1942
417 as an organized support base. And it's comprises over 13,000
418 acres and two main ports. The tidal area which is this portion up
419 here. And you have a copy of this map in your handout.
420 Hopefully you've all gotten a handout. And there are more copies
421 in the back if you need one.

422 Speaker: _____ need a handout? Raise your hand _____

423 Canepa: Okay the tidal area is a little over 7,000 acres and this area is
424 used for munitions shipping, uh, there are ports here where
425 munitions are loaded and off loaded. Um, there's some
426 administrative buildings. And some munitions storage. This
427 portion of the naval weapons station is known as the inland area.
428 And this area was formerly used for munitions storage. Currently
429 there's not much munitions storage going on there now, and
430 there's some administrative building that was formerly the inland
431 area. So that gives you an overview of just how big the area is that
432 we're talking about. The Naval Weapons Station has been on the
433 EPA's National Priorities List since 1994. And you might have
434 heard of the National Priorities List as part of the Superfund Law.
435 It's a list of sites that have been determined to be contaminated and

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436 they are priority for clean up. So, thank you, _____. So, I'm
437 gonna walk us through the CERCLA Process. CERCLA is another
438 name for the Superfund Law. It stands for Comprehensive
439 Environmental Response, Compensation and Liability Act. It was
440 a law passed in the 80's, early 80's, and if you have it in your
441 handouts you can follow me along as I walk you through the
442 process. The first step in the CERCLA Process is just to take a
443 look at the site. You can (do?) file reviews and visit site facilities
444 and do a little inspection and figure out if there is any potential for
445 environmental contamination at this site. Get a list of those and
446 then determine whether it's worth looking at further or not. The
447 next step in the process is where you take a little bit of a closer
448 look at the site. You done your file review. You've determined
449 there might be a problem, at the _____ stage you actually
450 collect site samples and might do a risk assessment. See if there is
451 any risk posed to humans or the environment from any
452 contaminant at the site. After you've done your review and
453 investigation, you have a better idea of just what you're dealing
454 with. So then, the next stage is called a feasibility study. And in
455 the feasibility study, you evaluate the range of options for cleaning
456 up the site. Actually getting rid of some of the risk or
457 contamination. So there's a range of opportunities that you
458 evaluate. From the feasibility study comes the proposed plan. The

459 proposed plan is when, when you know the range of opportunities
460 and you actually choose one and say, “this is the one we propose.
461 We think this is the winner.” And at this stage, the plan is
462 submitted to the public and the public comment is received. Once
463 there is agreement that’s documented in what is called a Record of
464 Decision or a ROD. So ROD is something that all the agencies
465 and the Navy and communities design. So this is a document that
466 hopefully everybody agrees on. From the ROD, then you do
467 what’s called a remedial design. And this a plan for determining
468 how you’re physically gonna clean up the site. So it’s a plan for
469 clean up. From your design you go to your actual action, where
470 your cleaning up the site. This is where you bring in your trucks.
471 After the remedial action, possibly there’s long term monitoring to
472 make sure that you actually achieve the objectives that you wanted
473 in your remedial design and your remedial action. Make sure that
474 you actually are protecting the human and the environment. You
475 determine that through long term monitoring. And then that’s the
476 end of the CERLCA Process. Any questions on that?

477 Speaker: Just just when you go through that remedial action, you set up
478 like say for example, a five-year plan for remediation and turns out
479 that the EPA or some other organization indicates that the Navy
480 has not met their obligation to protect the safety of the community,
481 what happens?

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482 Canepa: Well, then it might go back to feasibility study to determine –

483 Speaker: Might? Or has to? Or should? Or –

484 Canepa: Do you know if it has to?

485 Speaker: Um, well, you'll take the risk estimate and might go through a

486 risk management decision _____ and hopefully ___ and

487 you'll move on to _____

488 Speaker: Well, I'm thinking of the litigation _____. I got a letter

489 recently where it essentially says that the Navy failed to meet their

490 obligation as per their audit(?) ___ understand that you may say it

491 more clearly than I am, but as someone whose not gone through

492 that whole process what can I expect to happen now?

493 Speaker: That, I can address that _____. That litigation area is _____

494 complicated because there's a lot of _____ out there. And so

495 figuring out what to do is probably going to be a lengthy process

496 just because there's critical habitat for the Navy

497 and we don't want to uh, embark on a solution that's gonna take more out

498 of it than – you don't wanna cause harm by trying to do good.

499 Speaker: I think the entire weapons area is a habitat sensitive area?

500 Speaker: Um, well, the entire weapons area is a sensitive area is not the

501 entire area is _____ so there is certain areas _____

502 Speaker: _____ litigation (?) area is more critical than _____

503 Speaker: Well, I think we're talking about apples and oranges here. One

504 of 'em is ecological habitat and the other is a fully separate area

505 where you might have a different set of concerns. Like certain
506 areas have human health concerns and, but - in other words in one
507 case, you've got the _____ weapons you've got to
508 worry about in the weapons area where the inland portion you
509 don't have that.

510 Speaker : Well, I'll give you an example where the Endangered Species
511 Act requires _____ generational protection down to individual
512 animals and so in the litigation area you have to worry about every
513 single, every single mouse(?) _____

514 Speaker: _____?

515 Speaker: No, it's not like that because the work that was done, there's a
516 lot that was done and a lot of it achieved its objective, but it it was
517 well recognized to be pretty tough ___ in the beginning. And
518 hence the five-year monitoring. Actually 30 years of monitoring
519 and you know, it's even though part(?) of ecological risk
520 assessment changed quite a bit _____ in fact, through the
521 monitoring and in way, way more data, we really know a lot more
522 about it than we did before. And there's quite a bit of bit of area
523 not going to require remediation. There's another area - a large
524 area that was remediated that's not gonna require any improvement
525 because the ecological risk is fairly confined to – it's still in large
526 areas but you know there's there's system excludes and
527 _____

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528 Speaker: I look at that and I'm wondering if what where does the public
529 come in? Since the Navy failed to meet their obligations where
530 does the Navy come in in that process?

531 Speaker: Is your question, Jim, is something gonna happen, it's not
532 working, is something gonna happen to make it work?

533 Speaker: No, my question is I would say, will there be a second
534 opportunity for the community to be involved?

535 Speaker: Okay.

536 Speaker: What I would say is that first of all I don't wanna _____ that
537 the Navy failed to meet their obligation, _____ review is part
538 of the Navy's obligation and to recognize that there's existing risk
539 is still part of the Navy's obligation and if it reaches feasibility
540 study level and if new records and conclusions are at issue (?), yes,
541 _____ that there certainly required opportunity for public
542 comment. But, in addition to that, that's the purpose of the RAP.
543 And in fact, although the RAP did go through a fairly quiet time
544 period and everybody knows, we did have active have active RAP
545 meetings for quite a long time so and if we're capable of doing it, I
546 know that we can do now.

547 Speaker: So there may be ongoing input on this issue. Patrician and then -

548 Speaker: I'm Pat Ryan with _____ and I just wanted to mention the EPA
549 has a document that spells out the entire public involvement _____
550 and we are starting to put the information together which is straight

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551 out of that book and they tell the requirements _____ so
552 based upon that you should really look at the what is actually
553 required by law _____ and on top of that _____ which
554 additional requirements sometimes typically _____ EPA
555 requirements. Sometimes, they're much stricter requirements as
556 well. And these are all relative to public involvement __ -
557 community _____ they have the opportunity and they have
558 the power to go to do something about _____

559 Speaker: _____ and there are many sites that we as a community
560 need to go back and address _____. And also, I'd like to know
561 what kind of remedial action ___ early clean up. What is that?

562 Speaker: Okay so an explanation of clean up right here.

563 Speaker: It's preliminary assessment, site inspection phase. There is the
564 same opportunity to clean up the contamination. It's a relatively
565 small area. It's not very complex. Then instead of going through
566 the whole process, there can be an early clean up.

567 Speaker: But also if there is immediate risk to plants, animals or humans
568 then you know it's obvious everybody agrees, let's go in there and
569 dig it up and get it out of here.

570 Speaker: 'Cause this is a long process.

571 Speaker: Does this go into the plan? I mean go into a community –

572 Speaker: That's why Pat was talking about. There's different kinds of
573 removal actions. One might be time critical which means hey!

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574 We found something we know this is bad for people. We want to
575 get it the heck out of here. So we're not gonna go through a public
576 participation process 'cause we just need to go in and we need to
577 do it. And then are other kinds and Pat has the sheet there that
578 outlines it.

579 Speaker: There are _____ There are rules and licenses for most
580 of _____ But even if the public participation based upon the
581 time frame might not be practical, there are requirements
582 _____ . Now I _____ so I don't know what
583 _____ but I know that _____

584 Speaker: Okay, let's take one more question, then we'll let these guys
585 finish up their presentation.

586 Speaker: I don't know _____ on the front page, _____ I should think
587 that the public should be informed first thing. _____

588 Speaker: Absolutely. And -

589 Speaker: _____

590 Speaker: And Pat corrected me. So yes it is. I mean she's absolutely right
591 that there's always at least a public notice _____ That was my
592 error.

