

Concord RAB Meeting Minutes  
January 23, 2002

1 (Tape in Progress)

2 Speaker: ...you all to the meeting and really appreciate your  
3 willingness to be here in spite of the cold night and we  
4 apologize that we were not able to get the heater working,  
5 so uh \_\_\_\_\_ you're welcome to make yourself  
6 comfortable. I just want to assure you that the Navy is a  
7 good citizen. We need to be a good neighbor. I realize  
8 that we have a lot environmental issues, but then again I  
9 can give you this assurance that the Navy is deeply  
10 committed to work out all of its environmental issues to  
11 its full conclusion. We have a busy (?) agenda for tonight  
12 and um, without further ado, I turn the table over to Ms.  
13 Rainwater.

14 Speaker: Marie.

15 Speaker: Marie. Hey, you guys. Sorry about the freezing. If you  
16 don't mind, I'll keep my hat on. *(laughter)* Just some  
17 housekeeping stuff. The groundrules, uh the green sheets.  
18 Anybody not with us last meeting? Okay. So I'll quickly  
19 go over these again. This is kind of a standard set used for  
20 different community advisory boards and last time, folks  
21 said they were comfortable with these being the meeting  
22 guidelines for running this meeting. First, to see progress

23 \_\_\_\_\_ . If you have a criticism, if you have a  
24 suggestion, that's great, too. Second is participate. It's  
25 important if you've got something on your mind that you  
26 share it and if not \_\_\_\_\_ that's the purpose of this  
27 forum. Speak one at a time. I'll do my best to keep track  
28 of hands. If I screw up, let me know and I'll make the  
29 correction. Be concise. Try to think about what you're  
30 gonna say before having a stream of consciousness  
31 experience. Use "I" statements when expressing opinions.  
32 Most everything that we're talking about in here, whether  
33 it's an interpretation of a law or a scientific opinion, are  
34 opinions. So just use language that reflects that. Express  
35 concerns and interest as opposed to positions. For  
36 example, saying "I'm concerned about A, B, and C" is  
37 different than coming in and saying, "You must do this."  
38 Saying "I'm concerned about A, B, and C and however  
39 that gets addressed. Those are my concerns." That allows  
40 more creativity. Focus on issues, not personalities. If  
41 there's somebody in the room, you don't like. Try to put  
42 that aside and hear what they're sayin'. Focus on what  
43 can be changed. Not on what can't be changed 'cause  
44 that's a waste of time and energy. Listen to understand.

45           Try to really hear what the person's saying instead of  
46           using what they're saying to calculate how you're gonna  
47           argue back with them. And discuss history only as it  
48           contributes to progress. History comes under the category  
49           of things you can't change. But if you can learn, great.  
50           But otherwise just arguing about what happened in  
51           history, usually is not productive. And then there's some  
52           assumptions I bring to this work, I invite you all to join  
53           me in. I believe there is \_\_\_\_\_ complex issues and no  
54           one person has all the answers. It takes a team and a  
55           collaborative effort to come up solutions and get this  
56           kinda work done. I believe that open discussions assure  
57           informed decision making. So that's what this forum is  
58           for. I believe that managed conflict is good and stimulates  
59           creativity and innovation. The differences of opinion that  
60           will come out in these discussions is what will inform  
61           creative solutions. I believe everyone here has something  
62           to contribute to this process. And I respect that. And I  
63           think everyone is doing the best they can with the  
64           knowledge they have now, including communication  
65           skills. Some people will communicate very well, and  
66           others not as effectively. I see it as my job to model and

67 help in that area. And then lastly, blame is unproductive  
68 and dis-empowering. When you start blaming, people  
69 shut um they clam up and they get defensive and the  
70 creativity stops. And the open discussion stops. Any  
71 question on these? Arguments? Complaints? Anybody  
72 not comfortable using these to guide the meeting tonight?  
73 Okay. Then we typically do introductions and it's just go  
74 around the room and you say your name and if you're  
75 affiliated with any organization, just state that. So we get  
76 an idea of whose in the room. Especially since I think it's  
77 only our 3<sup>rd</sup> meeting or whatever and we're getting' to  
78 know each other. So I'm Marie Rainwater, I do  
79 facilitation. I'm with Tetra Tech. My only agenda here  
80 tonight is make sure that you guys have a productive  
81 meeting.

82 Speaker: My name is Rudy Pontemayor. Environmental site  
83 manager at Concord and also the Navy co-chair for the  
84 RAB.

85 Speaker: My name is Gay Tanasescu. I'm a Bay Point resident and  
86 member of the RAB.

87 Speaker: I'm John Bosche. I'm with Tetra Tech and work, I have  
88 some involvement with all the jobs that Tetra Tech does.

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- 89 \_\_\_\_\_ my position installation coordinator at Tetra  
90 Tech.
- 91 Speaker: I'm Phillip Ramsey. I'm with the United States  
92 Environmental Protection Agency.
- 93 Speaker: \_\_\_\_\_ project manager \_\_\_\_\_ (*there is some loud*  
94 *knocking going on*)
- 95 Speaker: I'm Gene Sylls and I'm a Concord resident.
- 96 Speaker: Go ahead.
- 97 Speaker: Okay. Pat Byrne. Resident of Concord representing  
98 \_\_\_\_\_ Estate (?) resident association.
- 99 Speaker: \_\_\_\_\_ (*laughter*)
- 100 Speaker: Harry Byrne. Concord resident. Same organization.
- 101 Speaker: How about in the back?
- 102 Speaker: Chris Shirley. Arc Ecology.
- 103 Speaker: I'm Leslie Stewart (?) I represent the League of Women  
104 Voters on the County Hazardous Materials Commission.
- 105 Speaker: Cool
- 106 Speaker: Concord resident.
- 107 Speaker: I'm David Cooper. US Environmental Protection  
108 Agency. Community Involvement Coordinator.
- 109 Speaker: \_\_\_\_\_
- 110 Speaker: Paul Adler representing Supervisor Federal Glover.

