

**Concord RAB Meeting Minutes
January 7, 2002**

1 (tape in progress)

2 Speaker: ...those of you who attended the last RAB meeting and you had your
3 name on the planning sheet. So you're joining up, make sure you fill out
4 one, and I know, those of you who don't have a table, I don't remember
5 everybody's last name, their name from the last meeting so if you just
6 wanna say your name or hold up your card. That'd be great. What don't
7 we go around and introduce ourselves and say our names and any
8 affiliation if you have one or if you're a community member, that's fine
9 just say that. I'm Marie Rainwater, I'm with Tetra Tech. I do facilitation
10 for a living and I was here at the last meeting and that's it. _____

11 Speaker: I'm Carolyn Hunter with Tetra Tech.

12 Speaker: Hi, I'm Gene Sylls. RAB member.

13 Speaker: _____

14 Speaker: Amado Andal. Naval Weapons Station Concord(?)

15 Speaker: _____ Navy co-chair

16 Speaker: _____

17 Speaker: Tom Pinard, Navy Public Affairs for San Francisco Area(?)

18 Speaker: _Guy Bjerke. Concord resident.

19 Speaker: Mary Lou Williams. Concord Resident.

20 Speaker: _____

21 Speaker: I'm _____. Department of Public Health.

22 Speaker: _____

**Concord RAB Meeting Minutes
January 7, 2002**

23 Speaker:

24 Speaker: _____ United States Environmental Protection Agency

25 Speaker: Ray O'Brien. Concord, uh, Bay Point resident.

26 Speaker: Nick Virgallito. Concord Chamber Commerce as well as Concord

27 resident.

28 Speaker: Joanna Canepa. I'm with Tetra Tech. I'm an environmental scientist

29 and _____

30 Speaker: Down here to the end with you sir? Just your name and your affiliation.

31 Speaker: Tom _____

32 Speaker: Speaker: _____

33 Speaker: _____

34 Speaker: Tom Freitas. Concord.

35 Speaker: _____

36 Speaker: _____

37 Speaker: _____

38 Speaker: Okay. Did we miss anyone? All right. I'm sending around a green

39 sheet. This is a standard set of meeting guidelines that I use in the work

40 that I do. I don't think we went over these specifically. I just touched

41 on the highlights last time. So what I'd like to propose that we use these

42 if everyone's comfortable with it and I'll go over them and say what I

43 mean by what's written there and hopefully you guys'll find these

44 comfortable to use as tools to run the meeting. The first is to be progress

Concord RAB Meeting Minutes
January 7, 2002

45 oriented. Or solution oriented. In other words if you have a criticism of
46 something, if you also have something that you're desiring has not
47 come, put that out there. Participation is important. Speak one at a time.
48 I do my best to keep track of people in order as they shoot up their
49 hands. If I screw up, just let me know. I'll try to correct it. Be concise.
50 Try to think of what your saying. What you're gonna say before you say
51 it instead of having a stream of consciousness moment where you're
52 kind of thinking out loud and taking up a lot of space and time. Use "I"
53 statements when expressing opinions. Most everything we talk about
54 here are opinions of some sort. Whether their scientific opinion, a
55 political opinion or whatever. So use language that reflects that. Express
56 concerns and interest as opposed to _____ And what I mean
57 by this is, "You know, I'm concerned about A, B, and C." That is
58 different that coming in and saying, "I think you should do 1, 2 and 3.
59 That's the answer." But instead saying, "I don't care what you do, as
60 long as we get A, B, and C. Those are my concerns." And then you can
61 explore. Focus on issues and not personalities. I always like to say if
62 there's somebody in the room you don't like, try to put that aside and
63 just hear what they're sayin'. Focus on what *can* be changed. Spending a
64 lot of time and energy talking about things that are beyond the control of
65 anybody in this room is typically a waste of time. Listen to understand.
66 And not to formulate your response for the win. And this is just going to

Concord RAB Meeting Minutes
January 7, 2002

67 back to where, you know, really try to hear what the person's saying.
68 Instead of saying, what can I use as ammunition to win this argument?
69 And then, sort of related to the what can and can't be changed, stress
70 history only as it contributes to progress. History we can't change. But
71 if there's something there we can learn and use as we go forward. And
72 then there are a few assumptions that I bring to the work I do and I
73 talked a little bit about this at the last meeting. But I formalize here and I
74 invite you all to join me in these. First is, I believe we are dealing with
75 complex issues and no one person has all the answers. And that's why
76 there are teams of people that work on this that have you know,
77 expertise in all different kinds of areas. So I really believe that it takes
78 all, you know we have this poster here, here are all the elements that are
79 going in to the pot for the decision makers to consider. That's a lot of
80 stuff. Complex. I believe that open discussions, ensure informed
81 decision making. Going back to the model right here. These people
82 have to make decisions. They need all of this. And open discussion here
83 is a key part of it. You know, that has to happen so there's informed
84 decisions at the end (?) I believe that managed conflict is good and
85 stimulates creativity. There's going to be diversity of opinion. The point
86 of a RAB is not to come to some kind of consensus. It is air that
87 diversity of opinion. And I believe that's good because that diversity is
88 where you get the creativity. If everybody's sittin' around, thinkin' the

Concord RAB Meeting Minutes
January 7, 2002

89 same thing, there is not creativity or innovation. I believe everybody is
90 doing the best they can with the knowledge they have now. I believe the
91 scientists are trying to utilize the best technology we have to date. I
92 believe that with people who are trying to communicate effectively and
93 that you know they're doing the best they can with the skills they
94 have_____. And lastly, I believe that blame is unproductive and dis-
95 empowering. When you start blaming, people shut down, they get
96 defensive and you don't have progress. And I think at the last meeting,
97 we did really well about getting over blame and getting into what are
98 gonna with the future. And so I compliment you guys on that and doing
99 that at the last meeting. Any questions? Comments? Complaints on
100 these? Steve (?)

101 Speaker: I think it's really true that when you talk about history in the sense of
102 blame that it's not productive. But I think that fundamentally important.
103 The whole issue of what we're doing requires that we have an
104 understanding of what happened.

105 Speaker: Absolutely.

106 Speaker: We have to have the history.

107 Speaker: Absolutely.

108 Speaker: We have to discuss the history. We have to know what really happened
109 before we can know what to do about it.

Concord RAB Meeting Minutes
January 7, 2002

110 Speaker: _____ And what I'm speaking to here and again, this is
111 generic. I didn't go and make this up for this RAB. These are, I
112 developed this list over years of doing this _____. And this is one
113 of the hazards (?) of working with community advisory boards. And
114 what I mean by that is to say, "Well you said four years ago, this, this,
115 and this. Or somebody said that. And you screwed up." And it may be
116 that's true. What do we want to do today? Because we can't even go
117 back there. We can't change that. That does *not* mean, I'm not saying
118 that I'm trying to create, or I'm saying to suggest that people don't be
119 accountable for what they've said. As far as I'm concerned that's what I
120 said last time, let's start now. It's a new group of people. Let's go
121 forward. And if somebody said, "I'm gonna do A and B." And they
122 show up at the next meeting and they didn't do A and B. Okay, then we
123 need to talk about it. Somebody _____ it didn't happen. What's the
124 problem and what are we gonna do. That's not _____. Just
125 saying that rehashing old stories that maybe he said, she said, it's
126 history, it's conjecture, we can't change it. Instead let's take our energy
127 and say what's the circumstances. What do we want to do for the
128 moment? But I totally appreciate what you're saying, Dean. Most of
129 what we're talking about we need historical understanding of you know
130 activities that went on you know what's created the environmental
131 problem. Any other questions or comments? Anybody not comfortable

Concord RAB Meeting Minutes
January 7, 2002

132 with us using this as guidelines to run the meeting? Great. We'll use
133 'em then. And really quickly, I'll go over the agenda. We have two
134 housekeeping things. Since RAB is rejuvenating and getting quick
135 started again, there's a few housekeeping things that we need to decide
136 how we're gonna handle. The first being the operating procedure or the
137 operating instructions as they're sometimes called. Which is how you
138 guys as a group are gonna function. Whatever your procedural things are
139 gonna be. Have actually power over that in more detail. So that's
140 something we're gonna touch on today. We're gonna talk about RAB
141 co-chair. Steve Gallo who was serving as the co-chair has submitted a
142 letter of resignation from that position. So we need to decide who wants
143 to be a co-chair and how are you all gonna decide and what process are
144 you gonna use for that decision. And then the lastly, this last item
145 precipitated from the last meeting where we generated you guys were
146 here you remember, those of you who may not, how many weren't at the
147 last meeting? Okay. So we have one person, a few people. We generated
148 several flip charts, pages of things that people were concerned about.
149 And it was agreed that the Navy would take that, go back, for every
150 single one of those things that we got up there, and we got two note
151 takers making sure that they captured everything and come up with some
152 kind of response for each one of those items. Many of them were
153 information requests. Everybody that was at the last meeting received a

Concord RAB Meeting Minutes
January 7, 2002

154 packet. It contained a chunk (?) of the information that was requested
155 and those were _____ and tonight there's a errata sheet that has some
156 corrections or additions. Some additional information. So we're gonna
157 take questions and answers. Maybe both _____ so people can take
158 questions on this. And then the last thing we have is uh figure out a date
159 agenda and location for the next RAB meeting. So it's more
160 housekeeping. Any questions on the agenda? Yes.

161 Speaker: Yes, I have a question. ____ have the minutes from the prior meeting.

162 And I think we need to do something about improving those minutes.

163 Speaker: Good point.

164 Speaker: Another thing. There were a number of things that we were told would
165 be on this agenda, that aren't on here. One was, the primary one was
166 extensions on the public comment periods for existing documents that
167 are out there. And that was supposed be one of the prime things on this
168 agenda. I don't see it here. We were supposed to talk about the process
169 of the meeting which I guess is what you mean by operating procedures.
170 We were supposed to talk about communications and how we're going
171 to, how things are going to be communicated. And how the word's
172 gonna be be gotten out. And then in the package which you sent us,
173 there was three things that were supposed to be on tonight's agenda. One
174 was the RAB needs to decide whether it wants a court reporter to
175 transcribe the minutes. The action item follow up if you have the very

Concord RAB Meeting Minutes
January 7, 2002

176 last part of the agenda was supposed to be the number one item. And I
177 don't want to quibble about where it is, but you only have 20 minutes
178 allotted. We have over 30 items, about 35 items to go over. And I just
179 don't see how we can do that in 20 minutes. So we were supposed to be
180 talking about RAB by-laws tonight which again I think is the
181 procedures. So, um, we don't have a place on here to talk about
182 extensions and that was the important thing that came up last time.
183 Before we can get operational as a RAB, we need to be extending the
184 deadlines. And the other thing was this only having 20 minutes to
185 discuss the answers. ___ whole lot of comments _____ last time and I
186 think _____.

187 Speaker: How about, what we had planned for the RAB procedures and the co-
188 chair was a suggested proposal. We've worked with a lot of RAB's on
189 how to get this sort of thing done. I think we can make up a lot of time
190 on those. And I'm leaving both of those just sort of do an intro and ask
191 you guys what do you want to do. How do you want to proceed? How
192 about if we try to really make up some time there, and that will extend
193 the Q and A there. I think the thinking was with the Q and A 'cause we
194 had that entire list, and we didn't prioritize it, we just, we heard some
195 redundancy and we made check marks. And I think the thinking was to
196 get the first feedback on the responses that the Navy had provided. And
197 then we could move from there. If there needs to be further discussion, I

Concord RAB Meeting Minutes
January 7, 2002

198 think we can decide that as a group tonight. So how about that? If we
199 can, and I'll try to be really speedy in getting through the housekeeping
200 stuff and see if we can save some time and spend more time with the Q
201 and A and discussing maybe what the next agendas are gonna be and
202 maybe how you want to proceed. Does that sound good?

203 Speaker: Well, I want to get through this document. This was an issue last time. A
204 really big issue.

205 Speaker: Okay.

206 Speaker: I want to get all the way through it. I mean...

207 Speaker: It's a hardy document (*laughs shortly*) Yes _____

208 Speaker: I don't know if this is appropriate or not to kind a, to respond a little bit
209 Marcus 'cause I know you realize that tonight the RAB did ask to meet
210 here tonight and you folks, last month December, you guys are aware
211 that Gil Rivera whose really the kind of senior RPM does not ____ and
212 Don O'Shea(?) whose also kind of the lead project manager for Tetra
213 Tech the consultant, _____ understands like expectations I guess. Little
214 bit hearing you say you're expecting to have a response from I guess the
215 Navy on this schedule of extensions. I wasn't aware of that expectation.
216 _____ I'm not sure if we should go on to that or wait until we get to
217 that or something. Again, I was hearing you expecting a response from
218 the Navy and I don't think you're gonna get one. Because I received a
219 letter also from Guy and _____. So I'm not sure what you you

Concord RAB Meeting Minutes
January 7, 2002

220 know you may be expecting an answer from folks that we just haven't,
221 you know we just received a letter request.

222 Speaker: It's not just up to me. I think that everyone who attended the last
223 meeting ...

224 Speaker: You're raising the issue then that was...

225 Speaker: I'm talking about my opinion about what was supposed to _____
226 here tonight. The other I would like to respond _____ or not
227 _____ so _____

228 Speaker: Right. The response, I guess I'm speaking more about the schedules.
229 'Cause that's kind of _____ team discusses these things and ...there was
230 discussion about the schedules. Just so folks realize that there is an
231 expectation that the Navy's gonna be able to respond for written request
232 we received a couple of weeks ago on some schedule changes. The team
233 hasn't even discussed that matter, so it would really be just so everyone
234 hears that I guess.

235 Speaker: _____

236 Speaker: Yeah, that's right.

237 Speaker: _____

238 Speaker: Yeah, yeah, after that you've concerned about the schedule of
239 _____ request as reflected in No. 2 of the community common
240 _____ of that concern. You have to write to get the individual
241 documents. There would be an extension because as Phillip explained

Concord RAB Meeting Minutes
January 7, 2002

242 that discussion hasn't occurred at all at the agency. The Navy is open to
243 considering extensions on a case-by-case basis. But that discussion
244 hasn't yet.