593 Speaker: So there was a public notice for that box in there?

594 Speaker: Yes. This one? Yes.

595 Speaker: _____ fact sheet for additional information.

596 Speaker: There's usually more. That's the basic requirement. But
597 typically I know the Navy does usually does more than that.
598 Okay, you wanna hear more about the rest of the RAB?

599 Speaker: Yes. Thank you for all your comments. So in response to the
600 CERCLA Process, the Navy initiated what is the called the
601 Installation Restoration Program in the early 1980's to clean up
602 naval installations. And its base approach, similar to CERCLA to
603 investigate and clean up environmental contaminates. And
604 currently, there's over 15 sites in the Installation Restoration
605 Program or the IR Program as part of _____. Recently, sounds
606 like some of you are already aware of this, recently, the Navy and
607 the EPA entered into a Federal Facilities Agreement. And part of
608 that Federal Facilities Agreement, is they, they agreed EPA and
609 Navy came up with a site management plan which laid out a
610 schedule for each of installation restoration sites, each site clean
611 up. So they have a schedule for when documents are due and
612 where each site should be in the CERCLA Process. And there's a
613 copy of the site management plan or a portion of the site
614 management plan at the back of your handout if you're curious
615 about the schedule. Or individual sites. What is a RAB? What are
616 we all here for? A restoration advisory board is a chance for
617 individuals to provide advice to government decision makers. So
618 this body isn't a decision making body, rather it's an opportunity

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619 for us to provide input into the decision making group. And the
620 RAB is not just community, rather it is community and
621 government agency representatives. RAB's were created back in
622 1993 under a program called the Fast Track Program that Clinton
623 initiated. Been around for almost 10 years. And RAB guidance
624 was developed by Department of Defense and EPA in 1994 and
625 you all have a copy of the RAB guidance in your packet. And
626 from here on, Carolyn Hunter is going to walk us through the rest
627 of the presentation. She is a community relations person and she's
628 worked with several RAB's including the RAB at Hunter's Point
629 and Mare Island. So, from here, send it off to Carolyn.

630 Hunter: Can everybody see this from the back okay? Does it need to be
631 focused or anything? Okay. So who might serve on the RAB?
632 You have a variety of local residents. Local government people
633 and the business community among other organizations. Also for
634 the federal members, you have Environmental Protection Agency,
635 DTSC, the Water Board, Fish and Game. The structure of a RAB
636 has two co-chairs. You have a community co-chair which is Steve
637 Gallo. And you also have a Navy co-chair, who is Rudy
638 Pontemayor and they work together to create open communication
639 for the community and the higher board. What are the navy co-
640 chair responsibilities? The Navy co-chair develops the agenda and
641 also does the preparation of the meeting and also in consultation

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642 with the RAB or the community RAB co-chair. Community co-
643 chair helps with the agenda development. They kind of go from
644 the entire RAB Board, the general community and the remedial
645 project manager and listen to each of them and decide on and help
646 the navy co-chair put together an agenda and help run the meeting.
647 It's really important that they make sure that the community
648 members and the entire RAB Board participate in these meetings
649 in an open and constructive manner. They also want to make sure
650 that all the information that you are receiving here goes out to the
651 entire community so there is a two way communication between
652 the RAB Board and the community.. This is also a volunteer
653 position. The RAB Board member responsibilities. That is _____
654 as meeting attendance and participation. Also you want to be
655 reviewing the clean up document and giving feed back and
656 content. The RAB members are also supposed to bring the
657 information that they receive here to the community. The
658 originators of the clean up process is the Navy, the EPA, the DTSC
659 and the other agencies. Fish and Wildlife and the Water Board.
660 And here is a _____ which is located in your packet and the
661 _____public managers (?) are the agencies and the Navy and
662 when they do make decisions, they go through and look at all of
663 these different _____ in order to make _____
664 decisions_____. So they can go through the funding. What

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665 can be funded through _____. The regulations. The
666 available technology. _____ Also _____ and
667 community input. And that's where the rep comes in and gives
668 their input. And once all of these things are taken into
669 consideration, they make decisions on the clean up problem. The
670 review. The RAB member go regularly to view documents that are
671 committed by the Navy and they are able to get into technical
672 groups and review things, and ask technical questions and be able
673 to give comments so that the Navy and the regulators have an idea
674 of what you're interested in and have more information on what to
675 do. If you're interested in reviewing any past or present
676 documents, you can review them at the Information Repository.
677 And this is in Pleasant Hill at the Contra Costa Library.

678 Speaker: _____

679 Speaker: Okay. Thanks for that information. (some general discussion
680 "under the mike") Okay we'll get clarification on that and make
681 sure you've signed up to get that information out there.

682 Speaker: I'd like to say one thing about the Information Repository. They
683 are very very important because they are supposed to legally
684 contain all the documents relative to the legal (?) action historically
685 and you can go back and if you see something in reference to the
686 previous action, it should be there. It should all be there. _____
687 indicate the Navy or the Air Force or whoever the military _____

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688 the military _____ facilities. They're very important _____

689 always have access to those documents. You can't take them out

690 but you can make copies, you can review them _____

691 Speaker: Thanks, Evelyn for bringing this information . We'll get that

692 question _____ get the information out to you guys.

693 Speaker: And one of the RAB members are been decided on, there'll be a

694 couple of copies of each documents that are committed to the RAB

695 members for you to share and to also review with your committee.

696 RAB selection process. If you're interested in becoming a RAB

697 member, we have applications at the back table. And what you

698 would do is submit them to Rudy. And Rudy and Steve, with

699 coordination with the base commanding officer, will make

700 decisions and they'll invite you. And I just wanted to give you

701 some ideas, I work on the Mare Island's RAB. A lot. And that

702 was a very successful RAB. And some of the things that they do

703 that I thought you might be interested in, they produce their own

704 newsletter. They've been doing that for a few years. And they've

705 been active, most of the RAB members have stayed active for

706 about eight years. And they go on a lot of site tours, and they have

707 helped with the community involvement around (*tape stops*)

708 Speaker: (*conversation in progress*) ... with Rudy and Gil about the issue

709 of RAB members getting confirmation about their appointments

710 and whew! let me catch my breath! For a minute here - (laughter)

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711 Speaker: That's how we feel. (more laughter) Anyway, I got
712 confirmation from Rudy, that he's gonna call the CO and try to
713 expedite getting that bureaucratic hoop jumped through and getting
714 out written confirmation to you all about your status and you again
715 is sure 99% sure that they don't perceive any reason why anyone
716 would be denied but it's just a bureaucratic hoop you have to jump
717 through. Is that correct?

718 Speaker: That's true.

719 Speaker: Before the next meeting?

720 Speaker: Absolutely. He said at the end of next week.

721 Speaker: By the end of next week.

722 Speaker: And that you'll be contacted and people will know. Okay? And
723 we'll have that reflected in the meeting summary for tonight.

724 Okay? As an action item.

725 Speaker: Can I just throw out one thing?

726 Speaker: Sure.

727 Speaker: Folks, you should all plan on participating as though you have
728 been selected. So, when we get to the point here when we're
729 talking about issues and concerns _____ to _____. Be sure
730 to talk about those things. _____ Please feel free
731 _____ factored in.

732 Speaker: You don't have to be a RAB meeting member to go to RAB
733 meetings. They're open to the public. So you don't have to join

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734 the board. You can attend and make comments, _____
735 presentations. _____

736 Speaker: Absolutely. What we're gonna do, I was gonna kick off this
737 segment with, I thought we were just gonna, I thought we were
738 coming here, we were gonna go RAB intro _____. You guys
739 come up, I realize there are some more things going on than just
740 that. One is the things I saw is, like I said this is the work I do all
741 the time with State holder groups, and like the reason I put my
742 shoes and socks and get dressed in the morning is because I want
743 to go out and help people communicate better and get you know
744 develop the solutions to their problems. That really is. I want you
745 to know that. That's what motivates me. And one of the things
746 that I see sometimes in groups like this is there's not a lot of trust
747 going on right now. (some laughter) And in some cases, and in
748 some cases and I like to, I think a good metaphor for that is like
749 you have trust accounts, like bank accounts? And you have to
750 make deposits in them? But they start out empty? And it sounds
751 like in some individual's cases, there even be a deficit? (little
752 laughter) Like you pulled out, you got a negative \$10 in the
753 account? So I guess what I'm inviting you guys to do tonight is to
754 start paying (?). Let's see if we can do it. I don't know what the
755 upshot is gonna be, but I'm gonna invite paying (?) tonight. And
756 give the folks who maybe there was a miscommunication, maybe

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757 they fell down on the job, maybe they didn't do what they were
758 supposed to do. But let that go. Start tonight. Start new and see if
759 we can get some deposits in the trust account. Give these guys a
760 chance to come back. Say they're gonna do something. Be real
761 clear that everybody understands what that thing is. And see if
762 they come through and we can build that up. Okay? So I just want
763 to kick off with that analogy or that metaphor and see if that may
764 shed some perspective. So then based on what I said at the
765 beginning of the meeting, maybe what we can do now is get, I was
766 go out but I won't, get some agenda items/concerns. Get 'em up
767 here. Write 'em down. Make sure everything gets recorded. I've
768 also got two note takers here that are backing me up. So if I don't
769 get everything perfect, they'll get stuff too. And then, we can just
770 generate a list, we have some time to do that, and then go back and
771 say okay, what things do you wanna talk about at the next meeting.
772 And be realistic about what we can fit in a meeting. Whether we
773 can go back and talk about date and time and place for the next
774 meeting. Does that sound good? ___ live with that as a plan?
775 Okay. Then why don't we go by hands and I'll try you know to
776 keep everybody in the order. But if it gets out of order, we'll get to
777 you eventually. So, who wants to kick off the concerns? We'll go
778 around the room. How about that? So, here, here and here.