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- 111 Speaker: Sir? Sir? Okay.
- 112 Speaker: Tom Pinard. Navy Public Affairs.
- 113 Speaker: Tony Tactay. \_\_\_\_ Navy EFA West.
- 114 Speaker: Armado Andal. Environmental Engineer. Naval Weapons  
115 Station, Concord.
- 116 Speaker: Jim Forsberg. Planning and Economic Development  
117 Director for City of Concord.
- 118 Speaker: I'm Glory \_\_\_\_\_ I'm an environmental attorney  
119 with Tetra Tech.
- 120 Speaker: My name's Joanna Canepa. I'm also with Tetra Tech. I  
121 work on a lot of Concord projects.
- 122 Speaker: My name's Carolyn Hunter and I do community relations  
123 for most of the bases in the area. And I work for Tetra  
124 Tech.
- 125 Speaker: I'm Gil Rivera. Navy civilian employee for Engineering  
126 Field Activity West. The Navy project manager for the  
127 clean up. Concord.
- 128 Speaker: Dave Griffith. City of Concord \_\_\_\_\_ (*someone*  
129 *clears a throat*)
- 130 Speaker: Dean McLeod. Contra Costa County Historical Society.  
131 Bay Point resident.
- 132 Speaker: Ray O'Brien, resident of Bay Point.

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- 133 Speaker: Marcus O'Connell, Concord.
- 134 Speaker: Okay. The next thing we had on the agenda was to review  
135 the RAB minutes. What we wanna do is take some time  
136 here, if there are any comments on the minutes, take  
137 them. And then formally approve the minutes at the next  
138 formal RAB meeting which is in February. If anybody  
139 has extensive comments or just wanna make that process  
140 more efficient, if you could get those in writing and  
141 submit 'em and we'll correct the \_\_\_\_\_ and get a new  
142 draft out. Any comments?
- 143 Speaker: Who do we submit them to if we need to.
- 144 Speaker: Who can be the point of contact, Ray?
- 145 Speaker: I can be the point of contact. But he may \_\_\_\_\_
- 146 Speaker: Okay. All right. So there are any comments, if you guys  
147 haven't had a chance to review 'em, you can get 'em  
148 before the next RAB meeting. There'll be a new draft at  
149 that meeting, if there are any changes.
- 150 Speaker: I have some comments. In fact, this is my item.  
151 \_\_\_\_\_ co-chair.
- 152 Speaker: Oh I'm sorry.
- 153 Speaker: These minutes are really important. The minutes are what  
154 goes into the administrative record. And anything that's

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155           said in this meeting, that isn't in the administrative record  
156           doesn't count. So it's very important that you go over  
157           your minutes tonight and make sure that what you said or  
158           what you think other people said is reflected in these  
159           minutes. That they're complete and accurate. So, and the  
160           same will true with the minutes that we have for January  
161           7<sup>th</sup>. Again, as I say, if it's not in the administrative record,  
162           from my understanding, it doesn't count. So be sure you  
163           \_\_\_\_\_ what you say should be in here correctly.

164           I've a couple comments on page 2 of the minutes at the  
165           very bottom. \_\_\_ suggested that two information  
166           repositories located in Concord...

167   Speaker: Weren't we gonna do the minutes at the next meeting?

168           Regular scheduled meeting?

169   Speaker: Yes.

170   Speaker: We haven't a chance to review these

171   Speaker: You had asked for corrections tonight?

172   Speaker: \_\_\_\_\_

173   Speaker: Joanne.

174   Speaker: I had a point of clarification. The minutes we're gonna

175           review tonight are not the ones that we handed out

176           tonight. There the ones we handed at the January 7<sup>th</sup>

177 meeting. So the ones that we've handed out tonight  
178 would then be reviewed at February RAB meeting.

179 Speaker: Probably a good idea, I hope, yeah. Does everybody still  
180 have those? Maybe \_\_\_\_\_ because  
181 apparently people don't have \_\_\_\_\_ from the  
182 previous meeting. So let me, I think I might make a  
183 couple corrections, maybe we could make. Would that be  
184 appropriate?

185 Speaker: Sure, as Marie suggested if they're detailed? Might be a  
186 better format to put them in writing and submit them and  
187 incorporate them that way?

188 Speaker: Well, these aren't *that* detailed.

189 Speaker: Okay.

190 Speaker: \_\_\_\_\_ page 2, that they, this is again on the  
191 December 3<sup>rd</sup> minutes. It said, it was suggested that two  
192 information repositories be located in Concord. Actually  
193 it was suggested that one be located in Pleasant Hill. And  
194 one be located in Concord. Not two in Concord. And then  
195 on page 3, and this is personal 'cause it says that I  
196 suggested establishment of standard Navy \_\_\_\_\_ at  
197 RAB meeting. (*there is a lot of noise throughout this,*  
198 *possibly paper rattling close to the mic*) I didn't do that. I

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199 think it's a great idea. But I didn't do it. It says that I  
200 suggested a court reporter be here \_\_\_\_\_ RAB meetings.  
201 I didn't request that and it says that, again, I think it's a  
202 good idea though. It also says that I said that said asked  
203 for a distribution of RAB meeting agenda, meeting  
204 minutes and important documents to the RAB prior to the  
205 RAB meetings. I didn't ask any \_\_\_\_\_ think it's a  
206 great idea. But I didn't ask. Wasn't my good idea. So  
207 does anyone else have any corrections they would like to  
208 offer?

209 Speaker: I'm not sure who suggested the court reporter, but I  
210 remember I concurred with whoever it was at the time at  
211 the meeting. And there was, I don't have the meeting  
212 minutes in front of me, but there was a part in there that  
213 said that I suggested that we continue on with the  
214 facilitator? Only it sound like it wasn't in the statement  
215 like I suggested the facilitator be at our meetings from  
216 here on out? And basically I made a statement about  
217 having a facilitator just right now. Which is a slightly  
218 different thing.