245 Speaker: Marie? I really feel though that because of that response, it wasn't really
246 a response. It was a blanket response saying basically maybe and on a
247 case by case, and I sent a formal letter also on this. I don't feel that some
248 of things were addressed in the packet that you sent back to a full extent
249 and since it is part of the minutes like Marcus said, I think if we're going
250 to do this right, we need to go back and go through the minutes. Make
251 sure the minutes are correct and then go on from there. Because some of
252 these things that were on here, were not addressed properly and I don't
253 think this is the way a meeting should be run if we're going to run
254 through_____.

255 Speaker: But I think, okay, you guys remember that game "*Telephone*"? (*someone*
256 *laughs softly*) Where one person starts, if I told Joanna something, and
257 she whispers it into Nick's ear and Nick whispers into Raymond's ear
258 and into Phillip's ear and it goes all the way around the back and this
259 guy goes, "_____" what the message is and Joanna goes, "that has
260 nothing to do with what I said. And the only reason I bring that up is just
261 because we were all here at the meeting. There was a lot of information
262 discussed last time. We had two note takers, plus we had me up there
263 scribbling away. We did the best we could to get that information down.

Concord RAB Meeting Minutes
January 7, 2002

264 Now I totally admit that maybe, we may have screwed up at times, there
265 may have been different interpretations of what was going on. But I can
266 assure you working with these guys, that the intention was to as
267 accurately as possible record what happened last time. So, now that
268 we're here tonight, what I would suggest is when we get to it, it here's
269 problems with _____ recorded, maybe we can be more explicit about
270 next month's agenda. And then we can start with maybe some
271 corrections to the minutes. But it wasn't an attempt to dupe anybody or
272 you know do something wrong. Tom and then me.

273 Speaker: As far as procedure you've not instructed the RAB yet. You haven't you
274 know the introduction thing. I think you might forego all the boilerplate.
275 Get the RAB set up quickly and then if you want to, approve the set of
276 minutes from last month's meeting. And discuss the approval of the
277 minutes. And like you just said, there are 20 – 30 people in the room and
278 they're all writing, everybody's writing down, and we can discuss those
279 minutes, get 'em approved, make corrections. Then, but that has nothing
280 to do with the 30 points. (*someone says, right!*) Then, once that's done,
281 we move through quickly and we can go to the 30 points. I mean they're
282 addressed here, I mean everybody got that I hope and then we can into
283 the 30 points. But let's go real quickly through the RAB set up and then
284 approve or discuss the minutes, and see if they can get approved. If they
285 can or can't. And then move into the 30 points 'cause I think that's the

Concord RAB Meeting Minutes
January 7, 2002

286 gist of last month was get a RAB up and I don't think we have to go
287 through all the procedures of the RAB. I mean that can be handed out
288 and everybody that's on the board can read up and by next month we
289 can elect a co-chair, come back and talk about what procedures we're
290 gonna follow. But tonight I think we gotta get through this, the 30
291 points, get the RAB set up, get the minutes discussed, make sure
292 everything's fine and go ____ the 30 points and try to resolve as many
293 of those of 30 points as we can get explanations. That's clear. Right? Is
294 that good? Marie? Any problem?

295 Speaker: I want to be clear, I didn't, when I made those comments about the
296 agenda, it was not say that you guys were doin' anything wrong. I just, I
297 listened to the tape. (?) That's where I got, plus my notes, I listened to
298 the tape verified what we were told. What we can to consensus was what
299 was gonna be on the agenda and the rest is in writing already. So, ____
300 responses ____ and we haven't gotten answers yet. _____ Now I realize
301 that we got Gil's gone and so _____. But it's gotta be taken
302 care of. These things are going to a final Record of Decision here on the
303 clean up(?) Which means it's a wrap, there's no _____ after that.
304 We're even being told even now that there's not time _____. And this is
305 _____ on the Weapon Station we're talking about _____

Concord RAB Meeting Minutes
January 7, 2002

306 Speaker: Get the RAB set up then you can get to the 30 points then you can
307 comment as a RAB board. You can comment about your concern
308 officially.

309 Speaker: The point is, what I heard is that people were comfortable with really
310 quickly going through the procedural stuff, then we can get quick
311 agreement on how to proceed. I'm not suggesting that we come up with
312 the operating procedures tonight. I'm suggesting that we come up with a
313 plan for coming up with the operational procedures. And I think we can
314 do that quickly. And then secondly, the co-chair. We're gonna make a
315 proposal on how to handle that, and hopefully we can take care of that in
316 less than the time we allotted there. So my suggestion would be instead
317 of debating what's on this agenda, let's try to jam through it and see if
318 we can save some time for the 30 points like Tom was saying. Anybody
319 _____ with that? Okay, next, I want to turn it over, Rudy, I believe
320 you're going to introduce the new RAB members. We're going to
321 formally introduce the folks who have been selected to be the RAB.

322 Speaker: Thank you. Good evening again everybody. On behalf of the
323 commanding office of the Naval Weapons Station Shell Beach, I would
324 like to formally introduce the appointed newer RAB members by the
325 commanding officer starting with Mr. Gene Sylls. I apologize for
326 Misspelling your name in the letter. I hope this will be corrected in the
327 future. Mr. Marcus O'Connell. On the opposite side of the table is Mr.

Concord RAB Meeting Minutes
January 7, 2002

328 Ray O'Brien, Miss Evelyn Freitas, Dean McLeod, Mary Lou Williams,
329 we are missing... _____ of me is Mr. Dave Cooper. And we are missing
330 one person, who I believe is sick. _____ Gay Tanasescu, I hope she
331 will be well by next week. Anyway, without further ado, welcome,
332 congratulations for taking your time to be members of RAB and to serve
333 our community. Thank you.

334 Speaker: And congratulations! (*applause*) _____ you're volunteering your time
335 and that's commendable. You're interested in your community and
336 that's great. Okay, well, if there's not objections, I'll get going really
337 quickly with the RAB operating procedures. I've worked with several
338 RABs, and I know Carolyn (?) has too and a lot of times what happens is
339 development these _____ and it will go to a subcommittee. And they
340 develop a draft and then bring it back to the RAB for final approval.
341 That was gonna be our recommendation. And I listed up here a few
342 things that the subcommittee whose taking that on would be in charge of
343 doing. That would be looking at a mission statement. The scope of a
344 RAB is already defined by the Department of Defense. But RAB's like
345 to take that scope and then you know put their words around it and make
346 it have meaning for the RAB. So that's something that could be done.
347 Deciding meeting logistics. You know where you wanna have meetings,
348 when are they gonna happen, etc. Those sorts of things. Membership.
349 How are you gonna handle doing membership drives and adding new

Concord RAB Meeting Minutes
January 7, 2002

350 memberships to the, excuse me, new members to the RAB. Document
351 reviews. Is there a way you want to organize how you do document
352 reviews. At some RAB's I've seen where technical subcommittee will
353 go take a document and go do a review and provide comments.
354 Subcommittee. Do you want to have them. How do you wanna
355 formulate those and manage those. Meeting summaries. Something's
356 that's already come up. What does look like, getting back to your
357 concern. Marcus. And these sorts of things may be hashed out at a
358 subcommittee level where you have fewer people focusing on it. Could
359 be a working session. It's easier to get things done. So that's gonna be
360 the proposal. I've seen that work very effectively. I've seen Pat nod her
361 head. How do folks feel? One thing we could do, we could sent around a
362 sheet. People could sign up and then we coordinate a meeting and a time
363 and a place and try to get that initiated before the meeting. And get some
364 things done. Now we have some, we have lots of examples of those sorts
365 of procedures we could share with you that you could use as a models.
366 We could help you walk through that process and hopefully be very
367 efficient 'cause we have a lot of experience. Is there anybody not
368 comfortable with that as a way to proceed? Okay. See? We just saved 20
369 minutes. Pat!

370 Speaker: Everybody whose on the RAB will be welcome to attend these.

371 Speaker: Absolutely.

Concord RAB Meeting Minutes
January 7, 2002

372 Speaker: It's like an unofficial RAB meeting where you just talk about process
373 and about _____ in between _____

374 Speaker: I mean sometimes there called executive sessions. Sometimes its
375 subcommittees but it's just really a working group and they crunch it
376 out. Okay, then what we'll do is we'll send around a sign up sheet.
377 Carolyn has it here. Yellow piece of paper be coming around. If you're
378 interested what information do we want? Maybe name and telephone
379 number? Okay, so that we can contact you and see what people's
380 availability is. All right. That was easy. We'll forgo the break, then, and
381 *(laughter)* started, RAB co-chair discussion. We had _____ on this
382 too. We were thinking that we could take nominations. Tonight. And
383 then send out in the summary packet that gets sent out for this meeting a
384 flyer that says we're accepting nominations through, I mean, up to the
385 next meeting. And then at the next meeting you guys could like secret
386 ballot, decide who your co-chair is. Yes, Dean.

387 Speaker: I have a better idea.

388 Speaker: And you can nominate yourself, too. And also at the next meeting, we're
389 allowing the people who are nominated, if they wanted to take like two
390 minutes and I wanna be your co-chair and this why. Dean?

391 Speaker: I have an idea. Let's take the ten-minute break. All the community RAB
392 leaders sit down in a corner and decide and see if we can pick one _____

393 Speaker: Decide. Okay. Anybody object to that? Anybody object to that?

Concord RAB Meeting Minutes
January 7, 2002

394 Speaker: No objections. I have a comment to make if I may. Before we go into the
395 action of the agenda, actually we had said initially that Steve provided
396 his letter of resignation which I have a copy of and let me take a few
397 minutes just to quickly acknowledge Steve's contribution to the _____
398 RAB. You had been faithful and dedicated community co-chair in
399 running the RAB in the past that we would like to extend to you our
400 heartfelt appreciation for the service you have rendered to the Navy as
401 the capacity of the community co-chair for the Concord RAB. And we
402 really appreciate it Steve. Thank you for a job well done. (*applause*)

403 Speaker: And how many years did you serve, Steve?

404 Speaker: I think two years.

405 Speaker: Two years. Right on. Good for you.

406 Speaker: Like to say you know I enjoyed working with all the people that have
407 been involved in it. And these people too and I encourage them to
408 _____ I keep thinking oh, well we did that before and _____

409 Speaker: Thanks for your service. You guys have a comment?

410 Speaker: Is the other co-chair here?

411 Speaker: Well it's the Navy.

412 Speaker: The Navy.

413 Speaker: The Navy. It's a partnership.

414 Speaker: Right.

Concord RAB Meeting Minutes
January 7, 2002

415 Speaker: And that's like, a lot of, whoever the future co-chair is working out with
416 him and talking with all the other RAB members and encouraging them
417 to stay involved...

418 Speaker: An integral part of that community co-chair role is addressing what I
419 think Marcus' concerns are. Which is what is the agenda gonna be every
420 month. And working with the Navy co-chair to develop that. And that
421 means balancing what's timely and then what the continuing input is
422 from the RAB. So thank you. Any other comments on your role and
423 advice to and up and coming co-chair.

424 Speaker: No.

425 Speaker: (*laughs shortly*) Okay. Thank you Steve. Yes?

426 Speaker: _____ beyond the RAB though.

427 Speaker: _____ assistant rather than a RAB member.

428 Speaker: So if there are no objections to having a ten minute RAB only
429 discernment period where you guys figure out who your co-chair is and
430 then you can come back, see if you can do it, and then you can come
431 back and hopefully announce who that person is. Do you wanna do that
432 now?

433 Speaker: Yeah.

434 Speaker: Okay. So anybody object to doing it now? Okay, so why don't we take
435 ten minutes. I have 7:35, you guys make the RAB meet in this corner.

Concord RAB Meeting Minutes
January 7, 2002

436 You guys talk. And the rest of us will stay clear of ya. Give ya some,
437 give you a minute. **(tape is stopped)**

438 Speaker: **(tape is in progress)** old by-laws _____ probably have 20
439 minutes left to _____ people so we encourage people to continue to
440 apply to the RAB _____

441 Speaker: Okay. I hear that the new RAB has decided on a co-chair. Does the co-
442 chair want to stand up and announce themselves.

443 Speaker: _____ co-chair.

444 Speaker: Congratulations, Marcus. *(applause)*

445 Speaker: ___ touch race and but I would like to say I think the second person that
446 was nominated was Evelyn Freitas and she's put in a tremendous
447 amount of work on this and I think that, we don't have by-laws yet, but I
448 certainly would expect her to be my co-co-chair *(little laughter from*
449 *someone)* _____ even lateral.

450 Speaker: Okay, so we have a mentee. Or a ___ person. Wow. *(more applause)*

451 Speaker: That could be incorporated, you could have a vice- or an assistant co-
452 chair to fill in ...

453 Speaker: Um hm. That's done.

454 Speaker: Obviously. That's a good idea. **(tape stops)**

455 Speaker: **(tape resumes in progress)** And now we can get into the next thing.
456 Which again we did our flip chart thing and Navy went back and looked
457 at each one of those concerns and provided a response. Now, what we

Concord RAB Meeting Minutes
January 7, 2002

458 have here is a response and there's a lot of stuff. So the way we thought
459 we'd set this up is to see if there are questions or concerns for any of the
460 responses that are in here. And I am hearing that there are going to be
461 some raised. So I am thinking maybe what we could do is just you know
462 I'll say, 1 through 10, are there any questions. And that we can focus a
463 little bit instead of being all over the map.

464 Speaker: Can we just go one by one?

465 Speaker: I think we might not have enough time and if there aren't any questions
466 or concerns...

467 Speaker: I think I'd be willing to go one by one.

468 Speaker: You wanna go one by one?

469 Speaker: Please, yeah.

470 Speaker: Okay. Number one! Question? Okay, that's happened actually. Two!

471 Question?

472 Speaker: I have questions. About, this is, I don't that the Navy is satisfactory in
473 here. I don't think it said anything for one thing.

474 Speaker: Okay.

475 Speaker: And it's just words. And I think the Navy, the Navy did say that it was
476 bound by contractual and binding considerations. And I think that the
477 Navy needs to tell us what those are. What the constraints are within
478 their to their decision making.