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779 Speaker: Okay. I've got sort of a list here of things that I came in prepped
780 with, but as I start off with commitments that we made at the
781 November 5th meeting the things to have for us. Not done. And
782 of course one was to expedite the RAB appointments. So that's
783 taken care of. The other was that to send us a copy of the mail list.
784 That promise was made both to the Department of the _____
785 and to myself. And it would have prevented what happened to
786 Gene here. Not knowing. We asked for the milestone dates for the
787 first quarter of 2002. And that has been done. And thank you.

788 Speaker: It's okay if I don't put that up here.

789 Speaker: Don't put that up there. I just wanna note that it's not all bad.

790 Speaker: One deposit in the trust account.

791 Speaker: That's right. We were – the Cal/EPA asked for a copy of the
792 community relations plan? And that hasn't been upcoming yet. I
793 also asked for one and haven't gotten it. We were supposed to
794 have follow up, we were s'posed to answer Evelyn's question
795 about the site.

796 Speaker: Your name's Margaret. Ann Margaret. I just wanna make sure
797 I get ...

798 Speaker: Okay. We were supposed to answer Evelyn's questions about a
799 fire at the litigation site. That was to happen tonight. And I think
800 that we shouldn't just put that off. We need some answers, that's
801 very, that concern has been voiced now three times. In the

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802 intervening time too in emails that I'm aware of. We also been
803 requested or been submitted to the Navy's since the last informal
804 RAB meeting. One was a budget break down by site. How money
805 is being spent. And the future, the estimated future expenditures
806 by site. I have a list here _____ which I'll you in writing. I'll make
807 it easy. And also to the note taker. The other was a bibliography
808 of the reports and studies that have been issued to date.

809 Speaker: The next is another deposit in the trust account. So and that is to
810 provide with us the text of the DOD and Navy RAB guidelines.
811 And that's been done. The prior RAB meeting minutes, probably
812 for the last two or three meetings before this. So we have a sense
813 of continuity.

814 Speaker: That's to you?

815 Speaker: That actually was to me. Yeah and that was to Evelyn also.

816 Speaker: Okay.

817 Speaker: Marcus and Evelyn. Okay.

818 Speaker: Why not to everybody? (?)

819 Speaker: I think everybody should have one. I think they should ...

820 Speaker: I just wanna get down what your requests are – if you're talking
821 about all the RAB.

822 Speaker: It would probably easy to email something like that. I think
823 _____ process the document. Another really important one is
824 every RAB has to have its own operating procedures. Develop its

825 own operating procedures. And we need to know what the
826 guidelines of the operating procedures are of the existing RAB.
827 That is how business gets done. I've asked for a copy of that.
828 Also, for a listing of applicable laws. Such as CERCLA, that kind
829 of thing. SARA some of the other things. A last item. We have a
830 lot of documents that are going out there that are open for public
831 comment right now. And I've asked, I know that other people
832 have asked for them, and I know that I've personally asked for
833 them 3 times beginning in October. And I've had 2 emails since
834 then to you, Mr. Rivera. There has not been a single, I have not
835 gotten any of them and there hasn't even been an
836 acknowledgement of the request. And those are things like the
837 Record of Decision that s'pose to be open to public comment. I
838 can't get my fingers, my hands on it to comment on it. And there
839 are a number of others. In fact, all the ones that were open to
840 comment and basically my not having my ability to comment was
841 non-existent so that's it for right now. Let somebody else take it.

842 Speaker: All right I shoulda brought another green pen. Okay. You.

843 Speaker: Marcus covered. I'm Mary Lou Williams. I live in Concord. I
844 was gonna ask for the by-laws both for the new RAB members
845 who need to know what their committing to and the old RAB
846 members need to be reinforced in case they've forgotten. Have to
847 have the marching orders in order to march.

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848 Speaker: Okay.

849 Speaker: _____much more specific about the _____conditions. I'd like
850 to know, first I reiterate by-laws.

851 Speaker: I have question about the _____ the RAB members. Now is this
852 a request for the RAB members mailing list or the mailing list, the
853 greater list?

854 Speaker: The interested parties and RAB members mailing list.

855 Speaker: So interested parties? Meaning?

856 Speaker: Well, that was one we saw. It contained, what we were shown,
857 we asked for copies of . The one we were shown had names of
858 interested parties as well as RAB members.

859 Speaker: Oh, okay, so people that have recently expressed interest in
860 becoming RAB members?

861 Speaker: Actually, it looked about 10 year old list or something.

862 Speaker: Okay, so it was a general mailing.

863 Speaker: It was a short list though.

864 Speaker: Okay. Okay. So general. Yeah.

865 Speaker: Tom Frietas. I'd like to know what has if any has been done on
866 the cow (?) out there. And what _____

867 Speaker: Tom, the natural assessment record there was research being
868 done on the elk (?) I'd like them to have that clarified if they're
869 doing actual uh...

870 Speaker: Experiments?

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871 Speaker: Thank you on these elk or exactly what's going on. I thought
872 these were endangered animals.

873 Speaker: Okay, we'll get some clarification and explanation on that.

874 Others?

875 Speaker: Bringing up a real old issue here. _____ before and
876 that's, how are various elements going to be integrated? First of
877 all, there's a clean up. There's now a draft out of cultural
878 resources. There is a draft out of natural resources. And now there
879 is a pending appropriation in the general defense _____ review
880 for possible re-use. And I believe all of these are integrated and
881 there's needs to be some explanation of how one relates to the
882 other and a master time table for all of them.

883 Speaker: What is your name please?

884 Speaker: Ray O'Brien. Bay Point.

885 Speaker: _____ make sure we get that.

886 Speaker: Natural resources. Annual review for re-use and then we I think

887 _____ This is from the Naval Weapon Station integrated

888 culture in the executive summary and that says, "activities that

889 may affect historic property. Currently two types of activities that

890 DET Concord have the potential to affect historic properties.

891 Station infrastructure maintenance, development improvement

892 projects and _____ of agricultural lands."

893 Speaker: _____

894 Speaker: We're here to talk about a major clean up plan of the Naval
895 Weapons Station and yet the cultural resources plan says there is
896 nothing anticipated that will affect that will affect the cultural
897 resources. So this, it illustrates exactly what he says, there is no
898 integration of these various aspects of this land and what's gonna
899 happen to it.

900 Speaker: I'd like to ask for a 30-day extension on all of the documents
901 that Marcus' gave a comment to a chance to review them and have
902 public comment on them.

903 Speaker: I second. Because I think that's critical considering that there is
904 no pre-established RAB.

905 Speaker: I wanna third that because we haven't had a RAB in two years.
906 A lot of these documents have gone out.

907 Speaker: Are you fourthing it?

908 Speaker: No _____

909 Speaker: Okay. So we get the point that there's a frustration about not
910 being able to be caught up with what's been going on. Yes?

911 Speaker: Marie, actually I am not being facetious, but could we do a 60
912 day because we ask for a 30-day extension before, are

913 Speaker: I put 30 to 60. All I'm doing right now, just so we're real clear
914 is I'm not making any promises. I'm writing down what you guys
915 are saying.

916 Speaker: Right. 'Cause we're still not getting answers from the...

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- 917 Speaker: I understand.
- 918 Speaker: ...facilities agreement that we put in _____ hard time. So we
919 need a chance to look _____
- 920 Speaker: Marie, what kinda _____ with this document _____ is it
921 gonna close or is it _____
- 922 Speaker: Yes. Two days.
- 923 Speaker: Because _____ public review and comment ..
- 924 Speaker: It's not. It's not connected to the RAB. This is another issue.
925 Not connected to the RAB.
- 926 Speaker: I'm hearing, okay, I'm hearing a couple of things. It sounds like
927 mad (?) it sounds like you found something you want to comment
928 on, and I'm assuming you're gonna be commenting on that.
929 Correct?
- 930 Speaker: Yeah, I've been working on it ever since I got it which was like
931 was like oh, it was put out in September of 2000. No one knew
932 about it. I was not able to get a copy of it until about 5 weeks ago.
933 It's not related to the RAB and the only reason I brought it up is
934 because it's related to this issue of the integration. As a
935 community, we're concerned about the land. We don't care how
936 you slice and dice all the things you're gonna do. We just care
937 about what's gonna happen to the land.
- 938 Speaker: Right. I hear ya.