219 Speaker: \_\_\_\_\_

220 Speaker: It's towards the end of previous minutes.

221 Speaker: Yeah, I understand. I don't understand what's the  
222 involvement of the facilitator.

223 Speaker: *(several people start to talk at once)*

224 Speaker: Where do you want it to end? I don't quite understand it.

225 Speaker: Because it was after the first 2 or 3 meetings and people  
226 are organized? That's the days when the RAB was  
227 starting to get going. I don't really see a need for a  
228 facilitator after that. Because the co-chair should be  
229 facilitating the meeting at that point.

230 Speaker: Okay.

231 Speaker: Any other corrections? Well I guess \_\_\_\_\_ we'll  
232 continue this item until the next meeting, and with that  
233 I'll give it over to the Navy co-chair for our next item  
234 which is a follow-up regarding RAB input on community  
235 comments and requests.

236 Speaker: Very well. Thank you. We have a number of issues that  
237 need follow-up. And the first one being our repository.  
238 Certainly, I can make a commitment to have two  
239 repositories, maybe with a slight revision. If that is  
240 acceptable to the members and the community. You are  
241 aware that we are \_\_\_\_\_ and many of the employees  
242 are transferred or retired whatever the case may be. And

243 the folks that will be on the caretaker staff are kind of  
244 migrating towards the gate, so that Marcus indicated in  
245 his conversational email to me that the previous RAB did  
246 have a room set aside in Building, I think, 2 by the gate  
247 here RAB members can have access to installation,  
248 restoration documents. Unfortunately that room, because  
249 of its reduced status was taken over by our civilian  
250 security so that room is not available, but we checked  
251 what was available on base and we do have a few trailer  
252 buildings that can be relocated next to the side of building  
253 which hopefully will be our office for caretaker staff, it's  
254 building 262. Its, did have a choice of a 40 footer or 20  
255 footer, trailer building where we can hook up utilities or  
256 outfit with furniture, shelving or \_\_\_\_\_. (*laughter*)  
257 Make it a 24-hour repository for members. We can  
258 provide a key and have access 24 hours a day. \_\_\_\_\_  
259 when security maintains 24 hour work schedules when  
260 the base was in operation, full operation. We can do the  
261 same as soon as we relocate this trailer building by the  
262 gate. We can provide all of the IR documentations and  
263 any other documentation associated with the program.  
264 Make it available to the community and to the members.

265 And I envision that we can make this happen soon.  
266 Carolyn and Amado went to the Concord \_\_\_\_\_ Library  
267 to check out publications and I agreed, it's not really  
268 well, it's not complete. We need to provide all the  
269 missing documents there so that we kind of do a  
270 sequential numbering and make sure that all the  
271 documents that we've provided in the past and will be  
272 provided in the future will be complete. So, we are doing  
273 that. In fact, we are scheduling a visit to the city library  
274 this coming Friday. There was a request for a website  
275 where these documents can be available. We also  
276 checked into that. And we found a website that is  
277 maintained by DOD – Department of Defense. And the  
278 name of the site is called DENIX, D-E-N-I-X. Standing  
279 for Defense Environment and Network Information  
280 Exchange. The website has 3 major categories, if you  
281 may. One for public, one for DOD and one for State.  
282 DOD and State holders require a log in and a password  
283 while the public access menu does not require a log in  
284 and a password. And I got together with the data  
285 manager at DENIX and we are allowed to upload IR  
286 documents into the website. As soon as it is available to

287 RAB members and the community members. So that is  
288 developing. Maybe it's not a concern, like any website,  
289 we need to purge documents from time to time, so we  
290 need to perhaps kind of provide a time where we can  
291 make these documents available and afterwards it  
292 disappears into hyper-space. So it's up to the RAB  
293 members and the community to say the time, 60 days, 90  
294 days, 6 months, however it takes to enable the community  
295 and the RAB members to have access to those  
296 documents. And in my experience with this website,  
297 doing my work in another activity, I put documents in  
298 there that seem to have stayed forever. It was never taken  
299 off, so...hopefully we'll have the time or the community  
300 will have the time to review these documents. And they  
301 will be, it's always there, all the time. So, I guess that's  
302 what I had to say about information repository.

303 Speaker: Just want to verify the website is DENIX?

304 Speaker: Yes.

305 Speaker: No. No. It's DENIX, dot o is d, Office of the Secretary of  
306 Defense. (long pause) Office D, \_\_\_\_\_ what I need  
307 to do is I need to verify that to make sure that ...

308 Speaker: Get it in the minutes.

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309 Speaker: Yeah, get it in the minutes so that folks can have access  
310 because I'm going to read some other \_\_\_\_\_ here. I  
311 can't possibly remember right now. But if we had your  
312 email address in our sign up sheet, I'll provide that to  
313 you.

314 Speaker: \_\_\_\_\_ take a question \_\_\_\_\_

315 Speaker: You can ask a question any time of me.

316 Speaker: Because I had a couple. One concerning the trailer is how  
317 soon it could go up? And if it's going to have things like  
318 copy machine, paper, toilet, that kind of thing.

319 Speaker: We hope we could put various things in there to make it  
320 flexible for people. Like what you're saying, copying  
321 machine. Telephone. We have a spare computer in the  
322 office. We may be able to hook that up to our network  
323 and then provide the RAB members with login's so they  
324 can log in to our network. So those things are quite  
325 possible.

326 Speaker: And two more questions. As far as the material that's  
327 going on DENIX?

328 Speaker: Um hm.

329 Speaker: Is it also possible to put the document that things are  
330 gonna be purged on a disk? And to have them kept at the  
331 library site? \_\_\_\_\_ for access?