479 Speaker: Marcus, would you please speak louder for us back here.

Concord RAB Meeting Minutes
January 7, 2002

480 Speaker: Okay.

481 Speaker: Repeat the issue.

482 Speaker: Okay, that's good. The issue is extend the RAB document review period
483 for all documents by 30 to 60 days. And the Navy responded that it
484 would consider individual written requests for an extension on a case-
485 by-case basis and in the end the EPA would get together and abide by
486 and figure this out under what's called the Federal Facilities Agreement.
487 And it says in addition contractual and funding considerations, do not
488 allow the Navy to grant blanket extensions and review periods for all
489 environmental projects. Matter of fact, the requests have been submitted
490 and they have been and actually verbal requests have been put in since
491 August on for extensions 'cause we presently have Records of Decision,
492 what are called Records of Decision for two sites here, which are major
493 sites, not minor sites, but major sites. A major landfill site down in the
494 tidal area. The Record of Decision of it, that's the most important one.
495 We need to be able to make comments on that. It's gone by. We haven't
496 heard from, went by when there was no RAB, when there was no
497 oversight essentially. And it needs public oversight. And so we need an
498 extension on it until this RAB can get up and functional. And that's been
499 a topic of conversation. With that, I'm just gonna let other people speak.
500 I've said my piece.

501 Speaker: Okay, you're specific about the tidal area ROD and what the other one?

Concord RAB Meeting Minutes
January 7, 2002

502 Speaker: I'd go with the list that was submitted by the Navy by Gay, which listed
503 all the sites.

504 Speaker: Okay, so the one that's in the letter, the formal letter from Gay.

505 Speaker: I sent another formal letter out after Gay's and I sent out a list out to
506 people to, take a formal request for the Taylor Bridge, site 30? For the
507 _____ site 25718, area _____, tidal area sites 2, 9 and 11. Inland area
508 sites 13, 17, 22, 27. Litigation area sites 3,4,5,6, 25, 26, 28. The tidal
509 area landfill sites 1 and building 1825, site 29. Plus I am asking that the
510 following documents be reviewed and studied and commented on by the
511 proper agencies although their not part of the documented sites. I think
512 they need to be addressed because they're of concern. And that's the
513 Concord Pollution Prevention Plan, October 1999. The Storm Water
514 Pollution Prevention Plan, the final report. The Tank Management Plan,
515 the Draft Integrated Natural Resources Plan and Environmental
516 Assessment, October 2001 and the Federal Facilities Agreement,
517 December 5th, 2000. The Final Discussion Draft is different that the
518 initial Federal Facility Agreement that was signed that we still haven't
519 received comment from. It had some changes ...

520 Speaker: Evelyn, I just wanna make sure I'm understanding. So these areas, are
521 there specific documents that you're asking for extensions?

522 Speaker: Yes I am.

523 Speaker: Okay and are there ...

Concord RAB Meeting Minutes
January 7, 2002

524 Speaker: The first date, I _____

525 Speaker: And are there RODs?

526 Speaker: Yes that need to be extended. And the others are documents that need to
527 be studied.

528 Speaker: Studied by whom?

529 Speaker: They, well, an independent group. The RAB or whoever it is that can be
530 responsible for making sure that these are being _____

531 Speaker: _____ general comment. But I agree with _____ We were
532 talking some about this trust thing and the _____ the Navy really
533 has been _____ in its duty as far as involving _____ public outreach. I
534 think that's the central thing. And in light of that, they should give very
535 strong consideration to the extension ____.

536 Speaker: Other comments on Number 2. Okay. Number 3. Yeah. Marcus, go
537 ahead.

538 Speaker: _____ submit more copies of documents to the information repository.
539 Right now there's been one copy submitted to one repository. The last
540 meeting it was suggested that multiple copies be given to the repository
541 so that they can be checked out by members of the public. The
542 repository being the Concord Library. And the Navy responded that they
543 do not intend to do that because of the expense. It was also suggested at
544 the last meeting that there be two repositories. One at the Pleasant Hill
545 Library and one at the Concord Library because the Pleasant Hill

Concord RAB Meeting Minutes
January 7, 2002

546 Library has longer hours. The Concord Library has very limited evening
547 hours and is only open on a half day on a Saturday, on the weekends. So
548 if you have a _____, you can't really get there. To review those
549 documents. And that wasn't discussed in the response at all. *(tape fades*
550 *out)* ..perhaps the third repository should be Bay Point. Because they're
551 very involved in this and uh I am concerned about not having
552 multicopies because of the expense. There's been \$40M spent so far on
553 the clean up and there's estimated gonna be another \$18M and I would
554 submit that the Navy could afford a few extra copies of each of these
555 documents for check out. I think it's a minor expense.

556 Speaker: It's very difficult to have to find the personnel and people to do that.

557 _____

558 Speaker: The downside is we don't have the full knowledge of _____

559 *(several people start to speak at once)*

560 Speaker: _____ the RAB members get them for themselves.

561 Speaker: Well, I think the community needs to have access to these documents

562 Speaker: _____ is what I'm saying _____ there's usually two

563 information repositories, generally _____ from the library.

564 Speaker: Okay, so I'm hearing

565 Speaker: _____

566 Speaker: _____

Concord RAB Meeting Minutes
January 7, 2002

567 Speaker: Oh, it doesn't have to. I'm just saying is there's two where ever

568 _____

569 Speaker: And that's what I'm hearing is Marcus' suggestion is that there be at
570 least one more in a place where there's better hours, there's better access
571 for community members...

572 Speaker: I suggested, last time, at the last meeting, it was not my suggestion, this
573 is from the last meeting. Pleasant Hill Library was suggested because it
574 has longer hours. It's the central library. It has the longest hours of any
575 branch. Tonight I'm suggesting myself Bay Point because they have
576 good, they're right immediately adjacent to the naval (?) station.

577 Speaker: _____ the relevant issue but I'm more concerned about management of
578 the documents and making sure that they're in order and not lost. Maybe
579 the solution is something like this, I don't know if this can be or not, but
580 I know we brought up the possibility of having a web page with those
581 documents on it. And that would eliminate all the paper, all the cost and
582 give unlimited amount of access to the information of anyone who want
583 like to have it.

584 Speaker: Just a note on that, I'm doing work with a group where they're doing
585 that, web based information sharing? And a lot of the people who tried
586 accessing information from home have a hard time downloading stuff.
587 And so what they've to doing is putting things on CD's. And then they

**Concord RAB Meeting Minutes
January 7, 2002**

588 can just plug it in and pull it out. Just as a note. And I know, I'm
589 technologically impaired...

590 Speaker: ___know if the Navy is willing provide unlimited CD's, that wouldn't
591 be a problem right?

592 Speaker: I'm making that you know as an observation, _____ as an
593 observation. And I think one of the things that was said from here, is
594 there something here about CD's?

595 Speaker:_____

596 Speaker: The bottom of 3.

597 Speaker: Okay, the bottom of 3? The RAB members received an compact disk the
598 documents _____

599 Speaker: Right. Okay. On compact disk, there we go. The last line there, says
600 there is ..._____ some additional information?

601 Speaker: Yeah, I think the Navy has a urgent concern and at the last RAB meeting
602 there was a move of information to a repository already _____ had been
603 moved and is now at the Concord Library on _____ Street and the
604 hours are been provided _____

605 Speaker: And I'm also hearing as a suggestion then for some in response to my
606 comment is consider providing CD's for people who request _____
607 If you wanna review _____ managing information.

608 Speaker: They're using a computer to generate the documents anyway, and to put
609 'em _____ what would be the cost _____

Concord RAB Meeting Minutes
January 7, 2002

610 Speaker: My only comment was I'm working with a similar group and they did
611 that. They had everything on _____. And then these guys go home
612 and sit down on their own home PC, dial in and it takes half an hour to
613 download anything. So they can't read things even. Because the
614 documents, like the figures and those sorts of things are very large
615 memory. So that's just an observation as far as ...

616 Speaker: Well, this is up to the Navy anyway.

617 Speaker: Absolutely.

618 Speaker: _____

619 Speaker: And I think there has to be, throw this out a little bit, I know from the
620 web site, that has to be budgeted, that has to be funded. Right now, as I
621 understand, there's no funds for that. You know, the Navy operates with
622 budgets just like every body else. And just can't grab something out of
623 _____ okay, we'll just set up a web site, because it's a big endeavor.
624 With the short term, you know, I think if you look through this and from
625 my readings and discussions with people through the month, you know,
626 trying to get CD's out to everybody so that if you got a computer you
627 can access all this stuff, so the RAB members'll be up to speed and
628 remember you as RAB members are s'pose to be going back to your
629 community groups. You all represent a community group, you're s'pose
630 to. And you're s'pose to be passing information back to community
631 members. Whether it's at the coffee shop or at the Kiwanis Club or

Concord RAB Meeting Minutes
January 7, 2002

632 garden club. So, that's a dispersion right there. And then we over the
633 next few months, can work out that extra set and have it at another
634 library if that works out, if the library'll do that. But, I mean these are
635 steps. So let's, we gotta, still plenty time to go. And let's be conscious of
636 the fact we're stepping. You know, we're gonna make progress.

637 Speaker: And I also wanted to clarify that the Navy is currently providing two
638 copies of every documents. _____ two documents here. The
639 documents that were requested at the last RAB meeting.

640 Speaker: I think, let's, I'm hearing that the underlying concern is to make sure
641 that there are documents available to anybody who wants to have access
642 too them. Right? And then figure out a way to make that happen. And
643 there's been several suggestions here. Pat.

644 Speaker: I just want to make sure _____ misleading before. What I meant to
645 say _____ three, but I think they should have at least a
646 minimum of two and I think that's why at the last meeting...

647 Speaker: Well note it then.

648 Speaker: One other comment about the CD's.

649 Speaker: Okay.

650 Speaker: I got a CD this time, and frankly I didn't print it out and there were
651 records of, there was not, it was _____ pages long with other documents
652 were like 200 hundred pages long. And I'm s'posed to print these out? I

Concord RAB Meeting Minutes
January 7, 2002

653 mean, my printer at home? And how much is this costing you? This is
654 expensive.

655 Speaker: You read it online.

656 Speaker: Huh?

657 Speaker: You read it online.

658 Speaker: I don't read 400 pages online. I don't read books online. I don't read
659 reports online. I don't do it. I mean I download occasionally and I'll
660 print stuff up. I'd like to get a sense of other RAB members, I think, I
661 propose that you poll RAB members and you find out what's convenient
662 for them, first of all. Do they have, do they, either do they have the
663 technological capacity or capability of using CD's. If they don't,
664 automatically, they need hardcopies of the documents. And I think that
665 we ought to poll people for their preference about whether they want
666 hard copies or CD's. As I say, I, you sent me a, the community relations
667 _____, this thing's marked up. Everything you sent me in
668 hardcopy's marked up. The stuff that you sent on CD? It's, I mean, it's
669 nice, I glanced at it. And I looked through it, but I can't write on it. I
670 can't make notes in the margin. I, you know, it's not, it's not...

671 Speaker: Okay, so there's different needs, different people. Got it. Okay. Dean?
672 And then we ask folks _____.

673 Speaker: This is somewhat in response to the cost of this kind of thing. We
674 probably got a half a million within five miles of Concord Naval

Concord RAB Meeting Minutes
January 7, 2002

675 Weapons Station. And _____ the mission. The mission is to reach the
676 public and give the public an opportunity to participate. _____
677 people out of half a million people. It's crazy. That's all I gotta say
678 about that.

679 Speaker: _____ this sheet. And RAB members can write down preferred way of
680 getting documents, so we can take your poll. And not take a lot of time
681 and discussion, but we'll can take your poll. But we'll send around the
682 sheet. People can write that down. Okay, just write your name and what
683 your preference is for reviewing documents. Any other comments on
684 Number 3?

685 Speaker: Well I do have one comment. I don't wanna make this thing long tonight
686 but _____ pockets, I spent \$40 just copying some of the documents to
687 get out to some of the people that came tonight and then since ___ state
688 associations have been coming, I want to make sure it gets back to them.
689 But, we need to have a way, an extended way I think, of getting
690 information out. Because we don't seem to get the trust here. We don't
691 seem to get news coverage, and so if it's going to be up to us to get back
692 it to the community, it means that we're gonna be the ones, you know,
693 spending money out of pocket to get it out. And I've had to do this
694 before with different things, so I think that's another thing we need to
695 address _____

696 Speaker: Do you wanna answer Number 3?

Concord RAB Meeting Minutes
January 7, 2002

697 Speaker: _____ we had two documents given to
698 the community co-chair and the RAB _____ to review those
699 documents. They sit down together to review documents, so please, we
700 don't we did not spend so much reproduction on the documents that we
701 had. Now, for some _____ members who wants to look at whatever
702 documents that we had, we had _____ information request _____

703 Speaker: What I'm hearing, Tony, is that there's some dissatisfaction with that as
704 an approach. And there's folks who want to have more access if it's
705 requested _____ this meeting. _____ with an additional query and
706 additional copies, hardcopies, for RAB members if they wanna review
707 that document is what I'm hearing people say. There's concern about
708 that. Other comments on 3 then? Any comments on 4. It's basically what
709 we talked about, we've kind of overlapped here. Go ahead Marcus.

710 Speaker: It says update the information repository and make sure all documents
711 are present. The RAB requested documents be made available for
712 checkout and that the hours of operation be extended. Well, we didn't
713 ask that the hours of operation be extended. We asked that they
714 _____ Pleasanton Library because they had longer hours _____ a
715 little misconstrued.