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939 Speaker: Marie, one thing that does need to be noticed. You're making
940 records though, when we had our meeting in August, documents
941 were s'pose to be in the repository. They were not. I went to the
942 repository. And they were not there and they were there maybe a
943 week or two later and they were information that should have been
944 there a year ago. Information had not been put in that repository
945 for two years.

946 Speaker: Okay. I got it right here. Others? Yes.

947 Speaker: My name's Gay Tanasescu. I'm worried that there's only *one*
948 set of documents that's put in the repository. Given how many
949 numbers of people –

950 Speaker: Okay, go ahead and then you.

951 Speaker: I'd like to ditto that because we should be able to check those
952 documents out of the library. Instead of having to sit in the library
953 and read. You know, 800 page report. And there's a shelf full of
954 them and it's unrealistic. The other thing, we should two
955 repositories as is done in many, I think most sites have one in the
956 uh Pleasant Hill library as well because that has longer hours. And
957 for work- , it's fine for some people, but that has access to the City
958 of the Concord library during the day, but the hours are limited.
959 Relatively limited.

960 Speaker: Hold on, I'll get to ya. I just wanna _____ You, sir and
961 then we'll go to _____

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962 Speaker: I just wanna say ____ cultural resources study, copies for the
963 whole country _____

964 Speaker: Okay, okay, well, we gotta it up there, I got it up there
965 communications regarding documents ____ community. I got
966 that down. A lot of people ringing tonight (a *cell phone is ringing*)
967 Pat!

968 Speaker: I just want to mention, a lot of RAB's that I go to and I go to
969 about 12 of them, the Navy _____perhaps you can request
970 that _____ to make it easier.

971 Speaker: Just coming up at the _____ so I can't just ...go
972 to you and then ____

973 Speaker: Yeah, Mark Julian. Can this stuff not be available on line? (*low*
974 *murmur of conversation*)

975 Speaker: Follow up briefly on that and also maybe like a website you can
976 click on the document _____ have a website for the
977 RAB to get information. That's the way meetings are, you can go
978 and check _____

979 Speaker: So we can add that's another one website for the RAB. Um, one
980 other thing, I have seen other places do is CD's. I'll throw that up
981 there too. You?

982 Speaker: Yeah. Dean McCloud. I think it's connected to the
983 environmental cleanup, does the Navy have a water quality

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984 protection plan? Is that what it's called? A water quality

985 management plan?

986 Speaker: Storm water management plan?

987 Speaker: Storm water management plan?

988 Speaker: Could we get a copy of that?

989 Speaker: The pollution prevention plan and the last several reports.

990 Speaker: So reports. You wanna see reports?

991 Speaker: Where they are and how they're connected to our water supply?

992 _____ in Concord.

993 Speaker: Hold on. Let me get all that. So location and impact. At

994 Concord. You're saying Concord's short for that long name that

995 they said. Okay back to you _____.

996 Speaker: Uh, three things.

997 Speaker: Okay. Let me get the page ripped off.

998 Speaker: What is the financial budget for the RAB? And what resources

999 would be made available to it? The community members _____

1000 for what's called the Taft Grant(?) to help understand these

1001 complex documents. I want to know how we can get the ball

1002 rolling on getting one of those for us. Chart of the hierarchy's Navy

1003 chain of command on these environmental issues all the way up to

1004 Washington for _____ of operations. What names are on these

1005 positions.

1006 Speaker: Word is that – I get your drift. Thank you. Okay.

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- 1007 Speaker: Maria, and have monthly RAB meetings on a specific day of
1008 each month. The necessary leaders from the Water, EPA, etc that
1009 need to be there. Report or two would be helpful.
- 1010 Speaker: Gene Sylls. Prior to the monthly RAB meeting, it would be nice
1011 to get a copy of the agenda even by email or in the mail and any
1012 supporting documents that we need to review. I don't know if
1013 that's been done but I'd like to reinforce it.
- 1014 Speaker: Do your homework before you come to the meeting?
- 1015 Speaker: So that we all have reasonable expectations of the process, I
1016 think that we all need copies of the laws that are set forward in the
1017 Facilities Management Agreement. What is it? Federal Facilities
1018 Agreement. There's a number of them listed there. And I think
1019 we all need a copy of it or else we're gonna expect either things
1020 they can't deliver, or aren't required to deliver.
- 1021 Speaker: Okay. Others? Evelyn?
- 1022 Speaker: Yeah, I still have one question that since State did not sign the
1023 Federal Facility Agreement and this might off of the RAB, I don't
1024 know, will the final process be if the EPA and the Navy do not
1025 agree on certain things, and its still an issue that affects the State.
- 1026 Speaker: _____ resolution under the F-, F...
- 1027 Speaker: Federal Facility Agreement still affects the State that they did
1028 not sign?

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- 1029 Speaker: I think I can just answer that question Evelyn, if _____ you
1030 want an answer or you want to consider it for a while but um...
- 1031 Speaker: Can I suggest _____ this process or _____ the list first
1032 'cause I have a couple that I have to do myself
- 1033 Speaker: Yeah, that's fine.
- 1034 Speaker: Okay. So we got 20 minutes left. _____ we gotta do remember
1035 is pick the next date and we gotta go through this list and decide
1036 what you guys wanna talk about at the next RAB.
- 1037 Speaker: _____
- 1038 Speaker: Okay, well I just know that people make plans. So I don't want
1039 to assume that. I hear snickering. I hope that people aren't taking
1040 that the wrong way _____
- 1041 Speaker: _____ quite a few items on the agenda for next RAB.
- 1042 Speaker: Right. And you can't do all that. (little laughter)
- 1043 Speaker: Well, that brings up the point of, we should go through the list
1044 of documents that for all of the sites and _____
- 1045 Speaker: Okay. And that would be key – upcoming key documents what
1046 you guys see as key documents so that they're all _____. May
1047 not be able to do. Focus on all of them. All right. Other ideas?
1048 Yeah. Is it Dean?
- 1049 Speaker: Dean.
- 1050 Speaker: Startin' to get the names a little bit.
- 1051 Speaker: I really don't know how to phrase this or how to couch it.

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1052 Speaker: Just spit it out and I'll try to help you.

1053 Speaker: Just spit it out. Okay. I've seen the process, you know, we've

1054 been this presentation of how it works. But I'm still perplexed

1055 based on my experience.

1056 Speaker: The CERCLA Process you're referring to, right?

1057 Speaker: No – no the RAB process. I understand of course that the

1058 RAB's just an advisory board, doesn't have any decision making

1059 authority and the Navy not really obligated to do anything that we

1060 request, _____ and I brought this up twice before...

1061 Speaker: Okay.

1062 Speaker: And if there's a presentation of the _____ portion of the

1063 meeting and I described in some detail with photographs the

1064 industrial sites that were toxic sites in the weapons. And they

1065 were not part of the Navy's plan for clean up. They had not been

1066 recognized in any and I had the documentation going back to their

1067 very early in the identifications of the toxic site. And I made a

1068 probably a 25 page presentation. Gave copies out to the RAB.

1069 There were probably as many people as there are here. Never

1070 heard another word about it.

1071 Speaker: Okay.

1072 Speaker: They never have checked it out. They never went to the Contra

1073 Costa County Historical Society to look at the pictures or read the

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1074 history or give me the pertinent (?) information about it. Now that

1075 perplexes me. I wonder why that is. And I ...

1076 Speaker: Can you give me that specific area so I can make sure we have

1077 it?

1078 Speaker: You just put down pre-Navy...

1079 Speaker: Well, I've talked to the Navy and _____ to the people here in

1080 the room and said are you responsible for toxic sites before the

1081 Navy was here. And the answer was yes, they are. Well, then,

1082 why are you not...

1083 Speaker: Okay, Dean, I just wanna make sure I'm capturing what your

1084 concern. What areas specifically were you talking about in your

1085 presentation?

1086 Speaker: Actually, I can give you a copy of the presentation.

1087 Speaker: ...the regulations, just so he can help you, Marie, in his

1088 presentation on historical operations.

1089 Speaker: That's not the issue.

1090 Speaker: Okay, but I'm hearing specifics.

1091 Speaker: The issue is, how do you get something added to their clean up

1092 list? That's the issue.

1093 Speaker: So, so..right. You're saying, you heard the process and you

1094 wanna know, you brought something to light. And you didn't hear

1095 a response on that and you're like what he says(?) happened to

1096 that...

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1097 Speaker: And then there're been several other and they continue to talk
1098 about the same sites that were identified back in the 80's and don't
1099 give any acknowledgment or get any credibility to things that the
1100 historians are trying to are accurate.

1101 Speaker: Okay so there's another question here. The specific on the table,
1102 then there's a general question of how are new sites added?

1103 Speaker: Yeah.

1104 Speaker: Okay. Others?

1105 Speaker: I'd sort of like to add to that, how we need a procedure to
1106 discuss the procedure for _____ all the issues that people bring
1107 forward. I know it's not like...

1108 Speaker: One of those things(?) I've been through this process a million
1109 times, they get up there, you know, and they're on the board and
1110 they're very impressive, but then they disappear. And then there's
1111 a whole new set of military people here who don't know anything
1112 about it. That's the process I've seen 2 or 3 times.