332 Speaker: That is a good suggestion. In fact, we have started doing  
333 that. So we are developing a hard copy library. Some of  
334 the materials are over here under the table. And we have  
335 \_\_\_\_\_ of CD's which will be available in this  
336 repository. And maybe not only over here on base but in  
337 the other libraries \_\_\_\_\_

338 Speaker: And is DENIX maintaining the site, \_\_\_\_\_ for urgent  
339 documents \_\_\_\_\_?

340 Speaker: This activity is responsible for purging documents that  
341 they own in the system. So maybe sometime in the future,  
342 the data manager may advise a specific DOD activity that  
343 day. This document is five years old, what's it doing  
344 here? Maybe we need to delete this from the system.

345 Speaker: But I mean as far as we're concerned, whose responsible  
346 for keeping this updated?

347 Speaker: Um...

348 Speaker: Would that be your jurisdiction or ...?

349 Speaker: That would be me.

350 Speaker: Okay.

351 Speaker: That would be me. Any other questions?

352 Speaker: Just a couple comments. I sent you an email about the  
353 repository (*sharp cracking sound*) \_\_\_\_\_

354 Speaker: Right.

355 Speaker: \_\_\_\_\_ .that's pretty much  
356 together. On the website, I think DENIX maybe, I  
357 haven't seen the DENIX site extensively, I have seen  
358 group like ours \_\_\_\_\_ and I  
359 know \_\_\_\_\_ very high security \_\_\_\_\_ The  
360 other thing was, EFA West, it's not EFA West but the  
361 \_\_\_\_\_ organization that above that...

362 Speaker: \_\_\_\_\_

363 Speaker: Yeah. Southwest.

364 Speaker: \_\_\_\_\_

365 Speaker: Yeah. Okay. They have a website and all the RAB's in  
366 California have pages on it. And they post their minutes  
367 and plus when they do have transcripts. And I think that  
368 (*loud cracking sound*) it would be nice to have our  
369 minutes posted on that. At least to have \_\_\_\_\_ posted  
370 on that as well. I found it very handy to be able to  
371 download \_\_\_\_\_ or you know minutes from San  
372 Diego. See how they're doing things elsewhere. So...

373 Speaker: I just wanted to say we're aware of the website and I  
374 think that website is for BRAC bases. BRAC is Base  
375 Realignment and Closure. And those are bases that are  
376 closing down. And this base is not closing. It's going to  
377 continue to operate so we fall under a different hierarchy.  
378 So that's why that website, we know it's available but it's  
379 for BRAC programs. So Mare Island is a BRAC base.  
380 Treasure Island and so forth. A lot of Bay Area RABs are  
381 in the BRAC program.

382 Speaker: So they're not accepted into that then. Is that it?

383 Speaker: We can check into that. I mentioned that to our  
384 supervision after that meeting that we had last time and  
385 he's gonna look into that one. But it's like what Joanna  
386 said, it's really those are BRAC bases and its coming  
387 from different funding that they had. And BRAC they  
388 had two different money. But \_\_\_\_\_

389 Speaker: \_\_\_\_\_ environmental restoration \_\_\_\_\_ which  
390 is what Concord is.

391 Speaker: Well, we can certainly explore other websites which we  
392 can possibly develop a link in order to really make  
393 examination of these documents accessible to the public.  
394 So I think that's what I have for information depository.

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395           And the next item of the agenda the schedule extension  
396           of...

397   Speaker: Wait...

398   Speaker: Yes.

399   Speaker: ...there is one thing I wanted to add, I just wanted to note  
400           that the Navy is provide- will- is agreed to provide all  
401           RAB members with hard copies of documents of those  
402           expressed in question at the previous RAB meeting. So  
403           you should all have 3 documents tonight for your review.  
404           And when more documents are available for review,  
405           you'll be given them at RAB meetings or FedEx those  
406           documents.

407   Speaker: Yes, that ought to alleviate some of strain of as the Navy,  
408           you know, I don't know how long it's gonna take for the  
409           new building to be moved, and the portable and all this to  
410           happen, so at least in the meantime there should be  
411           enough documents for one copy each for RAB members  
412           of all upcoming\_\_\_\_\_.

413   Speaker: Thank you.

414   Speaker: Any more? Yes, Gil.

415   Speaker: Yes, just one comment on the information repository.  
416           I've asked the Navy contractor to give me a cost estimate

417 for duplication of all the documents in the current  
418 information repository and I need a budget figure so I can  
419 go forth and you know contract for that effort. Secondly,  
420 before we place the documents at the library, we're gonna  
421 have to make a trip out there and make sure that they can  
422 handle the documents. Or want to. I'm pretty sure they'll  
423 be receptive, that's not a problem but historically, we've  
424 had problems, you know. The libraries don't wanna give  
425 up shelf space and so on. And so they have management  
426 questions that we need to answer. But we're moving  
427 ahead on this.

428 Speaker: Questions? John?

429 Speaker: Okay, you ready for the next \_\_\_\_\_ Okay, this is a  
430 schedule that I put together that was distributed over  
431 there. And , it's at a draft stage right now, 'cause the EPA  
432 hasn't had a full opportunity to review it. But, there was a  
433 request to give a blanket extension to review all projects  
434 at Naval Weapons Station Concord. And, I put this  
435 together to accomplish a couple of things. One was to just  
436 to figure out which documents did need some extensions  
437 because the RAB was hadn't really gotten up to speed  
438 and hadn't \_\_\_\_\_ the documents because you're a