716 Speaker: Okay.

717 Speaker: We did ask for checkout. And the Navy again, this is just to reiterate that
718 it doesn't plan to have checkout. However, I would like have, I think it

Concord RAB Meeting Minutes
January 7, 2002

719 says here that the Navy is going revisit the Pleasanton Repository and
720 find out if all the documents are there. They did a site visit on December
721 12th and I wonder if there's been any follow up to that in the last month?
722 Speaker: There hasn't yet. But there will be.
723 Speaker: _____ in January. Any other comments about this?
724 Speaker: I'd like to clear this. There will be two copies of each document in two
725 repositories?
726 Speaker: That's the request. At this point there's one repository. So at this point,
727 there will be at two copies in one repository.
728 Speaker: Okay.
729 Speaker: Uh, I'm not...
730 Speaker: Can we make one of those copies a check out copy?
731 Speaker: _____ in the past, there's been a _____
732 Speaker: I don't think their log is part of the library as regular *stock*. They're
733 accommodating the public by housing these things and letting people
734 review them on site. But they don't, we never asked I think to, manage
735 the checkout _____
736 Speaker: You know, you're asking for, I mean, these are documents that are
737 _____ and loose leaf, you know, in 3-ring binders. And some like this
738 and now you want the public to walk in and check that document out
739 and bring that document back and how do you know _____ when it

Concord RAB Meeting Minutes
January 7, 2002

- 740 comes back? Whose gonna determine that the accuracy, if someone
741 takes it out and pulls three pages out, it's destroyed the document.
- 742 Speaker: Well, they could do that in the library.
- 743 Speaker: Well, they could!
- 744 Speaker: _____
- 745 Speaker: Well, you run that risk at all time. My point is if I'm a community
746 member and not on this RAB, I am not gonna go in every time the
747 library's open, if I'm a working person too, and just read during the ...
- 748 Speaker: 400 pages.
- 749 Speaker: ...the hours, _____ unreasonable!
- 750 Speaker: Okay, so the underlying _____ *again*, there's a theme here, is to
751 make sure the documents are available to those who are interested and
752 want to review them.
- 753 Speaker: And can be checked out. And can be checked out.
- 754 Speaker: Or what I heard earlier, make a copy for themselves. So that might be,
755 there's different ways that could be addressed. But underlying concern
756 is to make sure people have access to hardcopy documents for review.
757 That they can mark in or do whatever they need to.
- 758 Speaker: And they could take them...
- 759 Speaker: Take them with them. (*several people talk at once*)
- 760 Speaker: _____ have their own copy but not take them.

Concord RAB Meeting Minutes
January 7, 2002

761 Speaker: Maybe just so you guys, I mean the folks here, I am definitely hearing it
762 and you know the RAB has eight members right now, that's not a large
763 group. The Navy probably generates maybe as much as two dozen
764 copies or reports when they generate them, 'cause they have to go out to
765 the regulatory agencies. They go to in-house, we get a number of copies,
766 and so this, you know at eight copies additional are not that terrible. It
767 may turn out, we make in the long term, may not need eight. And in
768 case, ____ communicate to the Navy that's ____ great, we can save the
769 money for other things, but you're right about this document production,
770 when they're producing these reports if they say, we need five or six
771 more copies, it is really not that big of a deal so you know, I been
772 hearing from you folks, it is more copies, hope you have some space in
773 your garage, you know for these things or recycle when you're done, but
774 my message would be, I'd think it'd be easiest for you folks, 'cause I'm
775 well aware, I've done this before of going through _____ offices or
776 libraries. It's difficult for folks. We all understand that. And for the RAB
777 members that are a part of this thing, it's probably not too much to
778 expect. So EPA, what I'm hearing, what I would be communicating, Gil,
779 I think it's reasonable to produce copies for folks that really wanna see
780 these things.

781 Speaker: I think the Navy _____ position is from my understanding is, that's
782 not a problem. You know, if there's a need for X number of copies, it

Concord RAB Meeting Minutes
January 7, 2002

783 isn't a problem. Whether everyone on the RAB needs huge binders,
784 Alameda Hunter's Point, I mean these are big binders that are passed
785 around, two or three copies go to a subcommittee on one issue. Now,
786 does everyone need one of those to take it home? And like you say, put
787 it in the garage. Possibly not. But, the Navy, and I'm here to say that the
788 Navy is not saying, you know, we're trying penny pinch. It's a question.
789 It's a question of what's realistic. And it's the same way with the library.
790 I mean, if you know, if the librarians allow and buy into checking out
791 that reference stuff, well, okay, maybe it would work. But you know,
792 that a system outside, we have to work that out with the library and/ or
793 libraries. You know, so that's another matter.

794 Speaker: Okay, any other comments on Number 4? Yes. Sir?

795 Speaker: Just one last comment on the libraries. I think that this point _____
796 controlling the check out

797 Speaker: Yeah, but I think all these things

798 Speaker: _____

799 Speaker: Okay. So we'll accept there's a lot of suggestions, a lot of different
800 ways, a lot of different needs, people have different desires. I think
801 we're getting' that all down, 'cause that's to the best of our ability right
802 here, plus we have a tape recorder goin'. Okay, was there another
803 comment? Did I see another hand in the back? Yes?

Concord RAB Meeting Minutes
January 7, 2002

804 Speaker: When you're working on the RAB , a lot of us passed amongst ourselves
805 ____ these three people have it first, _____ for a week, and then _____

806 Speaker: ____ you're just commenting? Okay. Any others on Number 4? Okay.
807 Number 5? Yeah. Marcus.

808 Speaker: The question is provide copies documents to each RAB member. CD
809 and website distribution of report copies is also requested. It was said
810 earlier that the Navy doesn't have any funds to do, ____ it's said here
811 the Navy doesn't have any funds for a website. But in fact the Navy is
812 maintaining a website already. The Naval Facilities Engineering
813 Command Southwest, I guess it is, where the minutes, the summary
814 minutes as well as transcripts of meetings and newsletters and
815 everything are already being posted for Mare Island, Treasure Island,
816 Fort Ord, in fact all the bases in California that I know of that are certain
817 _____ naval bases.

818 Speaker: Yeah, I don't think the Fort Ord ____ has one. They have their own.

819 Speaker: Well there's a lot of them on there. Mare Island is on there.

820 Speaker: Mare Island may. TI, Alameda.

821 Speaker: I t would be easy to, since the Navy has already got the website, and
822 they could easily put one up for Concord Naval Weapons Station as
823 well _____ and start posting our minutes? And, etc, as well as the
824 reports since we already have it in PDF format. It's really easy
825 to...granted their huge, some of 'em. It would take a hell of a long time

Concord RAB Meeting Minutes
January 7, 2002

826 to _____ but at least they're there. And the capability is offered.

827 And it's marginal expense. A few dollars for typing _____

828 Speaker: Okay, another suggestion. Anything else on Number 5? Okay, Number

829 6. Agree to standard schedule for a monthly RAB meeting. I was

830 suggesting that we do that as part of the subcommittee in the operating

831 procedures. Any other comments on that? Okay, Number 7. Provide a

832 court report for future RAB meetings. Yes, Dean.

833 Speaker: You've illustrated the need for a court reporter very early in the meeting

834 by initiating the ...

835 Speaker: Telephone? Right.

836 Speaker: ...difficulty of keeping track what was really said and ____ keepers may

837 be the _____

838 Speaker: One comment, just 'cause I do meetings all the time. When you get a

839 court reporter transcript, you get a big book of people's messy language.

840 Because that's a verbatim. So it's like what every body said. And those

841 are not as user friendly. There's no summarizing. There's no

842 demarcation...

843 Speaker: There's no misunderstanding either.

844 Speaker: No, so what I was gonna say is that even if you had a court reporter, so

845 that can be used as a reference tool so you can look up things like, well,

846 what did they say? Or you know, all's I would encourage that you have

**Concord RAB Meeting Minutes
January 7, 2002**

847 summaries in addition. Because summaries have a heading and you get

848 the big picture and then can use that as a tool ...

849 Speaker: We've determined the level of precision and completeness that we want

850 the court reporter to use, I'm sure. But the important...

851 Speaker: Well, they do verbatim. The court reporters do. That's all they do.

852 Speaker: I know that Treasure Island, Mare Island, many of them do _____ court

853 reporters. And then, I...

854 Speaker: Treasure Island does.

855 Speaker: No.

856 Speaker: No, not TI. Mare Island's the only one.

857 Speaker: How about a tape. Just to get to...

858 Speaker: _____

859 Speaker: text.

860 Speaker: _____

861 Speaker: You might want to be here all the time

862 Speaker: For public meetings they are.

863 Speaker: Anyway, you can still do a summarize, summary afterwards of those

864 minutes that you have to back you up, so the whole verbatim copy

865 necessarily to every person that they do the over view...

866 Speaker: I disagree because I think that if we have minutes and we're going to be

867 reviewing and approving the minutes, that's our opportunity to correct

868 whatever's...and the only time that you really need a court report is if

Concord RAB Meeting Minutes
January 7, 2002

869 you're going to be building legal case. And for people who want to build
870 a legal case, I think you have to do that on your own time. And not on
871 the _____. You know, to me, this is an awfully huge expense, we have
872 RAB (*laughs a little*) in deference to Steve Gallo there, in the past when
873 we had the meetings, we didn't have that, we had, as a matter of fact we
874 only had one secretary taking notes and we went along and everything
875 went well. _____

876 Speaker: There's a question of tape. You can back up with a tape recorder. That's
877 a simple thing. You know, you got one going and you can always get
878 someone at the next meeting, absolutely dispute, "My God, I didn't say
879 that! Or we didn't do that!" And everybody else agrees or doesn't agree.
880 You can play the tape back and spend 30 minutes. But, a good secretary
881 taking minutes, like John (?) said, you know, at the next meeting, you
882 recollect what went on at the meeting and you can you can adjust the
883 minutes, you know. And do it that way. I mean, that's faith. You gotta, I
884 think somewhere along the line you gotta have a little faith.

885 Speaker: Thank you. ____ Marcus.

886 Speaker: On the website that I was talking about earlier, _____ it was very
887 common for a court report to be present and for the transcript to be
888 posted on that website as well as summary minutes. There were two
889 documents for each meeting. I think we should be _____ I saw other
890 RAB's doing. I think it sorts of protects the Navy. It protects all the

Concord RAB Meeting Minutes
January 7, 2002

891 regulators here. It protects the community RAB members. This is ripe
892 with legal implications. I mean, we talking about ...

893 Speaker: Let's talk about what _____ does the RAB member have? The RAB
894 member has no liability.

895 Speaker: Well, I don't know that yet.

896 Speaker: No, there is no _____. No liability.

897 Speaker: Well, I know there's a lot of legal liability around here and I think it's
898 just a good, good practice to have a transcript of this meeting.

899 Speaker: Okay, any other comments? And let's check in.

900 Speaker: This will be my final comment here.

901 Speaker: Okay, go ahead.

902 Speaker: But I was, two years ago, I was reading the minutes of the Navy's
903 hearing on Port Chicago and those verbatim minutes are far more
904 instructive than any summaries could have been. Chicago's closing, then
905 the Port Chicago, the eviction of the people of Port Chicago's _____
906 also _____ but the important thing is there's no question about
907 what went on when you have transcript.

908 Speaker: Okay.

909 Speaker: And I was just gonna say as far as transcripts are concerned, I think the
910 primary purpose of that would be for _____

911 Speaker: _____

Concord RAB Meeting Minutes
January 7, 2002

912 Speaker: We've gonna have the audio recording. Nobody's gonna sit there and
913 read the verbatim court reporting.

914 Speaker: Okay.

915 Speaker: Well, I'm telling ya I read the Port Chicago _____

916 Speaker: Well you're one out of how many people?

917 Speaker: Okay, so there's a diversity of opinion ...

918 Speaker: _____

919 Speaker: For the diversity of opinion, the Navy response here said that if desired
920 by the RAB, that they would provide a court reporter for the February
921 meeting. And offered to evaluate the usefulness of that document. And
922 they've disclosed an estimate of what that cost is to them. So, RAB
923 members, how many with a show hands would like to see a court
924 reporter at the February meeting. So we have three? Four? Okay, how
925 many would not like to see it? One? And two?

926 Speaker: Don't think it's necessary.

927 Speaker: Okay, don't think it's necessary. _____ don't think it's necessary. Just
928 two? Okay, and how many are abstaining? Just one? Okay. All right so
929 we'll have it in February and you guys can revisit, see if it's useful. My
930 hope is that you guys congeal as a group. That the deposits happen in
931 the trust account like what I talked about last time. And when there's
932 disagreements and misunderstandings, we air them. Talk about them and
933 move forward without going to transcripts and going Aha! (*there is a*

Concord RAB Meeting Minutes
January 7, 2002

934 *sharp hitting sound here*) But rather say, Hey! This is what I meant. I'm
935 sorry if I misinterpreted or if I misspoke and we work together. That's
936 my goal. Go ahead.

937 Speaker: That's _____ the Navy _____ and we're hearing, we hear and
938 it'll be passed on to _____ also realize I mean it's to facilitate
939 discussions. And if say the agency feel we say something that **(tape**
940 **ends)**

941 Speaker: **(tape in progress)**...those transcripts don't, they're not "We got you."
942 you know Navy or something, that's not really what they serve. So you,
943 I think the idea is go ahead and try it and see. If you get 50 pages, it's
944 gonna be, are we gonna spend 2 hours of each RAB going through...

945 Speaker: No.

946 Speaker: ...these meeting minutes to go _____ transcripts or not, you know, you
947 may find out there's gonna be bigger things and sometimes even like
948 from the project managers. We have monthly meetings and we get
949 about 4 or 5 page sheet that describes in summary that technical meeting
950 we have every month. And I really prefer that. I know on Treasure
951 Island, they generate *volumes* of papers for the monthly project manager
952 and the RAB's and I guess up for you folks to try and get that
953 information. Do it as a sample if the Navy wants that and then decide if
954 that's an official way to, you know, communicate what's happening at
955 these meetings or not.

Concord RAB Meeting Minutes
January 7, 2002

956 Speaker: _____

957 Speaker: Just one comment. I know the vote has been taken, but the thing is, you
958 got documents that you need to read and I don't know when you're
959 gonna have time to be reading a transcript. And the thing is, I've got a
960 job. I've got a family. I don't have time to be sitting here dealing with
961 this a ton of documents. So, for me, I think it's just a total waste of time
962 and a waster of money. And the thing is, what if you find a discrepancy
963 in the transcript? How are you gonna resolve that?