1113 Speaker: _____, Marie?

1114 Speaker: Well, one of the things we're gonna do tonight and this is what I
1115 was suggesting is come up with an agenda for the next RAB
1116 meeting. So out of this list, decide what are your priority issues.

1117 Speaker: Will we get copies of

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- 1118 Speaker: Absolutely. This will become part of the record for tonight. It
1119 will become part of the record summary. In more detail. These
1120 guys are also backing me up and takin' notes.
- 1121 Speaker: But then where does, the list that we've made up? You're
1122 representing, I'm confused, I guess. You're representing the Navy
1123 or ...
- 1124 Speaker: I was asked to facilitate a meeting that I thought was about
1125 kicking off a RAB. (laughter) No, no listen, but I understand, I'm
1126 not making a joke here. But, I understand you're underlying
1127 concern is hey, is this gonna go in a black hole? I can tell you that
1128 this is gonna be typed up. You got the Navy folks right here. We
1129 talked at the break and there was an acknowledgement, that hey
1130 regardless, I'm not gonna talk about blame. Because if we get into
1131 blame right now, everybody shuts down. They get defensive and
1132 they start hurling their bombs from across the room.
- 1133 Speaker: Well, then one thing I'd like to add is that ...
- 1134 Speaker: But if I could finish my statement.
- 1135 Speaker: Well, let me finish here. One thing we should add to the list is
1136 who they're gonna be assigned to.
- 1137 Speaker: Right. I agree. So what I would say to the Navy just from a
1138 process perspective, which is what I get paid to do, is yeah,
1139 _____ happened with a twist. Is something on this list isn't
1140 done, then there's an explanation line(?) or there's a clarification.

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1141 Or if it's done then yes, there's a time line that's given. So my
1142 advice to the Navy would be, take this back, do that. Look at
1143 everything that's on there, make sure nothing's, 'cause that's what
1144 I said about this at _____, will you give 'em a chance to
1145 make some deposits.

1146 Speaker: When you say, Navy, though, who is responsible?

1147 Speaker: I'm lookin' at Rudy. Are you guys the ones that are
1148 responsible? I'm winging it up here guys. (laughter)

1149 Speaker: Well, the bottom line will be, Rudy and I are _____ the Navy.
1150 Rudy and I are where the rubber meets the road for the Navy

1151 Speaker: Excuse me?

1152 Speaker: Rudy and I are where the rubber meets the road.

1153 Speaker: The buck stopping here.

1154 Speaker: That's right. Just for clarification. I'm the project manager for
1155 the *clean-up*. At Concord Naval Weapons Station. Rudy works
1156 for Concord Naval Weapons Station. Rudy runs the RAB in
1157 coordination with _____

1158 Speaker: Who's going to be responsible for making sure that we get
1159 answers on _____ and yes, whose going to follow up on this? I
1160 wanna know who to gripe at when this isn't done.

1161 Speaker: Rudy had to leave and then whoever had responsibility for the
1162 responsible _____

1163 Speaker: But Rudy's new at this.

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- 1164 Speaker: Okay, let me ask, let me put this way, let me ask this way.
- 1165 Between the two of you, can, is it okay for this audience to assume
- 1166 that there will be some kind of answer to be issued by the next
- 1167 RAB?
- 1168 Speaker: Right. It's either Rudy or myself, depending on the issue.
- 1169 Speaker: And it will be in writing.
- 1170 Speaker: Yes.
- 1171 Speaker: Okay. So there'll be some kind of answer, even if _____ more
- 1172 research, but there will be some kind of acknowledgment and
- 1173 answer. Is that safe to say that? Okay. And that's going in the
- 1174 record. Pat. _____
- 1175 Speaker: I'd like to suggest that a copy of the notes from the meeting
- 1176 from tonight _____ as soon as possible and definitely
- 1177 prior to the next RAB meeting...
- 1178 Speaker: Add to that, it should be put in a chart form and be issued and
- 1179 stated _____ plan for the follow up with the Navy, the Cal/EPA or
- 1180 whatever and then the expected date of completion or fulfillment.
- 1181 Speaker: That's a separate thing _____ be sent to everyone
- 1182 _____
- 1183 Speaker: Oh! Maybe uh ...Evelyn. I know your name now.
- 1184 Speaker: I've been told that there is a community response plan for
- 1185 emergencies *on* the Concord Weapon Station; however, I'm not
- 1186 comfortable with it. And I feel that we need to know exactly what

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1187 it is. And how it works. There was a fire that burned for two days.
1188 And I went out and took pictures of and the tidal area, and I still
1189 haven't had a response of how it happened or why and the EPA
1190 called the Navy and asked them about the fire, and the Navy said
1191 yes, the fire is burning, but it wasn't, you know, nobody else was
1192 told about it or the chance that there could be contaminates
1193 because that wasn't a very contaminated area. And I even called
1194 the Health Department and they were kinda pushed off and told
1195 there was no need for concern and concern after September 11 of
1196 the security on the Naval Weapons Station. There's only like 12
1197 people left on that naval weapons station and we have gas lines.
1198 We have water. We have, you know, _____ we probably still
1199 have things there that are um, I mean _____ still there. I
1200 think we need to have some sort of reassurance that ...(*tape ends*
1201 *suddenly*)
1202 Speaker: (*tape in progress*) Right. That's a healthy list. There's a lot of
1203 stuff up there. I'm kinda think maybe the best way to do it. Do
1204 we have suggestions?
1205 Speaker: May I make a suggestion?
1206 Speaker: Of course.
1207 Speaker: A lot of this isn't stuff that needs to be discussed at the next
1208 meeting, it's just stuff that needs to be given to us by the next
1209 meeting. So why don't we just identify those and then, right off

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- 1210 the bat, and then I think with the relatively few things that are left,
1211 we can discuss as an agenda as an action item _____.
- 1212 Speaker: Okay, if there's a smaller list why don't we go with marking off
1213 all the things that are appropriate for RAB agendas. That might be
1214 an even quicker way to do it.
- 1215 Speaker: Well, I just wanna make sure we *get* the other stuff.
- 1216 Speaker: You already heard a commitment that that's gonna happen. Or
1217 that at least there's gonna ...
- 1218 Speaker: I kinda want the RAB by-laws just not(?) someone to write and
1219 say what they're gonna *do* about it. I want the RAB by-laws next
1220 time. I mean, and that's a simple thing to do. And they don't need
1221 to explain 'em. Just give 'em to me. I can read.
- 1222 Speaker: Okay, another suggestion. Evelyn?
- 1223 Speaker: And also I shouldn't _____ and I agree that I have
1224 email at least 3 times. And I don't think it's unreasonable to have
1225 extra copies made for people that are concerned and want to read
1226 those at their own convenience. I really don't think it should be
1227 such a big problem.
- 1228 Speaker: Okay. So I'm marking that again. _____ come up with a
1229 theme _____
- 1230 Speaker: In terms of the process with the seven pages of material, okay,
1231 we're going to be making choices from them there's a couple of,
1232 apparently one that _____ can speak to and I need speak to which

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1233 might help narrow that list down just by one or two so you don't
1234 have to mess with them. So um, before you get to making choices
1235 and things like that , there's the one reference that I wanna make
1236 and it's _____ to her question, you can take those off the
1237 list because the answer. That might simplify it. I'm sorry I can't
1238 speak to 20 of them and help us further narrow it down. But I do
1239 need to speak to one. I can do that now before we start ___ or I can
1240 do it later but I think I ought to do it now.

1241 Speaker: Okay. Why'd you go ahead and do your...

1242 Speaker: The one that I need to speak to and this would _____ is the
1243 mailing list of RAB members. EPA is completely different than
1244 the State in this regard so they _____ So I just need to make it
1245 clear. The State has a law on the books that says anything that
1246 they do is public information. EPA lawyers have told us that
1247 mailing list are a _____ group of things that are privacy act
1248 protected and we don't share our mailing list with anybody. We
1249 don't even share with the rest of the RAB members _____ and I
1250 talked to the Navy about this 'cause they asked ___ to compare
1251 my guidance to yours and ___ to yours and privacy act protected.
1252 Particularly because the State's rules are 180 degrees opposite.
1253 But anyway, _____ probably not put it on the list 'cause we
1254 would certainly ___ not to release it.

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1255 Speaker: Now, David, what I'm hearing underlying there is that it's to
1256 protect the individual who may not want to have their name be part
1257 of a public list.

1258 Speaker: Spread to whatever, whatever end ...

1259 Speaker: Not that any of you would do that.

1260 Speaker: Spread around. If people find out _____ please, have
1261 everybody call me, that's one thing, but the lists that our signed
1262 lists are for _____

1263 Speaker: Isn't that part of the Freedom of Information _____

1264 Speaker: No _____

1265 Speaker: Okay. So thank you for that clarification from EPA. And then
1266 Phillip had wanted to speak to another issue that _____

1267 Speaker: We wanted to know off this as a comment Evelyn about of the
1268 FFA. That was a comment you had raised if we wanna _____
1269 if EPA and the Navy had a dispute we would go on since we are
1270 two parties _____ we would go on and elevate the dispute.
1271 So we would take it, we would use the FFA in the dispute
1272 resolution process. As described in the FFA to resolve the dispute.
1273 Calmly (?) resolve it internally. And we would always bring in the
1274 State in those _____ sessions. In the event that we're having
1275 _____ at that level just quickly dispute resolution in the FFA
1276 there is a process that describes you know how we work through a
1277 disagreement with the military on environmental document. At

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1278 low levels, the staff level and myself, Mr. Tanasescu, _____ 80(?).