439 new RAB basically. And so this is meant to accomplish  
440 figuring out what documents need extensions also it also  
441 considers which documents are decision documents.  
442 Documents for which your input is more important and  
443 this time as distinguished from sites that are currently  
444 under study where the study the completeness of the  
445 previous studies has not been established. And that's a  
446 review going to be a review item in the future. For  
447 instance, at site 22, it's one of the sites that we're  
448 working on right now. We're, the work plan is been in  
449 review at the (*some people begin talking in the*  
450 *background*) you guys, the work plan is in review at the  
451 agency and that's a site which these plans been in  
452 progress for a long time. And they're, I don't think we're  
453 really in a position to take RAB comments on \_\_\_\_\_  
454 that are planned because of the time delays that would be  
455 incurred for that. But the good news is that when the  
456 fieldwork is done, the next phase of work for the Navy,  
457 and for the agencies and for the RAB is to figure out  
458 whether the investigation that was performed for it was  
459 all encompassing. If it's, if there's data (?) gaps. And so  
460 that opportunity will still be there. Way, way before the

461 decision phase is on that document. So, I \_\_\_\_\_  
462 through a couple of these things. What I tried to do was,  
463 tried to stagger things so that the RAB wouldn't have too  
464 many documents to review all at once as you're just  
465 getting organized. But the first one on here is a decision  
466 document. It's a tidal area landfill. And that what we're  
467 asking for RAB comment to be completed by March 1<sup>st</sup>.  
468 .And then, after RAB comments are received, the Navy,  
469 EPA, DTSC and the Water Board can look at the RAB  
470 comments and evaluate if changes needed to be made to  
471 the ROD and incorporate changes as necessary. The next  
472 site is an inland area, site 13 and 17. It's the same  
473 situation. It's a decision document. We're asking for  
474 RAB comments due on April 1<sup>st</sup>. Actually, there's  
475 another one before that, there's the second document  
476 proposed for review is on the second page. It's the  
477 litigation site. Also requested on March 1<sup>st</sup>. But that's a  
478 ten-page summary of what's been going on in the  
479 litigation area. And a couple community summaries. So  
480 those are two documents for March 1<sup>st</sup>. And then back to  
481 Page 1 for the next document on April 1<sup>st</sup>. And it skips  
482 around like that because the litigation area has other

483 documents that need to be reviewed much later, May 30<sup>th</sup>.  
484 And so, the first few decision documents are in your  
485 packet of 3 (?) here. So, you all have copies of that now.  
486 Previously there were two copies distributed to the RAB,  
487 and I think CD's. (*someone says um hm*) But now, you  
488 have 'em all in hard copy. The one there on the second  
489 page, the community summary report, we're due to give  
490 that to you in the beginning of February with the  
491 comments due March 1<sup>st</sup>. And

492 Speaker: \_\_\_\_\_

493 Speaker: What's that? And site 29 is also due on March 1<sup>st</sup>. So,  
494 we've got 2, 1 decision document, a community summary  
495 and the draft feasibility study on March 1<sup>st</sup>. The site 29  
496 job, the feasibility study associated with that site, deals  
497 with a relatively small area underneath the building. It's  
498 (*pause*) it's not as critical to review as the tidal area  
499 landfill report that's also due on March 1<sup>st</sup>, so between  
500 those two that I'd say the priority is more towards the  
501 tidal area landfill 'cause that is a decision document. And  
502 after site 29, the next one is the Taylor Boulevard Bridge  
503 site. And that actually includes a delay to accommodate  
504 RAB review with the comments requested by May 1<sup>st</sup>.

505           And then after that they get later and later, so, the first  
506           two pages and the top of the third page is probably where  
507           you ought to concentrate your efforts on reviewing the  
508           schedule and also on your reviews. And I think I'll leave  
509           you all to peruse the details further on through that  
510           document instead of going line by line. But that, I think  
511           the thing to remember and take away about this is that a  
512           couple of these sites, or 3 of the sites are extended to  
513           accommodate RAB review time. Others are not. But in no  
514           case are we at the decision stage on those sites and there  
515           will be plenty of opportunities as we go through the  
516           search(?) process.

517   Speaker: I have a question, \_\_\_\_\_ the RAB, typically is there any  
518           mandate that specifies how long RAB(?) reviews it for(?)

519   Speaker: The RAB review is gonna, normally the year agency  
520           review period. And that's essentially where some of these  
521           extension come in. So if you go from a draft document,  
522           pardon me, to a draft final document, your review period  
523           is 60 days. And if you go from a draft final...

524   Speaker: Primary document.

525   Speaker: ...yes, primary document, that's an important  
526           clarification, as a matter of fact, I might, I might wanna

527 just hit the area of concern. It's near the litigation area.  
528 It's near \_\_\_\_\_. That's the site that's proposed for Naval  
529 action. And the documents that have been prepared \_\_\_\_  
530 secondary documents, there is no decision document at  
531 this time, the Navy is anxious to get out and start moving  
532 dirt on that piece of property. But the adequacy of that  
533 removal is signed off on by the EPA, the Water Board or  
534 the DTSC because the removal action process is going to  
535 encourage site activities without, you know, too much  
536 review. So that you can act more quickly so you can get -  
537 \_\_\_\_\_ off you site. And that's an example of a site  
538 where ...

539 Speaker: I don't mean to stop you, but I know there's a lot of  
540 people \_\_\_\_\_

541 Speaker: Oh, that's on Page 5.

542 Speaker: Thank you.

543 Speaker: Oh excuse, you have a different copy than I do. (*several*  
544 *people talk in the background*)

545 Speaker: That's on Page 4.

546 Speaker: That's on Page 4?

547 Speaker: Yeah. Okay, so that's the area of concern. That's the  
548 place for which a removal action and there's gonna be

549 work performed on the site to to take care of \_\_\_\_\_ that  
550 are on the site as quickly as possible so it would be some  
551 ecological risk. And, again, the removal action itself is  
552 subject to review even if it's , most removal actions are  
553 intended to just take hot spots? And in this case, the Navy  
554 is gonna try and take a hot spot and all surrounding  
555 material? And the evaluation point for the future will be  
556 did the Navy encompass the area and prove that they got  
557 the hot spot as well as the surrounding area.