964 Speaker: Perfect. That's really _____

965 Speaker: _____ really good reference for documentation.

966 Speaker: But you have audio tapes for reference.

967 Speaker: Well, what about _____

968 Speaker: Okay, so again, there's a difference of opinion. What I'm hearing is that
969 the RAB wants to go forward. Just, we'll do the February one. You
970 guys take a look at it. Just remember from the days when I was studying
971 speech, when you study rhetoric that's real, that's just free flowing, and
972 not written, it's sloppy and messy. And then you guys can see how
973 useful it is for ya. Okay? All right. So next one. Number 8. This is
974 happening. This is a no brainer, I think. This'll be easy.

975 Speaker: Well, I have a comment about that. We were given an addendum coming
976 in here today and I just hope to avoid that in the future.

977 Speaker: _____

Concord RAB Meeting Minutes
January 7, 2002

978 Speaker: Okay. Number 9. Determine procedure for follow up on community
979 relations concerns of RAB members. Part of what we're doing right
980 now. Is there anything? Any other comments? Okay. Number 10. That's
981 what we're doin' right now. So any other comments on that. _____
982 Yes.

983 Speaker: Just like to add to the minutes that they note the new list of documents
984 that we still are ___ concerns.

985 Speaker: Officially ... Put your...

986 Speaker: Officially on there for _____ on this for comments on the _____ gonna
987 have a comment on the extensions from before and on these documents.

988 Speaker: Okay. You're looking for feedback, I mean response to the stuff you
989 submitted tonight?

990 Speaker: Right.

991 Speaker: Distributed _____

992 Speaker: And within the last month or two also.

993 Speaker: Okay. Number 11. Yes, Marcus and then we'll go to...

994 Speaker: That reads the status of _____ committee will coordinate the IR
995 program. What's IR? Again.

996 Speaker: Installation and Restoration.

997 Speaker: Installation and Restoration program with other baseline environmental
998 programs. Well, this kinda got mangled a little bit in the way the request
999 was put down.

Concord RAB Meeting Minutes
January 7, 2002

1000 Speaker: Okay.

1001 Speaker: We didn't ask if the joint use was gonna be established, we, somebody
1002 made, well, I and several others made the observation that the joint use
1003 studies committee already exists for the future of the base, and that the
1004 results of an integrated culture resources management plan that is being
1005 formulated, I guess actually is almost in final stages of completion and
1006 that there's an integrated natural resources management plan that's in
1007 the final stages of completion and also this joint use study committee
1008 just got a million and a half dollars to do something called an
1009 environmental base line survey. The suggestion was that these efforts
1010 need to be coordinated so that they're consistent with one another and
1011 so...

1012 Speaker: _____ clarification. Right.

1013 Speaker: ...the Navy's responding to something that we didn't even talk about.

1014 Speaker: Okay. I apologize if we misunderstood any of the requests, but _____

1015 Speaker: Get a response to that. How we are going to be ...

1016 Speaker: So coordination between environmental baseline survey and the
1017 installation restoration programs. And then the joint use ...

1018 Speaker: The joint use study committee...

1019 Speaker: _____

1020 Speaker: ..._____ metal work (?) which is the environmental baseline survey
1021 and the two other environmental studies, large environmental studies

Concord RAB Meeting Minutes
January 7, 2002

1022 that the Navy is doing right now, the culture resources study and the
1023 natural resources study.

1024 Speaker: Okay. We will go back and review it and make sure we get that correctly
1025 reported this time.

1026 Speaker: Okay.

1027 Speaker: Okay, so given that, let's move on to Number 12.

1028 Speaker: I couldn't agree more with the statement that is made that there is only a
1029 minor degree of overlap. They're all intrinsically connected and they
1030 need to be part of a coordinated program and I would like to know who
1031 we contact in the Navy who has responsibility for coordination of all
1032 these programs. We're dealing with one agency, the Navy. And we're
1033 dealing with one installation. So there needs to be somebody with the
1034 Navy who is coordinating and has knowledge of all these programs and
1035 that there is a coordinated time table.

1036 Speaker: _____

1037 Speaker: Yeah, I think this is kind of a, just to respond I believe, like Marcus said,
1038 they may have, the Navy and we of course, they didn't _____, the
1039 Navy just kind of developed these responses and sent them out and so
1040 we're were doing these and we, we had some reactions, certain little
1041 comments here and I was struck by, perhaps the Navy didn't quite get
1042 what was discussed about this issue. I thought this other I didn't think
1043 was supposed to be environmental programs but that didn't make any

Concord RAB Meeting Minutes
January 7, 2002

1044 sense _____ environmental programs. There should be lots of
1045 overlapping on the environmental programs. But I thought it was other
1046 baseline, kinda non-environmental. This natural resources , culture
1047 resources those kinda programs that we had discussed last month. In
1048 their attempts to summarize that, they may have missed the point.

1049 Speaker: Okay. So further clarification...

1050 Speaker: So in _____

1051 Speaker: I'm inclined just as much to the culture resources program and the
1052 natural inventory out here. _____ Let me give you an example. If
1053 you decide you were just gonna seal over one site and that will be the
1054 remediation, it's taken care of, that will forever prevent any further
1055 archeological investigation of that site. To me, that is a major, major
1056 impact _____

1057 Speaker: Well, yeah. And there should be _____ key operations, they
1058 typically would ...

1059 Speaker: No, they're not typically _____ (*both speakers begin talking at the*
1060 *same time*)

1061 Speaker: Well, let him finish. Let Phillip finish.

1062 Speaker: __ in that example, from my experience at other bases, we typically
1063 would before you go and _____ if its landfill well those culture
1064 resources were probably already been disturbed. Now if it's going to
1065 capping land that had its some Native American _____

Concord RAB Meeting Minutes
January 7, 2002

1066 something like that, there was campsite, these things should be identified
1067 before those _____ programs go on and they typically _____

1068 Speaker: They don't know that, Phillip.

1069 Speaker: Awwwww...

1070 Speaker: Okay. Okay. So there's still a concern. We have clarification on it.
1071 _____ see that there is overlap. We'll make sure that we figure out what
1072 was meant here. Sounds like there some confusion. Get clarification.
1073 Okay? And we got there was concern there. Evelyn? Dean?

1074 Speaker: I'm just gonna add this real briefly.

1075 Speaker: Evelyn. Dean. *(laughter)*

1076 Speaker: Thank you, Evelyn!

1077 Speaker: Very good. Touche'.

1078 Speaker: This is one reason why it's really important to address these documents.
1079 That have either been going through or that have not had public _____
1080 That we need to stop these ROD's from being signed because we're not
1081 getting the public input on these and there are too many things that are
1082 overlapping. I mean I've been spending the last week actually going
1083 through the documents. I'm one of the ones that actually copied all of
1084 them. I have them in here that were on the CD and read them and when
1085 you read it, let me tell me, it's eye opening and it's a little frightening to
1086 know what's going in our storm waters ___ pollution and where it's
1087 going, the pollution is out there. All these other items. We have to read

Concord RAB Meeting Minutes
January 7, 2002

1088 these documents. What are we here for? If we're not going to read these
1089 documents and comment on it and have public review on it, then this is a
1090 farce. We have to go through these documents. And people have to
1091 address each of these items.

1092 Speaker: Okay. Dean?

1093 Speaker: Well, I've review the culture resources thing which is not related to this.

1094 There's no connection whatsoever, if you believe the Navy and what
1095 they, the primary comment is that there are no activities going on at
1096 Naval Weapons Station that will have any impact on cultural resources.
1097 That means you're not cleaning up anything and you're doing anything.
1098 If the, somethin', that's a prime example of the one not knowing what
1099 the other's doing.

1100 Speaker: Okay. So a concern about coordination on all these things. Go ahead.

1101 I'm also concerned about how this response is getting interpreted. ____
1102 coordinate these things, because there is coordination on every project
1103 with things like cultural resources.

1104 Speaker: There is not!

1105 Speaker: Okay, hold on! Ray! Ray! Let her have the floor. And then we'll give
1106 you the floor. Okay? But don't interrupt her while she's trying to give
1107 her explanation.

1108 Speaker: We know _____project managers do coordinate with the other
1109 environmental or non-environmental programs on the base.

Concord RAB Meeting Minutes
January 7, 2002

1110 Speaker: _____ once before and the Navy did not want to hear about any
1111 cultural resources (*someone coughs*) _____ right in a RAB meeting.
1112 Speaker: I can't speak what was said...
1113 Speaker: The history is not good. There is not good faith on this issue.
1114 Speaker: Okay. And so we're taking _____
1115 Speaker: I can't speak to what happened at previous meetings because I wasn't
1116 there, but what I do know is that the focus, maybe the root of that
1117 statement, the focus of RAB is to provide comment on environmental
1118 clean ups. And that is related to things like cultural resources, but that's
1119 not however the primary focus.
1120 Speaker: _____ conjecture though. We don't know.
1121 Speaker: Well, we appreciate the underlying concern that you have which is make
1122 sure there's coordination between efforts so that as your example
1123 illustrated, there isn't a you know a mix-up and something gets
1124 _____ and can't be corrected. So that's I think we have that
1125 registered and I appreciate the underlying concern. Okay. Other
1126 comments? I think this needs some clarification obviously, some
1127 research and rearticulate what the concerns are based on the discussion
1128 today. And then uh (*tape cuts out*) _____ concern that we misconstrued
1129 before. Okay? So what don't we move on to Number 12, which is mail
1130 flyers. Any comment on Number 12? Marcus.

Concord RAB Meeting Minutes
January 7, 2002

1131 Speaker: It says mail flyers for the January 7, 2002 RAB meeting. And it says in
1132 the response that they mailed out 800 flyers for the last meeting. Did
1133 they mailed out 800 flyers for the this meeting.

1134 Speaker: 800 flyers were not mailed out for this meeting_____

1135 Speaker: _____comment till a couple of questions further on then.

1136 Speaker: Okay. _____ Number 12? Okay. Number 13. Any comments on that?

1137 14. Yes

1138 Speaker: Does distribute a copy of the community relations plan to the California
1139 Department of Toxic Substances Control and to me and other RAB
1140 members. And it says a hard copy's been provided to everybody. And
1141 this is the document, it's my understanding, this is required by
1142 CERCLA.

1143 Speaker: Um hm.

1144 Speaker: Which is the law that regulates how toxics are cleaned out _____ the
1145 Federal basically the Superfund Law I guess you'd call it and they have
1146 to come up with a community relations plan for how they're going to
1147 involve the community and there's a couple of comments on this. One, it
1148 was written, our outreach has been really ineffective, let's be, and I've
1149 been listening to, I've been very in tune with the outreach now for a
1150 number of years. I've gone on site tours here that tried to be done in the
1151 past. I've been to public meetings and that kind of thing, so I'm well
1152 aware of what's been done, but it hasn't been very effective. I mean at

Concord RAB Meeting Minutes
January 7, 2002

1153 the last public meeting they had to review the Record of Decision, two
1154 people from the city, two residents, two people from the whole City of
1155 Concord showed up. And there, I mean there were ten regulators there
1156 and two citizens. The outreach is not working. It's ineffective. It's broke.
1157 And when you read this, I can see why. It's written by an environmental
1158 firm. And it's not you guys, right?

1159 Speaker: I don't know. Not me! *(little laugh)*

1160 Speaker: It's not you so I can this. I took marketing in college. This wouldn't get
1161 ___any, Marketing 100, Marketing 101. It's not a very good outreach
1162 program. Frankly.

1163 Speaker: Marcus, I just want to say, one of the things you talked about already is
1164 the update of that which is definitely gonna be _____

1165 Speaker: Where it says consulting firm down there next time, that you have like a
1166 public relations firm, a company, someone who has expertise in the
1167 field?

1168 Speaker: Well, Marie and I _____ these together about Mare Island and so that's
1169 something _____

1170 Speaker: _____ public outreach not environmental stuff, but I appreciate what
1171 you're sayin'.

1172 Speaker: Yeah.

1173 Speaker: You don't want engineers writing public outreach.

1174 Speaker: Yeah, I don't want an engineer writing it *(someone laughs a little)* or ___

Concord RAB Meeting Minutes
January 7, 2002

1175 Speaker: I don't, I'm not familiar with that document.

1176 Speaker: Yeah, you didn't do this so I can say this, this is not, this is not a
1177 document that would a "D" in a freshman marketing class.

1178 Speaker: Least not if you were the professor, huh? (*little laugh*) I was just
1179 kidding. That was a joke.

1180 Speaker: I know it wouldn't, even as a student it wouldn't ___ if I were working
1181 on a team that put one of these together, it wouldn't gone in. I would
1182 stayed up over the night and written it.

1183 Speaker: So your assessment of the document, plus your personal experience of
1184 being the recipient of those efforts.

1185 Speaker: Yeah.

1186 Speaker: Okay. Any other comments on Number 14? Okay. Number 15?

1187 Speaker: Well, I have.

1188 Speaker: Yes, go ahead.

1189 Speaker: I have comments on all these. I'm sorry, but I've gone through this
1190 thing. I think these things are important. Provide information to the RAB
1191 regarding the litigation area of fire. And that was something, Miss
1192 Frietas brought up. And the response was the Navy sent Evelyn a letter. I
1193 haven't seen the letter, and I don't think any of the other RAB members
1194 saw the letter. We got a half page letter in our packet and that was a
1195 response I think from your, or someone, a human health risk assessment.

1196 Speaker: Oh, right, right.

Concord RAB Meeting Minutes
January 7, 2002

1197 Speaker: And she said, "I've given it some thought.". And that was the level of
1198 assessment that was given. They (?) was given some thought. There was
1199 nobody went out to the site and looked at it. And at the end of it, they
1200 said, well there was nobody really close by. Well, the fact is, there are
1201 people living within 50 feet of it. And I think if somebody has just gone,
1202 I don't think it's been taken seriously enough. From, just from, and I I
1203 don't know anything about, I prefer that Mrs. Frietas respond.