1279 Then that gets elevated to managers. And it works its way up to

1280 EPA is I believe the ultimate decision maker in a dispute regarding

1281 some aspect of the FFA. Now at some point, I'll give you an

1282 example, what happens when the State wasn't happy with an

1283 agreement we made that came out the dispute. The State not being

1284 a part of the FFA, cannot use the dispute resolution process. I

1285 believe they have a capacity for drafting their own order.

1286 Something like that if they wanted to.

1287 Speaker: Okay. ____ there are other _____

1288 Speaker: There are _____

1289 Speaker: In regard to the FFA and you are the top

1290 Speaker: Ultimate.

1291 Speaker: The lead. Then why because when the fire took place in August,

1292 and wrote a letter and talked to you about this personally, why

1293 were they, why was the Navy not reprimanded or fined for that

1294 fire? And that's in direct violation of the Federal Facility

1295 Agreement because they did not even notify the public. That's just

1296 you know, one thing. So, I feel like...

1297 Speaker: They didn't notify the EPA, you mean.

1298 Speaker: I mean the IPA, well, they didn't notify the public either.

1299 There's a problem, I mean, we have these things are supposed to

1300 be protecting us, but they're not.

1301 Speaker: Right, well, Evelyn, I'll give you a really quick answer anyways
1302 on this and maybe, Phil does owe you a letter. You know, you had
1303 written the Navy about this issue. Give you just a real quick
1304 answer so we don't take a lot of time up but it was to the EPA a
1305 communications issue. That the extent of the fire, where it
1306 happened, what the land was used for, in fact if some of that area
1307 had been remediated we are not as, it was failure to communicate
1308 to EPA now I raised these issues to my managers. I don't know if
1309 independently I have managers and you know saying what I do and
1310 there was a decision at the agency that we have higher priorities
1311 and we notified Navy about this failure to communicate decisions
1312 with us. And we felt that was really the nature of the problem. Not
1313 that there was a risk or short term or long-term risk of exposure to
1314 people that were anywhere near that site. ____ managers, we have
1315 you know in answer to your question there was not this was not ____
1316 warning. The EPA to go back and punish the Navy for a bald
1317 eagle landing on a power line, catching fire, falling on the ground.
1318 *(there some murmuring in the room after this remark)* The agency
1319 just decided, my managers, said there's nothing we would want to
1320 go and fine the Navy for.

1321 Speaker: _____ the purpose is not to get into all the details because
1322 there's many issues about clean up _____, but I think your issue

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1323 was what is the _____ resolution process and I'm wondering if

1324 you think that's been reasonably answered and of course _____

1325 Speaker: I think it needs to stay on the list.

1326 Speaker: Okay.

1327 Speaker: Okay.

1328 Speaker: Well, that's fine.

1329 Speaker: Let's keep it on the list.

1330 Speaker: I think also the other one should stay on too.

1331 Speaker: Yeah, I put a check mark. I'll reinforce it so we'll know.

1332 Speaker: Well, he can say we can't get on the list

1333 Speaker: And I put that as an explanation up there. Okay, and since this

1334 is just a kick off thing, what I'd really like to do is re-orient you

1335 guys back to the siting now. Maybe take some proposals or what

1336 do you want to talk about at your next meeting. So that we can,

1337 and again, nothing's gonna fall off. It's gonna be in the minutes.

1338 Yes?

1339 Speaker: In general, I think that the process then should be definitely on

1340 referred to the process of the meeting. In other words, _ up there,

1341 whether a professional note take would be provided. In other

1342 words, those are things that ought to be on the agenda, as opposed

1343 to solving all the problems at the Naval Weapons Station.

1344 Speaker: So how about if we just get in the notes here, the process related

1345 issue. Okay? Gay?

- 1346 Speaker: I want reiterate that because basically the biggest problem here
1347 has been in communication.
- 1348 Speaker: So everything that's related to communication and process.
1349 What I'm hearing is there's been some miscommunication and
1350 confusion. Cleared that up from the get go.
- 1351 Speaker: Um hm.
- 1352 Speaker: And decide how things are gonna be communicated, how we're
1353 get information out and then move forward. _____
1354 Chris, and then it goes to....
- 1355 Speaker: We may not have time to talk about some of the documents that
1356 _____
- 1357 Speaker: Such a good job of doing a brain storming here.
- 1358 Speaker: There's more to it. There's more documents (*several*
1359 *people are talking among themselves*)
- 1360 Speaker: The very first one, #6, _____ upcoming documents information
1361 _____
- 1362 Speaker: Yeah. Survey. Great. So I need a _____, a biblio of reports,
1363 those are the two document ones I see? Okay. Thank you guys for
1364 orienting me. All right _____
- 1365 Speaker: Before we go any further on this here, I'd like to know whose
1366 responsible for this list? And whose gonna _____ the meeting next
1367 time? And maybe we should pick a date right now.
-

1368 Speaker: Check. That's a good question. All I heard is that the Navy's
1369 gonna be responsible for making sure that something happens with
1370 that list and back by the next meeting. Okay. It will also be a part
1371 of tonight's meeting summary. So let's, we've written up here, it's
1372 gonna be in the summary. So you'll have it. Typed out. So it'll
1373 be in a little more detail than what I've done here because I have
1374 two people backing me up taking more detailed notes. Including,
1375 you know, who made the concern, etc. The second part, so let me
1376 check in with what I've heard as the proposal. I've the proposal is
1377 to get the information out about what documents are key and
1378 upcoming and that are up for review. Got a bibliography of the
1379 existing documents, and then the other thing would be to address
1380 the process points that have come up tonight. Is there anybody
1381 who is *not* comfortable with that being the basis for the next RAB
1382 agenda? ____ okay.

1383 Speaker: Next RAB appointments of course.

1384 Speaker: Yeah, that ones already on the board(?)

1385 Speaker: Also slowing down these sign offs on these Record of Decision
1386 on the other documents because until there can be adequate public
1387 over sight of these documents as their released, I think I wanna
1388 reiterate what I heard other people say, I think we need to slow
1389 down the process until the RAB is fully convened and operational.

1390 Speaker: Okay.

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1391 Speaker: Can we vote on that?

1392 Speaker: No (little laughter) I just wanna clarify some minor things here

1393 with the RAB thing. 'Cause I've done a lot work with RAB. One

1394 of the reasons that it's set up as individuals giving advice instead

1395 of a decision making body? Is also to protect individual advice.

1396 You know. It's creating a _____ where divergent opinions can

1397 be expressed. I just wanted to throw that out real quick.

1398 Speaker: You mean like divide and conquer?

1399 Speaker: No! The thing is you don't have to have consensus among the

1400 RAB group to have an opinion weigh in. But rather you can get 10

1401 individual opinions. And it but it was originally in its original

1402 conception that was part of the intent. For what it's worth.

1403 Speaker: Yeah.

1404 Speaker: Okay, so! Given th- I hear what you're sayin', I don't know

1405 what that the legality, I know that's a FFA and there may be things

1406 that are beyond that but okay but how about if we say for now that

1407 that would be on the agenda in some form. Whether it's an

1408 explanation of if that can happy or whatever, is that sufficient?

1409 And then could you live with it being process, identifying

1410 documents and having some sort of response to that? Then can we

1411 live with those things being the next RAB agenda?

1412 Speaker: I expect some action in the mean time.

1413 Speaker: And I understand.

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1414 Speaker: _____

1415 Speaker: And I understand. There's zero in the trust account. I

1416 understand that. I'm asking you guys to just take the leap of faith

1417 and we'll see. If there's nothing there and you fall, you can come

1418 back and say, screw you _____

1419 Speaker: I want that deposit.

1420 Speaker: Okay? Okay. Yeah.

1421 Speaker: Being that there are some communication issues, I would really

1422 like to see the website _____

1423 Speaker: _____ communication and what we could do if you trust us to, is

1424 go back on this list and look at everything that's process oriented

1425 and bring that up and develop an agenda with it. Since we did do

1426 seven sheets. So if people are just willing to take that leap of faith,

1427 we'll work to do that for the next RAB meeting. And then maybe

1428 the last thing we can do tonight is figure out when that's gonna be,

1429 where and what time. Yes?

1430 Dean and then Evelyn.

1431 Speaker: I would just like to say you've done an excellent job tonight.

1432 Speaker: Thank you. I appreciate it. (*applause*) Now you're making me

1433 blush and you're making me feel sorry.

1434 Speaker: I hope you'll be here next week. _____ we'll miss you.

1435 Speaker: Yeah, I was gonna say, who will run next week's meeting? We

1436 need somebody who is actually gonna be a facilitator like this and

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1437 keep, you know, help us get started on this without, because the
1438 meeting we had in November was really, I don't even know what
1439 you wanna call it. It wasn't a meeting. It was a kind of a strange
1440 get together that we were called together. Just a small group of us.
1441 I'd really like to see someone, you know, I'd really like to see you
1442 come back and do this.