558 Speaker: Is it \_\_\_\_ if I \_\_\_\_\_ finish? I \_\_\_\_\_

559 Speaker: Yeah, go ahead.

560 Speaker: Just sort of a general comment and a couple \_\_\_\_\_ I  
561 really appreciate your taking the time to slow the process  
562 down a little bit, and what I don't understand and it's  
563 \_\_\_\_\_ maybe you can help me understand, we haven't  
564 had a RAB for two years and we're gonna slow things  
565 down by \_\_\_\_ 60 days or 90 days, what are the  
566 consequences slowing the process down more than that?  
567 To the Navy or to the entire process? What, and, and I'll  
568 tell you what I'm thinking about, just in general terms  
569 that you know, I was just hearing the news today about  
570 the Bayview Hunters Point and of course \_\_\_\_\_

571 headlines that they reached a final settlement or final  
572 agreement on the clean up and they're anticipating it's  
573 gonna take 'em 10 years and they've been working on  
574 developing their plans for the last 10 years and that seems  
575 like a scale that probably is real. With the fact it's much  
576 smaller than this site. So, what's the consequence of  
577 slowing the process down, you know, 6 months? A year?  
578 What's the consequence of that?

579 Speaker: Well, I can talk about it from one level. And Gil can talk  
580 from another. For one, our contract with the Navy is  
581 finite (?) We are authorized to work on these jobs. We've  
582 been obligated money to spend and we're gonna move  
583 ahead with that, but if we don't spend it within the time  
584 period allotted for our contract, then it's not spent. Our  
585 job is not finished, and the Navy has to worry about the  
586 funding. And how that would be reallocated and that's  
587 how it would be reallocated would be more Gil's area of  
588 expertise.

589 Speaker: \_\_\_\_\_ some situation if you use or loose it? \_\_\_\_\_

590 Speaker: For some specific (?) period of time, it can, it can be lost.

591 Speaker: Um hm.

592 Speaker: Certainly \_\_\_\_\_ (*little laughter*) But um...

593 Speaker: Essentially what happens is we're dealing with  
594 appropriated funds that have are earmarked with a  
595 specific fiscal year. So we award, say we awarded  
596 \_\_\_\_\_ last year, it's earmarked with last year's fiscal  
597 year, 01 I believe. That money has to be spent for what it  
598 was originally intended. Okay. After a period, we can  
599 move the money sideways, in other words, any other  
600 project that was awarded in fiscal year 01, I can use 01  
601 money for. I can move sideways. But I can't move it into  
602 the new the present year. Fiscal year 02. It's against the  
603 law. It's not allowed. I can't do that. So if I don't spend  
604 the money for the intended purpose, based on the fiscal  
605 year it was awarded, I lose the money. For, we have six  
606 year life span on ERN\_ Environmental Restoration Navy.  
607 That's the money we use for funding clean up. Once the  
608 six years elapses, the money is gone. It goes back to the  
609 Treasury and it's no longer available to anybody within  
610 the services, Army, Navy, Air Force, what have you. It  
611 belongs to the Treasury. So we loose the money in effect.  
612 We have no money. That creates two problems. One  
613 administrative problem, if I try, if I got money last year to  
614 fund a specific project and then go back, say in 2003 and

615 say hey, I need money to do this project. They'll ask  
616 some serious questions of me. What did you do with the  
617 money? Why didn't you do the work? Okay. Still, 9  
618 chances out of 10, if I need money to do something that I  
619 didn't do because we delayed the schedule too long. I'll  
620 have to sacrifice the current year money to do that work.  
621 Okay. And that's a catch-22. Now I have some money for  
622 some project this year that I've used for somethin' else  
623 and it just creates a \_\_\_\_\_. So bottom line on the  
624 whole thing, the hazards are one, we loose the money,  
625 two, we don't execute per the schedule. The Navy, the  
626 general Navy guidelines as far as clean up is keep moving  
627 forward. There are really good reason for delaying the  
628 work in coordination with the agencies, you know we've  
629 had excellent oversight from EPA and the State. And  
630 they've asked all the questions and we've gone back and  
631 looked at documents and relooked at the data and taken  
632 more data. So you know the agencies have done excellent  
633 work in providing oversight for the Navy, I think. So as  
634 far as delaying the work, we can delay it up to a point.  
635 And I think we should do so until the RAB has time to  
636 look at the documents. But if we delay it too far, we

637 create a serious problem for ourselves and won't be able  
638 to get the work done. So I, sorry for the long-winded  
639 answer, but the bottom line is we need to move ahead  
640 with the work.

641 Speaker: Long winded question.

642 Speaker: Um hm.

643 Speaker: And if we don't complete the work, or at least start the  
644 work, we're gonna lose the money. We won't be able to  
645 do the work. And I, just to let you know, the current  
646 budget situation, if I lose money, say this year, it's gonna  
647 be at least 5 – 6 years before I can ask for more money.  
648 So we can forget about doing anything on the site. It'll  
649 just lay there for six years. Granted there's a lot of legal  
650 remedies that can take place. But you know, they'll just,  
651 I'll have to take from Peter to pay Paul to get the work  
652 done. So, it's a, it's a difficult situation.

653 Speaker: This is sort of a related question. Is that okay \_\_\_\_\_  
654 time \_\_\_\_\_

655 Speaker: We are running short of time here.

656 Speaker: Okay, I'll make it real quick. \_\_\_\_\_ Since this is not a  
657 closing base, what's the urgency?

658 Speaker: Well, the funding for one. The year-end pot is not a huge  
659 pot, like a \_\_\_\_\_ site. Okay, so it's appropriated fund.  
660 After a while, Congress says, well, we've given you  
661 millions of dollars for X number of years, why aren't you  
662 through with the clean up? What have you done? You've  
663 squandered the clean up. And it creates a whole, like I  
664 said, a whole slew of problems.