1204 Speaker: Well, one thing I find interesting is the story kinda changed from the
1205 first time that I received a letter, talked with EPA, the second time with
1206 our meeting in November, I was told a bald eagle or eagle had hit the
1207 pole and burst into flames and caused a fire and then I received a letter
1208 from the Captain, US Navy, saying that in all actuality the fire burned
1209 for four days and they were four separate small brush fires that burned
1210 and they were started by youth. And still it doesn't address, and it also
1211 says they don't have to, the property Navy property, conducted Navy
1212 fire department personnel and they didn't have to notify the FBI or
1213 anyone else on this matter because, _____ originally got the
1214 information, I was told _____ take pictures and walked around the area
1215 _____ and the story to fit. Plus the fact that I still have concerns about
1216 what the _____ might have been to the environment, to the air with the
1217 fire burning not only two, but four days. You know, so...

1218 Speaker: That's quite a weed fire. (*someone laughs shortly*)

Concord RAB Meeting Minutes
January 7, 2002

1219 Speaker: _____ you had your hand up. You have a comment?

1220 Speaker: I did some research on this issue because I knew that there some
1221 confusion about it. So, I talked to the public affairs officer at Concord,
1222 Lt Gomez (?) and I have his number for you _____ and any RAB member
1223 concerned about this issue, can provide that information. So what he
1224 informed me, I explained that there were two different stories...

1225 Speaker: There's three.

1226 Speaker: ...or three different stories and what he explained was, there was a fire
1227 that was started. By a bird. Possibly what happened was, a wire was
1228 dislodge in the tidal area. That wasn't in the litigation area. That's a
1229 separate event than the four fires that you were informed about. Was in a
1230 different area ...

1231 Speaker: This is what I'm talking about. This is the very same thing...

1232 Speaker: Let me continue. There were five brush fires that on August 27, one on
1233 August 28, another on August 28, another on August 29 and another, a
1234 fifth one on the 31st. And each one was a grass fire that was responded to
1235 by the Contra Costa Fire Department and the Concord Base Fire
1236 Department on the day of the fire. And they were all put out
1237 immediately after they were reported by a 911. So it was a series of five
1238 different fires on different days.

Concord RAB Meeting Minutes
January 7, 2002

1239 Speaker: Okay, so now your story is even different than the one I'm getting from
1240 the Captain at the base, saying that this was taken care of by just Navy
1241 personnel and no one from the outside.

1242 Speaker: Actually, my information as I got it is that both the fire department from
1243 the county, Contra Costa County and the base responded to the fire. And
1244 individuals responsible for setting the fires were apprehended by the
1245 California Highway Patrol. That they were turned over to the Sheriff's
1246 Department and they were indeed minors. So I'm not told whether
1247 they're ...

1248 Speaker: _____

1249 Speaker: ...it's confidential information whether they're getting prosecuted or not
1250 because they are minors. (*loud crash here*)

1251 Speaker: ___ give that phone number so people know.

1252 Speaker: Okay, it's ...

1253 Speaker: I don't know that...

1254 Speaker: 925...

1255 Speaker: Okay, I'm sorry, Dean, that was a bad call on my part. _____

1256 Speaker: 246...

1257 Speaker: 246...

1258 Speaker: 5042.

1259 Speaker: 5042. So if you want it from the horse's mouth, Joanna (?) got your
1260 information. Go ahead, Dean.

Concord RAB Meeting Minutes
January 7, 2002

1261 Speaker: I think maybe we should find out what the real core issue here is. And
1262 the core issue is chemical safety. *(some kind of metal clashing sound)*
1263 Highly, highly toxic. The Navy has been in a lawsuit with _____
1264 chemical for *years*, over this particular site where the fire was. I'm an
1265 eyewitness to the fire, I live right above it. And it did not burn like a
1266 grass fire. It burned like a gasoline fire. And it just kept burning *(loud*
1267 *metal clashing sound)*

1268 Speaker: Okay.

1269 Speaker: The issue and our concern is, we would like them to test to see what was
1270 burning. Not weeds. We know it wasn't just weeds. Because _____
1271 water is poured on it. Burned several days.

1272 Speaker: _____

1273

1274 Speaker: That's the issue. Let's stay with the issue

1275 Speaker: Okay.

1276 Speaker: We don't care if was kids did it or Khoumani. The point is, what was
1277 burning.

1278 Speaker: It's my understanding that there wasn't a visit after it was burned, and
1279 our human health risk evaluator that works on the litigation area site, has
1280 worked on the litigation site for years, very familiar with the chemical
1281 concentration of everything at the litigation area, because she is actually
1282 the one that did the human health risk evaluation ___ over and

Concord RAB Meeting Minutes
January 7, 2002

1283 understanding the level of contamination there and the exposure
1284 pathway to humans if it indeed exists _____ analysis of that ..
1285 Speaker: You said there were no residences, no homes close by, near by. There're
1286 residences within 50 feet.
1287 Speaker: That's a huge subdivision, Shore (?) Acres, huge subdivision and it's
1288 across the street.
1289 Speaker: _____ still a park ____
1290 Speaker: And that doesn't encourage confidence...
1291 Speaker: Okay.
1292 Speaker: ...when you don't even recognize that there's a subdivision with
1293 probably 2,000 homes across the street.
1294 Speaker: _____ (*someone coughs*)
1295 Speaker: I have some involvement. I've had discussions with folks. I've read the,
1296 Tetra Tech's write up by the risk assessor. I think it was generally
1297 consistent with how I not being a risk assessor, I mean _____ project
1298 manager, I wear lots of little hats, I sometimes do a little geology
1299 and hydro-geology. And I do risk assessment and I do risk
1300 communication and I do contract management, and I was pulling all this
1301 information to do the best I could to respond to some things directly
1302 from the treatise, and I thought essentially what my efforts were pretty
1303 similar I think. Evelyn, did you think in reading the write up from Tetra
1304 Tech, or risk assessor that you heard something different from EPA

Concord RAB Meeting Minutes
January 7, 2002

1305 generally saying we've had site, we've had major landfill fires. Hunters
1306 Point had a very large landfill burn sometime back. It's probably been
1307 over six months now, I guess.

1308 Speaker: A year and six months.

1309 Speaker: It ____ has it been that long?

1310 Speaker: Yeah.

1311 Speaker: Wow.

1312 Speaker: It just seems like yesterday _____ but, and I tried to use some
1313 information that came from that fire to put people at rest. I mean, the
1314 other thing's we're tryin' to be reasonable here. We're tryin' to maintain
1315 some sense of priorities and EPA was doing my best to say, there's wind
1316 paths and things like that, for example _____. Just like the wind pattern
1317 always is predominantly due East. And those houses actually are south
1318 of the road. And the priority in these fire situations, the risk is to the
1319 firemen who are going out fighting these fires and any short term, long
1320 term health effects of them being _____ counter and you people
1321 have the right to have their own opinion. But try to downplay, that site,
1322 ____ 4, those are litigation area of properties out there at the base. The
1323 ____ 4 is a site that has some, some marginal ecological risk and we do
1324 not believe that fire has made it any better, but we don't think it made it
1325 a lot worse. And it terms of the human health impacts, it was my
1326 opinion, again wearing all my little hats and based on my experience,

Concord RAB Meeting Minutes
January 7, 2002

1327 that brush fire, and in fact, that _____4 area was an area that had been
1328 partially remediated. So some of the areas that was burnt, and it maybe 2
1329 acres that ___ only now been over this 5 different fires. 2 acres and some
1330 of that area had already been cleaned up by the military. And I tried to
1331 explain to public that we'd had some discussions when this first
1332 happened and EPA had raised this in our letter on the 5 year review
1333 about the fire and the failure of the Navy to communicate that accident
1334 to EPA. It really became from EPA standpoint, a communication issue
1335 and so we're trying to maintain that and doing my best to _____ you
1336 have a right to have concerns and things, but we've tried to keep some
1337 priorities and things at this base. And that it was primarily a
1338 communication issue for the military so in the future we have bigger
1339 problems, we don't wanna not be aware of these things. I went out to the
1340 site and saw the burnt area and I was not notified by the military until it
1341 came up. Hey, you know, in my communication with the Navy, you're
1342 s'pose to be having these kinds of notifications (with) EPA. We
1343 shouldn't be finding these when we go out to the site and look around.
1344 So really it was a communication issue and not a risk issue. And that
1345 was my opinion all along, that given what, and again, I'm not sure if
1346 people are saying that we've had some anecdotal references that people
1347 seeing what was going on during the fire, and I'm not sure what's, where
1348 these things are coming from. To begin, that property is used for some

Concord RAB Meeting Minutes
January 7, 2002

1349 miscellaneous disposal operations. There were some metals associated
1350 with ...

1351 Speaker: From the landfill.

1352 Speaker: Well, there was a disposal, a landfill, there's a couple own that property
1353 and they allow some waste to be dumped there. Some waste that are
1354 typically down around the litigation area that contain metals. And so,
1355 again, again, the risk we had with the property all along in these areas
1356 has been ecological. A risk to the environment. To some of the birds and
1357 animals that live there. And the fire hasn't changed that. The risk still
1358 exists and we've identified that in our letter on the five year review. But
1359 in terms of human health risk, and again, I'm not a risk assessor, I'm just
1360 doing my best to try to make folks realize there's a lot of things
1361 happening at the base, but try to maintain some sense of priority to
1362 what's going on. And this fire happened out of August and we're still
1363 kind of talking about it and it just is a brush fire on a small area. Of an
1364 area that was partially cleaned up and had some metals in the soils.

1365 Speaker: But I was there and I took pictures and there was large debris out on the
1366 _____ the point being _____ like with the environmental issues and
1367 the contamination issues they always seem to make smaller than they are
1368 and it _____ hazard scales that we seem to be getting the packet are a
1369 contractor working there for one hour, once a year. And we can't be
1370 evaluating the property on that level. We need to, it we're going to use

Concord RAB Meeting Minutes
January 7, 2002

1371 this, re-use it, we've got to evaluate the health risks if we're going to be
1372 using it for homes or for recreation or whatever else is going to be going
1373 on. I am concerned about the health risks that are there and have been
1374 there, and not just with the land, but with the storm water and some of
1375 the other things. And I think it's being put under the carpet too much. I
1376 really think we need to have it addressed. More strongly.

1377 Speaker: Without getting accusations about what the intentions are, what I'm
1378 hearing is there's still some underlying concerns. There's some
1379 discrepancies in the stories. Those have been aired out here. And Dean,
1380 as you mentioned, those discrepancies cause you concern and erodes
1381 your sense of faith in the information provided to you. So, it sounds to
1382 me like maybe we need to do a little more research and figure out what
1383 is the definitive story, who said what, get everybody on the same darn
1384 page so that there's one story and then maybe get some additional
1385 information on the risk assessment. Your concern about the risk assessor
1386 not being as part of the area that you made clarification, but maybe we
1387 can take those concerns back and see what else can be done to further
1388 address the concerns that are expressed here tonight. I wanna check in,
1389 we've got 10 minutes left in our scheduled time together and we're a
1390 little less than half way through the issues that we're going to address
1391 tonight and we still do need to talk about the agenda for the next
1392 meeting. So, earlier, Marcus had suggested staying later, I think if focus,

Concord RAB Meeting Minutes
January 7, 2002

1393 people want to consider that suggestion, I know that people have lives
1394 and they know they're coming to a meeting and starts at 7 and it ends at
1395 9, they're planning for that. So it would be only by consensus that I
1396 would suggest that, and I wouldn't suggest it be 10 o'clock. I'd be
1397 willing to stay until 9:30 and not longer than that. Other thoughts on that
1398 or do we wanna push this back to an interim meeting or to the next
1399 meeting? How do you want to proceed? Dean.

1400 Speaker: I think there's a whole lot of issues here and I wouldn't like to rush
1401 through 'em. And I think we will get _____ (*laughter*)

1402 Speaker: _____

1403 Speaker: I would suggest that perhaps we could continue. Go as far as we can,
1404 maybe go another 15 minutes later, if we buzz through some of these we
1405 may find they're not as _____ Maybe run 15 minutes late, and,
1406 and ...

1407 Speaker: Let's hear from Evelyn, then Phillip.

1408 Speaker: If you haven't already received this copy, I gave out to some people, it's
1409 really interested, I would really like for you to read it because it refers to
1410 some of the information we'll talk about probably next week, if we don't
1411 finish this. But it also talks about the site of concern, well I won't go
1412 through everything, but I would like you to really look at it. It tells
1413 you...

1414 Speaker: Evelyn, is that the thing, is that your letter? Your letter of concern that...

Concord RAB Meeting Minutes
January 7, 2002

1415 Speaker: It's the larger document, yes.

1416 Speaker: Do you have copies on the table?

1417 Speaker: Yes.

1418 Speaker: So what I suggest is here, put copies people pick that up to bring

1419 attention to it and ...

1420 Speaker: Right. It's for hazardous waste generation. There's 3 letters from the

1421 California Water Regional Board, the management plan and also the

1422 original sites of concern and what their contaminations were so, I think

1423 it's really important if you don't know much about some of the things

1424 and my phone number's on here and believe me, if you have any

1425 questions or you want to see any documents, you're *more* than welcome

1426 to call and I will be glad to give you copies of it.

1427 Speaker: Okay. And Phillip?

1428 Speaker: I was gonna suggest and perhaps- (**tape stops**) ... ___ or something and

1429 if you could focus on, what are ones that are really bothering people

1430 Speaker: Right.

1431 Speaker: I mean, it's just is a way, a suggestion for dealing with the critical

1432 issues...

1433 Speaker: _____ suggest extending the meeting to 9:15. Okay. So we'll do that.

1434 Everybody can live with that. I would suggest that you maybe take 2 –3

1435 minutes before we end at 9:15 and just check in about next month's

1436 agenda. But actually, I mean..

Concord RAB Meeting Minutes
January 7, 2002

1437 Speaker: We got a co-chair.

1438 Speaker: We got a co-chair, that's right. So we can skip that unless there's
1439 objection. All right. Then why don't we do that. And then the second
1440 suggestion was to go to priorities. I think that's a little harder to manage.
1441 And I heard earlier on that people wanted to go line by line. Is that still
1442 the case?