1443 Speaker: Well, thank you for the compliment and the applause. I'll put
1444 down here, facilitation question mark. And have that be an issue.
1445 How the meeting gonna run and making that their efficient, etc.

1446 Speaker: And I have one other question, and I don't know if this is,
1447 because of the joint use in the House of Representatives right now,
1448 it has to do with the environment and since the joint use committee
1449 is kind of a closed committee, I'd like to know if people from the
1450 RAB can be on that committee without it being closed out since it
1451 has to do the environment and the use of the property.

1452 Speaker: The answer is that committee was established by _____ and
1453 only he can make changes to the committee's structure.

1454 Speaker: Is that the local...

1455 Speaker: That's not true.

1456 Speaker: If that is the one you're talking about.

1457 Speaker: Okay, I wanna make sure I get the name right just for the record.

1458 And we're just gonna get it down on the issues list.

1459 Speaker: It's the Joint Use Study Committee.

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- 1460 Speaker: Joint Use Study Committee
- 1461 Speaker: _____
- 1462 Speaker: Yeah. 1.5 million dollars for
- 1463 Speaker: _____
- 1464 Speaker: What happened was the Joint Use Study Committee, the City of
- 1465 Concord, East Bay Regional Park District and Contra Costa
- 1466 County chased out all other members except themselves so that
- 1467 they could divvy up the Weapons Station according to their own
- 1468 wishes.
- 1469 Speaker: No.
- 1470 Speaker: Unions that were involved in it, could no longer be involved in it.
- 1471 Other non-profits were involved in it were basically told your
- 1472 services are no longer wanted. That was the unilateral decision on
- 1473 those three jurisdictions part.
- 1474 Speaker: Okay, well we got some issues ...
- 1475 Speaker: _____ that's not correct. I have a copy of the memo, the letter
- 1476 that was sent by Congressman Miller that he....
- 1477 Speaker: He had already excused himself from participation in that _____
- 1478 Speaker: Okay, so we have a difference of opinion here. That's okay.
- 1479 Let's not try to work it out tonight. So how about the next
- 1480 meeting? When do you guys want to meet again? ____ calendar
- 1481 somebody? So I can write this down
- 1482 Speaker: January.

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- 1483 Speaker: I heard a proposal for January.
- 1484 Speaker: Has to be January. Unless you wanna meet in February.
- 1485 Speaker: Well, I know I checked in the Navy guys, cause ... (*several*
- 1486 *people are saying no, no in the background*)
- 1487 Speaker: Get you calendars out. I checked in with the Navy guys. Bill,
- 1488 you're not available 'til the last week of January, is that correct?
- 1489 (*someone in the background is still saying, no, no, no*)
- 1490 Speaker: That's correct.
- 1491 Speaker: Okay.
- 1492 Speaker: _____ January. We have to make this regular. Otherwise, we're
- 1493 just getting screwed royally all the time.
- 1494 Speaker: That's too much to wait.
- 1495 Speaker: Somebody else has to change their schedule around. (*there's a*
- 1496 *lot of murmuring now*)
- 1497 Speaker: Somebody else can always be here. That's not a problem.
- 1498 But I will not be able to be here.
- 1499 Speaker: Okay.
- 1500 Speaker: I have to take my vacation. I have had no vacation over the
- 1501 entire year. If I don't take it, I loose it.
- 1502 Speaker: If I can just make an observation. Specifically about Gil. Gil's
- 1503 role in the RAB. I've learned if you have a RAB meeting without
- 1504 the Navy's RPM there if you have a representative, somebody
- 1505 that's doing it, in my experience, usually the people who fill in for

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1506 the people who are supposed to be here? They don't have the
1507 knowledge to even answer the questions, or even address the
1508 historical questions...

1509 Speaker: Beginning...

1510 Speaker: Evelyn, Evelyn if you could just let him finish talking.

1511 _____ Okay?

1512 You folks can request what you want, I just think you should know that
1513 it's best to have the regular players particularly in a RAB meeting
1514 setting. It's not a community meeting. It's a RAB meeting. So
1515 it's a stakeholder meeting and it just makes sense to have the
1516 people who are really doing the work be here _____ concerns as
1517 well as provide their technical knowledge and not depend on
1518 _____

1519 Speaker: Well, what about Rudy? I mean...

1520 Speaker: Well, he's one, but Rudy's not the RPM. The Navy has a split,
1521 and they can explain this better than I, they have a split in their
1522 authority and responsibilities is different than the EPA where
1523 we've entrusted *everything a hundred per cent* of the technical
1524 stuff in Gil! (a little laughter)

1525 Speaker: Okay so I understand there's still this distrust going on here and
1526 I guess I would just ...

1527 Speaker: Well, we have all these documents. We have all this work that
1528 has to be done. I mean this is another 30 days taken off our 30/60.

1529 Speaker: Okay, so Evelyn, I guess my question to you is then, do you
1530 want to meet earlier and not have the person who knows the most
1531 about base, or do you want to wait until that person's gonna be
1532 physically there? That really is, I'm hearing that's the issue.

1533 Speaker: Is there another choice? I mean it, the thing that keeps coming
1534 up the most is that we feel like we're being cheated from
1535 _____ So in this particular case, isn't there any way that
1536 _____

1537 Speaker: _____ that there's no connection between what the RAB wants,
1538 thinks and says and what the Navy does. There's no connection.

1539 Speaker: Okay, so I guess _____ Yes?

1540 Speaker: Excuse me, yes there is a connection. Yes, there is. And it
1541 shows in one of the documents that I can't think of right now off
1542 the top of my head, but if we cannot get this together tonight as a
1543 RAB and pull this together, all we need are 50 community
1544 residents to make our own RAB and we can meet on the outside or
1545 we can have our own RAB. So maybe that's what we have to do.
1546 If we're not gonna get this information together, and we're not
1547 gonna get this general group working and we keep going off and
1548 going off ...

1549 Speaker: All we're talking about here is the date so let's keep it...

1550 Speaker: I know, but making it effective. What can we do?

1551 Speaker: I understand that.

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- 1552 Speaker: May I ask for another option? Is it possible for us to meet
1553 earlier? Before the end of the year?
- 1554 Speaker: Before the end of January?
- 1555 Speaker: Before you go on vacation. When do you go on vacation?
- 1556 Speaker: Next week will be my last week in the office.
- 1557 Speaker: Oh. Okay, then, okay let me just check in here. What you guys
1558 have decided is gonna be for the next agenda, is gonna be talking
1559 about process stuff and make an identification of all these
1560 documents, right? Those are the two keys things. And then also to
1561 yours, didn't want to lose that, was the issue of can you have can
1562 you push back the process. And to have that spoken to. Can that
1563 be done in your absence, Gil?
- 1564 Speaker: Yes it can.
- 1565 Speaker: That isn't as much as a site specific, but to get you guys oriented
1566 and getting you with the basic information. Okay. So given that
1567 then do we have a proposal for a date in January? Somebody give
1568 me a date.
- 1569 Speaker: 7nd.
- 1570 Speaker: 7nd. Which is what day of the week?
- 1571 Speaker: Monday.
- 1572 Speaker: Monday.
- 1573 Speaker: 7 o'clock. First Monday. Meeting's gonna be here.
- 1574 Speaker: Okay. So that's 1/7/03. That's the first time I've written that.

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1575 Speaker: 02.

1576 Speaker: 2. (*burst of laughter*) I just wanna skip the whole thing! Just

1577 kidding. So, is there anybody can't live with Monday the 7th being

1578 the next RAB meeting? Yeah

1579 Speaker: I can live with it. Will there be flyers sent out like this time?

1580 Speaker: Um, yes, I'm assuming there will be ...

1581 Speaker: _____ got one, will they get one for the next meeting?

1582 Speaker: So we'll say flyer notice

1583 Speaker: I saw his nodding. I saw Phillip's head nodding. Maybe

1584 _____ are they nodding _____

1585 Speaker: There was request about having these meeting minutes list

1586 included with the agenda things like that _____ in the

1587 room.

1588 Speaker: Right.

1589 Speaker: May I add one more thing?

1590 Speaker: Okay, I wanna check in. But let's stay focused. First of all.

1591 This is the date then. I'm not hearing objections, so the next date

1592 will be the 7th of January.

1593 Speaker: I think we need to get more public output on this. The

1594 newspapers seem to be very, very negative as far as writing

1595 anything or coming to these meetings. And we need to get this out

1596 so we get more public opinion. We've got a lot of problems here

1597 that people need to know are in their backyard.