665 Speaker: And if you can follow the review schedules that are  
666 outlined in here, there's some delays here and there, in  
667 some projects. There aren't delays in other projects. (*loud*  
668 *sharp sound here*) But, given the fact that they're not  
669 \_\_\_\_\_ documents, you're still gonna have an  
670 opportunity to look at the overall adequacy and whether  
671 the solution is protective. So from the RAB standpoint, I  
672 don't think you're loosing the opportunity to verify that  
673 there's protection \_\_\_\_\_ the environment. And, um...

674 Speaker: One more comment. Also the objective here is get rid of  
675 the contamination.

676 Speaker: Um hm.

677 Speaker: To clean up the site. And it would be in our best interest  
678 to move ahead and clean up the site versus letting it sit

679 for a long and you know possibly creating a difficult  
680 problem for everyone.

681 Speaker: The tidal area landfill is a good example in case (?).  
682 There's no cap on it. It's been uncapped for a long time.  
683 And we want to move to capping it.

684 Speaker: Marcus.

685 Speaker: \_\_\_\_\_ concern about cleaning it up too. \_\_\_\_\_  
686 example, we're not cleaning it up, we're covering it up.  
687 **(tape stops)**

688 Speaker: **(tape resumes – conversation in progress)**

689 \_\_\_\_\_ I basically \_\_\_\_\_ human  
690 health safety and \_\_\_\_\_ ecological \_\_\_\_\_ We have a  
691 situation here \_\_\_\_\_ This is really complex issues that  
692 we're dealing with. The regulatory, the regulatory  
693 environmental is highly complex. It's gonna take us a lot  
694 of time to get up to speed on it. There's a tremendous  
695 amount of guidance to go through, technical issues on  
696 this. How do we do risk assessment? How do we know  
697 what the risk assessment \_\_\_\_\_? How do we know what  
698 presumptive remedy(?) is? \_\_\_\_\_ appropriately  
699 applied \_\_\_\_\_? The issue that Dean brought up is not  
700 the issue \_\_\_\_\_ The issue from the community stand

701 point is \_\_\_\_\_ for years now, there's been no  
702 oversight. We're not trying to slow it down, but we  
703 would just as soon get this \_\_\_\_\_ as soon as we can. I  
704 don't sit here and do a job that I'm not prepared for. The  
705 Navy is \_\_\_\_\_ in clean up matters, generally takes about  
706 16 hours is what I'm reading in the literature, just to get  
707 oriented\_\_\_\_ And that's \_\_\_\_\_ You're supposed to be  
708 telling us and we haven't been told about it yet, but  
709 you're s'pose to tell us about \_\_\_\_\_ so that we can  
710 \_\_\_\_\_ review this material. People who are experts in  
711 the field and have that technical competence to review it  
712 for us. Give us \_\_\_\_\_ opinion. \_\_\_\_\_ We haven't heard  
713 anything about that. Hopefully \_\_\_\_\_ That's not  
714 \_\_\_\_\_ We don't have a technical advisory on line. We  
715 have a Superfund site here. This is not just a little dirty  
716 landfill \_\_\_\_\_. This is Superfund site. Not that many are  
717 around. This is a serious matter. I don't sit here and say  
718 30 days \_\_\_\_\_ but I'm \_\_\_\_\_ I'm not \_\_\_\_\_ I can  
719 look at \_\_\_\_\_ I have 12 pages here, just a listing of  
720 these documents that I have to go through to review  
721 \_\_\_\_\_. 12 pages of documents. And you're asking me to  
722 this? Come up to speed with technical aspects of it. Write

723 my comments. Do all this in 30 days and I haven't even  
724 been \_\_\_\_\_ we've had no training. No nothing. I think  
725 that's too ambitious. We gotta slow this process down.  
726 It's not on our shoulders. We're gonna try and speed it  
727 up. The reason it slowed down is there hasn't been any  
728 public participation in years. \_\_\_\_\_s'pose to be.  
729 \_\_\_public participation when this ROD went  
730 through\_\_\_\_\_ went through, that would be one  
731 thing. But we don't \_\_\_\_\_ plan went through. There were  
732 two members of the public that showed up. One was the  
733 chair of the RAB and the other was the PR guy for the  
734 weapon's station. \_\_\_\_\_ legal notice. That was  
735 it. That was the only notice there was. And yet, this was a  
736 Superfund site where you're supposed to have public  
737 participation. It has been any, so I \_\_\_\_\_

738 Speaker: That was a \_\_\_\_\_ a few years ago.

739 Speaker: \_\_\_\_\_ lucky enough to see the legal \_\_\_\_\_proposed  
740 plan. This is the proposed plan. It's just a couple of  
741 pages. But the plan that was distributed, the risk  
742 assessment, the remedial(?) investigation wasn't even  
743 complete. It hadn't even been completed. So a citizen  
744 could not effectively \_\_\_\_\_ at that point. 'Cause

745 they did not have the data to go on at that point. There  
746 were a number of irregularities in this. Again, we're not  
747 trying to slow it down. I \_\_\_\_\_ but I'm saying  
748 \_\_\_\_\_ participation level. And we want to participate  
749 and want to participate and we want informed  
750 participation.

751 Speaker: There was a ...

752 Speaker: I think that's not too much to ask \_\_\_\_\_ It's the law.

753 Speaker: There was a large amount \_\_\_\_\_ for the fact(?) sheet  
754 for the primary landfill that preceded that meeting. And  
755 there wasn't a lot of interest in it.