1443 Speaker: Um hm.

1444 Speaker: Okay. And then, any objections then to whatever, we don't finish
1445 tonight, putting at the front of the agenda for the February meeting.
1446 Anybody object to that?

1447 Speaker: That's a problem. I think we've, I'm concerned about all these Records
1448 of Decision. And these other documents. The real meat of what RAB is
1449 s'pose to be doing, keep 'em coming out, we're sitting here in a way (?),
1450 I don't mean to be totally facetious but just a little bit. We're talking
1451 about the shape of the table! And yet we have real issues here we're
1452 s'pose to be discussing. And so, I'd say that, and yet these are important
1453 too, we need to lay the foundation for how we're going to organize
1454 ourselves. I'd be concerned if we let this go til February.

1455 Speaker: Okay.

1456 Speaker: I'd think by February, I'd hope to be up to reading these Records of
1457 Decision. Getting into, you know, getting into the meats of this thing.

1458 Speaker: So you have a suggestion?

Concord RAB Meeting Minutes
January 7, 2002

- 1459 Speaker: So a suggestion would be an interim meeting.
- 1460 Speaker: Okay.
- 1461 Speaker: Let's say at two weeks from tonight.
- 1462 Speaker: Okay. Anybody object to doing some sort of an interim meeting to
- 1463 finish, only focusing to finish getting' through these? Okay, you wanna
- 1464 to send around a sheet then, and see if folks can write down if they're
- 1465 actually interested. Well, actually, why don't we do it in the affirmative.
- 1466 Who would be interested in attending an interim meeting? With a show
- 1467 of hands. So we've got 1, 2, 3, 4, 5, 6, 7,8,9,10,11,12,13.
- 1468 Speaker: That's a holiday ____
- 1469 Speaker: Okay, we're not talkin' about the date, just some sort of an interim
- 1470 meeting.
- 1471 Speaker: Okay.
- 1472 Speaker: So about 13 people...
- 1473 Speaker: To finish these? To finish these.
- 1474 Speaker: Yes. With the primary focus being, well the only focus being finishing
- 1475 getting comments on the responses to the concerns raised last time(?)
- 1476 Okay.
- 1477 Speaker: ____ have it as an adjourned (?) meeting so it's not, you don't have to
- 1478 go? It's not gonna be advertised? We're not gonna send out notices, it's
- 1479 just an adjourned meeting for this group.
- 1480 Speaker: To finish up, to finish business _____

**Concord RAB Meeting Minutes
January 7, 2002**

- 1481 Speaker: To finish business.
- 1482 Speaker: Yeah, I don't understand. Did you say a date or something and I didn't ..
- 1483 Speaker: No.
- 1484 Speaker: Well, it's two weeks from today _____
- 1485 Speaker: Okay, then what we could do maybe is send around a sheet again and
- 1486 people who are interested and then we could coordinate setting up that
- 1487 meeting. Is that okay with folks? Okay.
- 1488 Speaker: And just it out to the people in attendance here so _____
- 1489 Speaker: _____ need to let everybody know _____
- 1490 Speaker: Okay. Okay. All right.
- 1491 Speaker: _____ one more thing too? In reading the Storm Water Plan, since we're
- 1492 having major storms, we've been having major storms, I like to know if
- 1493 anyone's been out checking these areas of concern and doing water
- 1494 testing? At this point.
- 1495 Speaker: Anybody...
- 1496 Speaker: And if not, why. And can we request that having some testing done?
- 1497 Speaker: _____ know about that?
- 1498 Speaker: Well _____
- 1499 Speaker: In fact, you're the one sent me those 3 letters, correct?
- 1500 Speaker: That's correct.
- 1501 Speaker: And I have those attached to this for everyone to read and we were
- 1502 wondering if any of the other storm water outlets if those are all being..

**Concord RAB Meeting Minutes
January 7, 2002**

1503 Speaker: _____

1504 Speaker: Excuse me.

1505 Speaker: Oh I was just commenting to the facilitator, we're off the agenda.

1506 Speaker: Oh, okay.

1507 Speaker: I know you wanna talk about all these different issues...

1508 Speaker: _____

1509 Speaker: ...but if, I think everybody was in concurrence to move through this.

1510 Speaker: Okay. I'm sorry.

1511 Speaker: ___ just a little point.

1512 Speaker: And maybe you guys can connect after the meeting too.

1513 Speaker: Right.

1514 Speaker: Are you gonna be here till the end of the meeting?

1515 Speaker: Ah, yes.

1516 Speaker: Great. Okay, then let's go on to Number 16. Any comments on 16?

1517 Marcus.

1518 Speaker: Yeah, on 16, it's distribute the budget of current and future projects to

1519 RAB members. I think there may be some confusion on what was asked

1520 here. What was given to us was the budget for the difference _____ for

1521 the future. And I went back and listened to the tape, but I asked this

1522 question. And I kind of flubbed it. And I can see why it was

1523 misunderstood. 'Cause...

1524 Speaker: _____ all up. (*someone makes a sound of amusement*)

Concord RAB Meeting Minutes
January 7, 2002

1525 Speaker: What I would like to have, besides what's here, this is half of what I
1526 wanted was what's been spent in the past by site as well. 'Cause that
1527 helps us understand, you know, what resources have been into site 1.
1528 And in a way tells how much important has been attached to the site or
1529 how, you know, not just important, what's been found and how much
1530 worth...

1531 Speaker: How expensive it's been.

1532 Speaker: So I would really appreciate having that. That would help prioritize me
1533 my efforts here.

1534 Speaker: Okay. Any other comments on 16? 17? Yes.

1535 Speaker: _____ read this. Okay, 17 is distribute copies of the administrative
1536 record list of prenu(?) documents to the RAB and they did send a copy
1537 of the administrative record. I had a couple of questions on that. One is,
1538 what's the difference between the, an on depth document had columns,
1539 listed, it was a list of documents with columns was, had two things in it.
1540 It was either information repository or administrative record. And I
1541 wondered what the distinction was.

1542 Speaker: Okay. Phillip?

1543

1544 Speaker: Okay, you want me to uh...

1545 Speaker: Go for it.

Concord RAB Meeting Minutes
January 7, 2002

1546 Speaker: Really what the Navy has done actually (*loud crash or something*), they
1547 have at this point created an administrative record is a group of
1548 documents that are used as the legal basis for a decision, military, or the
1549 lead agency in this case the Navy makes it a site. So typically, the AR
1550 for it would be for say site 1 (*loud crashing noise*), and in fact, we've
1551 been asking for the site 1 _____. We've asked to receive the
1552 administrative record to review those documents that are basis of the
1553 military's decision. And what they've informed us, is that they have a
1554 _____ base wide administrative record and they're in the process of
1555 trying to verify or get these site specific administrative records so when
1556 you get kind of a base wide file, that's kind of the site, we call it in the
1557 Navy, we call it like a site file. Everything in the world. Those are every
1558 document that exists. Every piece of information is in those site
1559 documents. Example, this RAB meeting here in which you folks have
1560 been asking for those repositories, those would just be site files, uh site
1561 documents. And if there is a component, something discussed in that
1562 document, _____ important, and a part of that decision, then that
1563 document should be included in the administrative record for that
1564 decision document. So that's the difference of AR again, a Naval group
1565 of documents that are the basis for the legal decision, 'course it's
1566 everything in the universe that may have some little reference to
1567 discussions about the site or something.

**Concord RAB Meeting Minutes
January 7, 2002**

1568 Speaker: And that would be the information depository.

1569 Speaker: And that's generally what the information depository has. Everything in
1570 the world basically.

1571 Speaker: Okay so ...

1572 Speaker: Generally.

1573 Speaker: But that information depository is not the same as the Concord Library.

1574 The two depositories are different. Their different critters.

1575 Speaker: The administrative record is different than the information depository.

1576 _____

1577 Speaker: So in other words, the administrative record is a subset of the repository.

1578 Speaker: Okay.

1579 Speaker: And it has a legal basis.

1580 Speaker: So at Concord Library, which we also call a repository, it's a different

1581 type of repository. The repository at Concord Library is only the

1582 administrative record?

1583 Speaker: *(more than one person begins to speak at the same time)* _____

1584 repository.

1585 Speaker: Right. 'Cause it will contain things like you've asked and actually this

1586 came from your request and will be responded, the EPA and the Navy

1587 have agreed *(loud sharp sound)* and you'll see that on the responses to

1588 the Federal Facilities Agreement that *(more crashing)* the Navy will be

1589 providing these meeting minutes, I think it's actually may have been our

Concord RAB Meeting Minutes
January 7, 2002

1590 project managers, I'm not sure if it was this RAB or the project
1591 manager's meeting minutes put in the repository, I think it was actually
1592 for the RAB. And the RAB meeting minutes are put in the repository.
1593 Those are not necessarily ever, you wouldn't see a RAB meeting
1594 minutes in a administrative record. Because the Navy won't typically
1595 make a major decision at a RAB it doesn't show up in a RAB meeting
1596 minutes. It would be documented somewhere a little more formally,
1597 appropriate document.

1598 Speaker: But that doesn't ...

1599 Speaker: Are you just concerned Marcus that you get the names clear?

1600 Speaker: I just want an understand....

1601 Speaker: _____

1602 Speaker: So the administrative record can contain all those things that have
1603 formed a decision and is the legal file. The information repository
1604 contains that and more. Other ancillary types of documents and it can
1605 also include like newspaper articles or sorts of information that are
1606 relative to what's going on. That's generally...

1607 Speaker: But the repository at the library is even is a subset of the broad
1608 repository (*loud noise*) it's those things we think the public might
1609 (*someone is laughing softly*) interested _____

1610 Speaker: (*some murmuring in the background*) ____ that are not there _____

1611 Speaker: Everything.

Concord RAB Meeting Minutes
January 7, 2002

1612 Speaker: All the documents.

1613 Speaker: Okay.

1614 Speaker: And if they're not there, we have some _____

1615 Speaker: Marie, is that _____ (*some murmuring still going on in the*
1616 *background*)

1617 Speaker: Okay, you guys, give Marcus your attention. Go ahead. There were

1618 some _____ conversations going _____

1619 Speaker: A IPCE(?) a document was sent called the administrative record. And

1620 that's the listing I was referred to. Will everything on that listing be at

1621 the Concord Library?

1622 Speaker: Um hm.

1623 Speaker: It should be. It should be.

1624 Speaker: It should be.

1625 Speaker: That gives, the administrative record give the legal basis for decisions.

1626 The public should have access to every little piece of information the

1627 lead agency makes in you know making its decision. Something that's

1628 the basis for our decision _____

1629 Speaker: Some of the things on that listing were, sort of looked like it wasn't

1630 complete when I went over it. Like, for instance, the _____ the

1631 manager's is like what do call this stuff?

1632 Speaker: Project manager's _____

1633 Speaker: I'll get this down in a few months, but ...

**Concord RAB Meeting Minutes
January 7, 2002**

1634 Speaker: RPM. Review of Project Manager

1635 Speaker: Right. You're meeting minutes, there'll only a few of 'em in there. And

1636 I think it's been meeting for a year or so. And only just the most recent

1637 ones were there.

1638 Speaker: Probably like 3. So that's something that needs to be looked at and

1639 filled in.

1640 Speaker: Yeah.

1641 Speaker: Okay.

1642 Speaker: So somebody might want to actually want to look at these at

1643 administrative records to see if it is complete. Just sort of glanced at it.

1644 Speaker: _____ other comments?

1645 Speaker: Except _____

1646 Speaker: When you talk about administrative records like this, you're talking

1647 about an administrative record for a particular _____ there may be

1648 more than one administrative record.

1649 Speaker: Well, that's what we, we, this, this, this, the subject came out first at

1650 EPA when we were reviewing the site ____ the landfill _____.

1651 _____

1652 Speaker: ____ to your meetings, may be appropriate to one administrative

1653 record...

1654 Speaker: That's right.

1655 Speaker: ...and not to another.

Concord RAB Meeting Minutes
January 7, 2002

- 1656 Speaker: That's correct. That's correct. It really depends on the substance of
1657 _____ that specific document if it should be included in the
1658 administrative record. _____
- 1659 Speaker: _____
- 1660 Speaker: So for Marcus' benefit, not all of the RPM minutes would necessarily be
1661 in one particular administrative record if they weren't relevant to the
1662 decision that was being made to made based on _____ as a whole.
1663 Or you perceived _____ being whole. The other minutes would be
1664 somewhere else or they're not part of the AR at all. They're just part of
1665 the repository.
- 1666 Speaker: Or they could be stand alone.
- 1667 Speaker: ___ the Navy would generate a site file index instead of asking for the
1668 administrative record that's basewide (?) AR which is kind of, that's a
1669 little confusing to me, even EPA. We don't want a basewide
1670 administrative record. For the site 1 landfill we've requested from the
1671 Navy already to see the administrative records. That list of records for
1672 that site 1 lot. Specifically, not site _____. You know, we don't wanna
1673 see those _____
- 1674 Speaker: _____ all clear.
- 1675 Speaker: Well, I don't _____
- 1676 Speaker: I'm sorry.
- 1677 Speaker: We gotta finish _____

Concord RAB Meeting Minutes
January 7, 2002

1678 Speaker: Okay, it's complicated. There's divisions. It's site specific. It sound like
1679 there may be some holes in the repository. It's already acknowledged.
1680 It's followed up on. Plus make sure, do a double check the
1681 administrative record. A listing at least that you all receive. Okay. Any
1682 other comments? Okay. How about 18? Meeting minutes from past RAB
1683 meeting. 19?

1684 Speaker: 19 reads, distribute the Concord RAB by-laws for review prior to the
1685 January 2002 meeting. Well, that request was submitted with the idea
1686 that the by-laws already existed and we discovered through the response
1687 that in fact they don't. And you provided us the minutes of something
1688 called the procedures committee that was held in 1995. It was
1689 subcommittee of the RAB where they discussed setting up by-laws. And
1690 it seems like it's a lot easier to revise than it is to create by-laws. So your
1691 suggestion that you give us, provide us with sample by-laws sounds like
1692 a great one. I sort of wanted, the reason I brought this up here is I think
1693 we are going to have a procedures committee meeting?