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- 1598 Speaker: Okay.
- 1599 Speaker: So it needs to go out TV, radio, newspaper.
- 1600 Speaker: Okay.
- 1601 Speaker: I do have one other issue, what happens if Gil and no offense
- 1602 Gil, what happens if he gets hit by this truck that everybody always
- 1603 _____ -
- 1604 Speaker: Oh!
- 1605 Speaker: _____ He doesn't get killed, he just gets hurt.
- 1606 *(laughter)*
- 1607 Speaker: Getting macabre here. What was your question then?
- 1608 Speaker: I mean ...
- 1609 Speaker: Whose gonna take his place.
- 1610 Speaker: ...if he is so indispensable where you can't do anything without
- 1611 Gil, what happens if Gil's not around?
- 1612 Speaker: Gil, this is not gonna be an issue normally, this is just the end of
- 1613 the year _____ *(some laughter)*
- 1614 Speaker: We're not making arrangements, Gil.
- 1615 Speaker: I would like to know _____ addressed before you go on
- 1616 vacation or not?
- 1617 Speaker: It'll be addressed *while* I'm on vacation.
- 1618 Speaker: While you're on vacation.
- 1619 Speaker: He has support staff.
- 1620 Speaker: I have support staff.

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- 1621 Speaker: They can help.
- 1622 Speaker: I have support – well not personally. There's only -
- 1623 Speaker: The Navy has people that can ____
- 1624 Speaker: The contractor's do. The contractor's do that work together
1625 with Rudy ____
- 1626 Speaker: So I think we're coming to the close of the meeting. Let's take
1627 some final comments. We got our date, we got our agenda Go
1628 here and here.
- 1629 Speaker: Just a final comment in the good faith account. If the Navy
1630 would, I hope that you relay, Gil, to your whoever makes these
1631 decisions, that delaying the or extending the comment period on
1632 these Records of Decision, feasibility studies and other things is
1633 really essential because as I've said I haven't been able nobody's
1634 been able, I've asked for them, I've requested them, other people
1635 have done the same thing, we haven't been provided them, so we
1636 haven't been able to comment. And I think they need to be
1637 extended and a good faith gesture. And I think it's really
1638 important to do that at the beginning. A lot of people are very
1639 concerned about this. The second point and the last point I wanna
1640 make is this, a lot of these issues I want to reiterate it we've
1641 identified up here are simply a matter of producing paper. A copy
1642 essentially. It's not creating paper. It's copying. That needs to get
1643 done and hopefully sent us. For instance, the by-laws for the RAB.

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1644 We should receive those before we even come to the next meeting
1645 so we know what we're talking about. We don't need to be taken
1646 through them. We can read as I say. So anything up here that
1647 could possibly be addressed by simply copying, let's get it done.

1648 Speaker: Okay.

1649 Speaker: Marie _____

1650 Speaker: Hold on. We got hands over there. Let's go Gay and then

1651 David's going to comment and then we'll come back to you

1652 Evelyn.

1653 Speaker: Who has the ultimate authority to extend?

1654 Speaker: You're making a request, I mean we're kinda dealing with this

1655 site management plan and the schedules for the base that we ____

1656 making just various people who had a lot of questions about I

1657 mean we're trying, the EPA and the Navy, back in the office,

1658 September time frame, when we negotiated and quickly came up

1659 with the draft schedules. We were trying to be ambitious to get the

1660 process moving again. But we're it's EPA intention not to leave

1661 the public behind. It's never the case. We heard and I believe the

1662 Navy heard this also at the August FFA public meeting there was

1663 interest about the Navy moving too fast. With those messages,

1664 we've had discussions and made adjustments in the schedule and

1665 are trying to accommodate the public with these _____ site

1666 landfill records decision. The document is out. You should have it

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1667 some kind of an outreach activity before that document's finalized.

1668 And basically I've been hearing from the Navy that's the direction

1669 that this group is going. And EPA has already been more and less

1670 on the record telling the Navy we do have some concerns with this

1671 Record of Decision for the landfill out in _____ area, and so and

1672 I've mentioned to Mr. Kyle that we do believe because of EPA

1673 already telling the Navy we've kind of been open about this so we

1674 have some concerns that it's clearly not gonna expedite this _____

1675 on the document. *(a lot of people start to speak at once)*

1676 Speaker: _____ joint effort between the two?

1677 Speaker: We came up with an SMP that was an internal process for us to

1678 come up with a draft. That was submitted when the FFA was

1679 made available to the public *(a lot of people start to talk again)*

1680 Speaker: Phillip, do you have _____. They wanna bottom line it answer.

1681 Speaker: Yes or no!

1682 Speaker: One of my messages and I state it again, we don't wanna leave

1683 the public behind. So we're tryin' to accommodate the public.

1684 Speaker: So will you give _____

1685 Speaker: When you say we, who are you talking about?

1686 Speaker: I don't know what site we have – we have several different sites.

1687 *(several people are talking at once)*

1688 Speaker: Okay, okay, apparently there isn't an easy yes or no answer here

1689 so again we have this on the agenda for the next meeting, so I

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1690 would suggest that maybe that be developed and explained at the

1691 meeting at the meeting.

1692 Speaker: But the reason I'm asking tonight, is if there's something that's

1693 being decided on between now and the next meeting, and we

1694 wanna try to get that extended, who should we be addressing that

1695 to and whose going _

1696 Speaker: Answer that with just a name. Or _____

1697 Speaker: All the public requests should be sent to the Navy.

1698 Speaker: Okay.

1699 Speaker: Anything regarding the space.

1700 Speaker: To?

1701 Speaker: To me.

1702 Speaker: To you.

1703 Speaker: Attention Phil.

1704 Speaker: And you won't be there. (*short laugh*)

1705 Speaker: Well the thing about it is ...

1706 Speaker: Someone will be checking your mail?

1707 Speaker: ...if we're going to adjust the schedule of the site management

1708 plan there has to be agreed by US Navy (?) (*several people talk at*

1709 *once*)

1710 Speaker: ____ must concur. ____ they want 30 days, it's too long

1711 Speaker: So the decision makers are in this room?

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- 1712 Speaker: Yes. Well, yes. *(laughter)* We do have management. We all
1713 work for somebody else and we have to get their approval. We can
1714 agree here, but we still have to run it by our managers. If they tell
1715 us _____
- 1716 Speaker: You'll let us know then?
- 1717 Speaker: We will certainly work together and let you know.
- 1718 Speaker: Communication has happen. That's the key to tonight's
1719 meeting. I can tell you every time there's conflict, there's always a
1720 miscommunication going on.
- 1721 Speaker: I'll go last.
- 1722 Speaker: Okay, we'll go Evelyn and then Chris and then ...
- 1723 Speaker: Mr. _____ you were very helpful last time. Why are you so
1724 quiet tonight? Why are you not giving _____ *(laughter)*
- 1725 Speaker: I'm listening and you guys are saying it all. So there's no – it's
1726 a done deal. Everybody's working together.
- 1727 Speaker: You're soakin' it in huh?
- 1728 Speaker: Yeah. Actually, I'm just, you as a group, if I, I'll say something.
1729 You as a group are performing that age old American getting in
1730 and working for something and you have a divergent opinion,
1731 you're working with a bureaucracy and you're working through it.
1732 And right now, just two seconds ago, you came to a realization that
1733 who the people were that could push the buttons if not by

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- 1734 themselves, to their management, and its working. You're doing
1735 it. That's my statement. I'm an observer. That's my statement.
- 1736 Statement: Okay, let's get a couple of, we have three more people. Let's
1737 make this the final comments 'cause we are going towards 9:30, if
1738 you guys wanna go home. We'll go first miss, and then you sir,
1739 and then follow _____ the Chief of Justice, the Governor
1740 General we got a date. We got a list of things for the Navy to look
1741 after. But –
- 1742 Speaker: I would just like to reiterate that _____ what _____
- 1743 Speaker: And I think what _____ said, be specific as opposed to
1744 just the world. Okay _____
- 1745 Speaker: I would like to clarify, or see if you can get some clarification,
1746 when you said Monday, the 7th, is it the suggestion then that the
1747 7th that it be the first Monday of the month or something like that?
- 1748 Speaker: Any objection, I don't know, we haven't even decided, right
1749 now you're s'posed to meet quarterly. So would that be the first –
1750 (*everyone says in unison Noooo!*)
- 1751 Speaker: Okay! Okay! Okay! (*laughter*) You guys don't try to put my
1752 deposit back!
- 1753 Speaker: Was there any discussion to about having standard meeting at
1754 any particular date and time so that...
- 1755 Speaker: Anybody object to first Monday?
- 1756 Speaker: _____

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1757 Speaker: You do? Okay.

1758 Speaker: I bet 1/7 is not the first Monday though.

1759 Speaker: It is. (*general murmuring*)

1760 Speaker: New Year's Day is Tuesday.

1761 Speaker: I think we should allow some flexibility in setting automatic

1762 monthly meeting because –

1763 Speaker: _____

1764 Speaker: I'm not gonna be able to do all the homework between every

1765 meetings.

1766 Speaker: Okay: So maybe one of the things also in the housekeeping we

1767 need to talk about the next meeting is what the regular meeting's

1768 schedule is gonna be. Maybe you can do it for year or whatever.

1769 Somethin' out there. Okay, what don't we get the final comment

1770 from you sir,

1771 Speaker: Paul Fleds(?) Since the two decision makers from the Navy and

1772 EPA are here, do they know at the present time if there are any

1773 reasons why these deadlines can't be extended...(*Tape stops*)