1694 Speaker: Um hm. Um hm.

1695 Speaker: We need as part of our agenda item later on, we, or thinking about future
1696 meetings, we need to determine when that procedures committee ____
1697 give us sample by-laws, uh sample by-laws. So that perhaps people
1698 signed up for that could get, have them before they have to go to
1699 meeting.

Concord RAB Meeting Minutes
January 7, 2002

1700 Speaker: Okay. So get some information to chew on before you meet.

1701 Speaker: We have suggested meeting_____ I don't know if you could do
1702 copies for everyone 'cause they're limited, but the Mare Island_____

1703 Speaker: We could do provide several copies. ___ different. We could do that.

1704 Speaker: _____That would be a good way of starting

1705 _____You could look it over _____updated plan and what you
1706 thought of that and how it was done as well.

1707 Speaker: Number 20. _____ Yes?

1708 Speaker: Distribute a list of relevant environmental clean up laws. And there was

1709 actually two things asked here at the last meeting. One was the for a

1710 listing and another was distribute to us the text of the laws that were

1711 referenced in the Federal Facilities Agreement. Which includes all these

1712 laws and actually quite a few more. This one doesn't, there's some

1713 pretty important laws that aren't represented here. And I know that and

1714 already _____ the text of the laws is really important because we need to

1715 have a realistic expectation and understanding, well we need an

1716 understanding of what's going on of the regulatory framework? And we

1717 need a realistic expectation of what the Navy delivers? And you know,

1718 what are, what we can expect. The level of public participation that is

1719 required by Federal law, for instance, is important to me. The way clean

1720 ups are done. The levels of clean ups that are happening. That kind of

1721 thing. And I would suggest that we get both the United States, a copies

**Concord RAB Meeting Minutes
January 7, 2002**

1722 of the United States code and the code of Federal Regulations for all
1723 these laws. 'Cause they're both, they're slightly different.

1724 Speaker: Okay.

1725 Speaker: I think it would be a really good handbook. And I know you can
1726 download off the web. But if you can go on and track it down, ____ try
1727 to do it as I have, it's really tough. It's not as easy as it sounds. And it's
1728 much easier for somebody to go to the CFR _____ copy a page and
1729 you know, go through and do a set like that, and then run off a few sets,
1730 than it is for someone to try and do it. ____ literally download _____
1731 you would have to download over a 100 different documents. And it's
1732 just _____

1733 Speaker: _____ that request. Okay? Anything else on _____. Okay,
1734 Number 21. Any _____. Number 22.

1735 Speaker: _____ Number 22

1736 Speaker: Yes, _____

1737 Speaker: _____

1738 Speaker: That's good. _____

1739 Speaker: Maybe we should step back to 21 again. If no one actually has a
1740 comment. We at US EPA has a comment . _____

1741 (*laughter*) I will. And I actually have, I have talked to Tony about this

1742 because I was actually struck and we had a conversation in fact about

1743 this. And I'm surprised, because I have heard about this, there is an issue

Concord RAB Meeting Minutes
January 7, 2002

1744 about just where, I'll try to be _____ but we think there's been, I
1745 mean, I'm not happy with the response on 21 and I, we have heard the
1746 public wanting to be involved and we have been talking to the Navy
1747 about having an outreach activity. Now again for the some of these sites,
1748 the length of ROD, they were the very last step on finalizing this ROD.
1749 It'd been stalled out for years though. We heard at the Federal Facilities
1750 Agreement public meeting, where Miss Frietas concerned about decision
1751 documents are now moving ahead, that had been stalled out for a period
1752 of time. And we heard the public express interest in being involved in
1753 and obligation of the military to kinda come back and resummairize at
1754 least those decision documents. To bring everyone up to speed because
1755 they had been collecting dust for about a year or so or more even
1756 actually it's all before my term. And I have had discussions,
1757 considerable discussions with uh with the Navy about the need for,
1758 we've discussed in terms of an outreach activity. Perhaps a part of the
1759 agenda item summarizing these decisions documents again. Again we're
1760 not necessarily going back to a proposed plan public meeting, and I
1761 apologize if we're jumping, using these kind of terms for various
1762 CERCLA process for folks that may not be all up, but there was a formal
1763 meeting that did occur. *(some says something in the background)* A year
1764 or two ago. On these decision documents. So the Navy had fulfilled their
1765 obligation to have a public meeting, but they were some time back. And

Concord RAB Meeting Minutes
January 7, 2002

1766 based on comments we heard in August, we felt there was a need and
1767 being responsive to the public, right ...

1768 Speaker: So this was a process...

1769 Speaker: So they had the proposed plan...

1770 Speaker: Proposed plan.

1771 Speaker: Talking about this was their plan, and the public commented about it.

1772 And then they started developing their decision document based on the
1773 comments. Well this is where the process stalled out for over a year on
1774 two of these sites that we're looking at right now. So when I saw the
1775 Navy's response that says that there were public comment periods, no
1776 public commentary of these ROD's are proposed. I was a little surprised.
1777 I had discussions with my counterparts and, Tony here, about that. And I
1778 believe that's not necessarily, the way the military may have stated this
1779 is not necessarily the way they feel. We're, I'm not hearing 'em saying
1780 anything though and so all I can emphasize that EPA doesn't necessarily
1781 believe, we believe there is a need to do some kind of outreach to
1782 discuss these ROD's. Otherwise, I'm concerned the public will feel the
1783 Navy is moving ahead now too fast on these ROD's that have been
1784 sitting around now for quite a while. And I will continue to work with
1785 the Navy and hope we will have this outreach activity to respond to the
1786 public. I mean that's one of my jobs. I'm listening to folks. I work with
1787 my counterparts at the military to emphasis and reiterate things I'm

Concord RAB Meeting Minutes
January 7, 2002

1788 hearing ____ the public so that we can make everyone feel a part of the
1789 process and make sure that we're responsive to your concerns and your
1790 issues.

1791 Speaker: Okay.

1792 Speaker: So I do believe there's a need for some kinda outreach activity for these
1793 two sites and in fact we have done things already. The Navy and EPA
1794 and the agencies to accommodate the public and specifically for the site
1795 1 ROD when we developed the site management plan. The schedules for
1796 that project, for that landfill site, we allow, we built in extra time for a
1797 public meeting to occur. For some kinda outreach, ____ say public
1798 meeting, I misspoke about that but, an agenda item at a RAB meeting.
1799 And we would like to still have that, and I will continue to you know
1800 work with the Navy and encourage them to have that discussion about
1801 the site 1 landfill ROD. And in fact, there may be some things that are
1802 changing in the Record of Decision that may legally require them to
1803 have to have some kind of public meeting. So, I don't their response
1804 here, again, I think the Navy was trying to do their best to get these
1805 things out. EPA, we did not have a chance to review any of these
1806 comments before they were submitted, which we particularly want to do.
1807 We received a copy just like everyone else did when they were issued.
1808 And, and um I wouldn't actually agree with this so I think there is some,
1809 we're gonna have to work on this one, this response, 'cause (*someone*

**Concord RAB Meeting Minutes
January 7, 2002**

1810 *coughs loudly*) I don't think this is what the public is expecting from the
1811 Navy.

1812 Speaker: Okay. Evelyn?

1813 Speaker: And also from the California Regional Water Board on 13 and 17,

1814 there's _____ and I'll read saying the staff position for 13 and _____

1815 they have wanted to close the _____

1816 Speaker: We are at 9:15.

1817 Speaker: Can I just add one more ...

1818 Speaker: Sure. Last comment.

1819 Speaker: ...comment on this? Yeah, Phillip and I had a long discussion regarding

1820 about the 3 ROD's that we issued through the agency, and I know it's

1821 been a long time that we had that you know we had that review

1822 _____we had new people right, but what Phillip and I had discussed,

1823 after I mean after we settled all the differences between the agency, we

1824 would like to present a few ROD's to the community to get some input

1825 from them.

1826 Speaker: Would that be a _____ comment...

1827 Speaker: Unless something comes out that actually warrants like going back

1828 _____ probably the Navy, just speaking for them, _____ summarized the

1829 Record of Decision, I think they'll be receptive to people's comments.

1830 _____what I've tried to do, I've _____ responded to people's

1831 concerns. We don't know what those concerns are, you know, I think the

Concord RAB Meeting Minutes
January 7, 2002

1832 idea was not just to say you know, just be talking heads, but to if all
1833 these presentations are designed to not just to say here, but it's to solicit
1834 information. You know ...

1835 Speaker: ____ be persuaded to finalized again right now, and the concerns of the
1836 community expressed in the _____

1837 Speaker: No and ...

1838 Speaker: _____ that's important.

1839 Speaker: That's right. And I've mentioned that to probably both the public also.

1840 To respond to his concern, the Navy's proceeding the site 1 ROD, the
1841 landfill ROD, EPA's already, we're on the record, we've already, in fact
1842 I have copies of some letters just like the Water Board, I have copies of
1843 our letters we issued on the landfill ROD. We don't agree. There'll be
1844 some additional meeting. There's more time. We're not, this is thing is
1845 not, we're not ____ that Record of Decision. There'll be more
1846 discussions. We're not going to draw it out hopefully three more years,
1847 but we're not happy with the way that Record of Decision was described
1848 and we're gonna be having more meetings and so the thing will not be
1849 finalized. There is more time for public input, so...

1850 Speaker: Okay, Phillip, what I'm hearing is that even if a ROD is on track to go
1851 forward, that there is, the project team will do a good faith effort at
1852 coming out and summarizing where things are and get comment at that

**Concord RAB Meeting Minutes
January 7, 2002**

1853 time even though it's formally required because it's already been done.

1854 It'll be a good faith effort to come back and do that.

1855 Speaker: That's right.

1856 Speaker: Okay.

1857 Speaker: That's what I was under the impression...

1858 Speaker: And I'm seeing that the Navy nod heads too. Okay.

1859 Speaker: Unless, unless...

1860 Speaker: And then, if there are changes...

1861 Speaker: Unless there are changes made to the _____

1862 Speaker: If there are changes, then that would be a more formal process as

1863 required by the law. But either way ...

1864 Speaker: _____

1865 Speaker: But either way, what I'm hearing is the project team is gonna come

1866 back and get some comments and put out a summary or you know do

1867 some summarizing and let people know what going on. Bring you guys

1868 up to speed. Okay. We're goin' 9:15. You've had your hand up, so we'll

1869 get the final comment from Marcus and then I think we should adjourn

1870 the meeting. We'll have an interim meeting. We'll pick up where we left

1871 off.

1872 Speaker: _____

Concord RAB Meeting Minutes
January 7, 2002

- 1873 Speaker: And we need a date for the next meeting 'cause we hadn't set up a
1874 regular meeting time. So Marcus, do you wanna comment or you wanna
1875 hold comment.
- 1876 Speaker: I just wanted to say it's a couple, that's it's a good, it's a _____ I didn't
1877 comment, it's a sign of how tired I'm getting. (*laughter*)
- 1878 Speaker: There you go. It's an endorsement for adjournment. Okay, so we need to
1879 set a date for the next RAB meeting. We had picked a couple of _____
1880 group. We hadn't come up with a regular meeting time. I would suggest
1881 we do that, instead of trying to come with a new time every month. So,
1882 we've on (*loud scraping sound*) the first Monday. (*some murmuring in*
1883 *the background*) Is there anybody that can't do it the first Monday of
1884 every month?
- 1885 Speaker: _____ first Monday of every month?
- 1886 Speaker: Okay. So it is then. First Monday, every month. And there'll be in the
1887 room which will... (*more murmuring*) So for the, oh, for the interim
1888 meeting, do we wanna try and pick a date right now for the interim
1889 meeting (*general murmur of yes*)
- 1890 Speaker: _____
- 1891 Speaker: For the interim, do we wanna throw out a proposed date? See if people
1892 can look at that.
- 1893 Speaker: I have no problem with the _____
- 1894 Speaker: How about the 22nd?

**Concord RAB Meeting Minutes
January 7, 2002**

- 1895 Speaker: Okay. 22nd?
- 1896 Speaker: Tuesday, the 22nd is a City Council meeting.
- 1897 Speaker: Okay. 22nd is out. City Council. Other proposals?
- 1898 Speaker: _____ would the 14th be enough time?
- 1899 Speaker: _____ saying no.
- 1900 Speaker: 23rd? Wednesday?
- 1901 Speaker: Okay, the 23rd. Wednesday, the 23rd. Anybody can't live with that?
- 1902 Speaker: Sure.
- 1903 Speaker: No.
- 1904 Speaker: Wednesday, the 23rd. Going once. Going twice. Wednesday, the 23rd it
- 1905 is. Wow, that was pretty quick.
- 1906 Speaker: That be here? (
- 1907 Speaker: That depends on the availability of this room.
- 1908 Speaker: We'll let you know on a venue in case this room's not available.
- 1909 Speaker: Right. Right. We'll plan it being here, but we'll update you.
- 1910 Speaker: We'll confirm the venue
- 1911 Speaker: _____ and the figure out _____
- 1912 Speaker: If this isn't available we could try and help you find a room at the City
- 1913 Hall offices _____
- 1914 Speaker: We'll get, we'll talk to you after the meeting.
- 1915 Speaker: Are we doing 7 pm's?

Concord RAB Meeting Minutes
January 7, 2002

1916 Speaker: Yes. For RAB meeting, 7 to 9. Anybody wanna suggest a different
1917 proposal other than 7 to 9? That's what we're going with?
1918 Speaker: I would suggest barreling through not having breaks. It's hard to collect
1919 people after breaks.
1920 Speaker: Two hours I think is what people can handle and then they going you
1921 know, I gotta...and if you need to use the restroom in the middle, get up
1922 and take care of yourselves. Anything ____ (*general murmuring*) Okay,
1923 you guys have a good month. I'll see ya next month. And the agenda
1924 development for the next meeting will be done by the co-chairs and the
1925 team _____ (*long, long elapse of time*) Leave your name tags! Leave
1926 your name tags!
1927
1928 **Tape Stops**