756 Speaker: I can believe it because I should be on the mailing list  
757 \_\_\_\_\_ most everything \_\_\_\_\_ I never received a  
758 fact sheet \_\_\_\_\_ And as far as I know this is the only  
759 \_\_\_\_\_

760 Speaker: \_\_\_\_\_ proposed plans, Marcus. They're really short  
761 but they are very \_\_\_\_\_ general fact sheet and it does a  
762 very great (?) job summarizing. That's all a proposed  
763 plan is.

764 Speaker: But no one is even looked at the site yet. Haven't finished  
765 the remedial investigation.

766 Speaker: We're hoping the Navy, because of comments we've had  
767 from \_\_\_\_\_ public meeting, we've been encouraging  
768 the Navy to have in some kind of a little you know an  
769 agenda item on the RAB to resummairize this both these  
770 site 1 landfill documents, Record of Decision \_\_ review  
771 now and the subsequent 13, site 13 and 17 record of  
772 decision. And we talked about a little bit a couple of  
773 weeks back and also the schedules. And it's just  
774 important that the public understand \_\_\_\_\_, now you can  
775 elaborate but there was for the Superfund process when  
776 you write this ROD, there was, there is some history and  
777 there is you know, the fact that this thing stalled out for  
778 some time prior to my history on the base, but it is  
779 important for the people to realize this is the very last step  
780 of the process. We've been talking to the Navy, asking  
781 them and we thought we had some response, there was  
782 willingness to resummairize. You know, where are we  
783 with the landfill? What is the decision? And part of the  
784 trouble has been the agency \_\_\_\_\_ been reviewing this  
785 \_\_\_\_\_ decision. It was stalled out. And we've inherited.  
786 We try to remove this document. Decision document. But  
787 the agencies have had some concerns. And that's, doesn't

788           make it easy for the Navy, but we're still \_\_\_ an agencies  
789           level trying to you know develop a mutual acceptable  
790           decision on how to proceed. Once that resolved, I think  
791           the Navy is then in a position to go and say, now we have  
792           resolution with the public, with the agencies and which is  
793           actually not a major difference of where the document  
794           *was* in a certain sense. In some ways, we're making some  
795           fairly significant changes. In other aspects in the decision  
796           document, there's a fair amount of agreement and some  
797           work that's need to be done still. But it was our hope that  
798           the Navy would come back and then re-present this. And  
799           listen to folks. Here what your comments are and we  
800           would hope to be able to have you know productive  
801           discussions about why the technical aspects of the  
802           decision of this document \_\_\_\_\_ Record of  
803           Decision.

804   Speaker: Joanna, you have a question?

805   Speaker: I just wanted if, yeah in response to what Phillip was just  
806           explaining, we're planning to have the technical people  
807           that wrote all these reports present at an upcoming RAB  
808           meeting. For 3 reports, we proposing it for the February  
809           RAB agenda so that the RAB members aren't left in the

810 dark to interpret technical documents. So it's the  
811 intention, you know not to give a primer on how to do  
812 ecological or human health risk assessments but to orient  
813 RAB members to the documents and to the site, give a  
814 little background and also these sites have had oversites  
815 by the regulatory agencies for years now. These these  
816 sites have been worked on for I don't know \_\_\_\_\_  
817 probably 10 years? 5 years?

818 Speaker: Too, too long.

819 Speaker: A long time. So there's a long history involved so there's  
820 not expectation that the RAB would come up to speed on  
821 every single document that precedes that history. So we'd  
822 provide an overview, you know, at a RAB meeting to  
823 inform RAB members of some of that history. And  
824 expect that some of the RAB members trust the process  
825 that these predecessor documents have been reviewed by  
826 EPA and the Water Board whose goal is to protect human  
827 health and the environment. So they're looking out for  
828 the public.

829 Speaker: And I , I'd like to clarify one other thing, too. Which is  
830 that in terms of the tidal area landfill. The tidal area  
831 landfill is as much a Superfund site as some of the other

832 sites in the inland area that are considered now for \_\_\_\_\_  
833 action because we said they impose no environmental  
834 risk. And that's because it's all part of the same site.  
835 Tidal area landfill has nothing to do with the destination  
836 of this site, with the Superfund site. It was a litigation  
837 area site that was responsible for that. So, the litigation  
838 was a very important and I'll say complex site. We're  
839 proposing to make a presentation here on April 1<sup>st</sup>, or  
840 excuse me, after April 1<sup>st</sup>, no wait a minute ...the April  
841 RAB meeting. There are overviews proposed for the  
842 April RAB meeting, so we recognize that we need to  
843 bring you guys up to speed on some this \_\_\_\_\_.

844 Speaker: Thanks John. Thank you Marcus, Dean and Joanna.

845 Speaker: \_\_\_\_\_ we have decided \_\_\_\_\_ I think other people here  
846 probably some things they'd like to say too \_\_\_\_\_

847 Speaker: Anybody else?

848 Speaker: Yes, I do. I mean it's nice that you're planning on coming  
849 in April, but we have all these things we have to look at  
850 that are due March 1<sup>st</sup>. \_\_\_\_\_

851 Speaker: Well, you know, if we \_\_\_\_\_ step at a time. We're  
852 talking about making a presentation in February for the

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853 tidal area landfill for comments that are due on March 1.

854 So that's a month before comments are due.

855 Speaker: I just have some serious concerns that we're given one  
856 month to go through all this.

857 Speaker: Well..

858 Speaker: I understand. \_\_\_\_\_

859 Speaker: You know, this was brought up in August \_\_\_\_\_ in  
860 public when the press was there and that was really the  
861 only thing \_\_\_\_\_ that there was really gonna be some  
862 delay \_\_\_\_\_ September, October, November,  
863 December, January, February. Six months we hadn't been  
864 provided any documents. So we've had no opportunity in  
865 that six months to review, so that's what slowing the  
866 process down...

867 Speaker: Well, actually it's the same number of documents that we  
868 \_\_\_\_\_ supply to the RAB was supplied in the last before  
869 the last meeting. So, you have the tidal area landfill for  
870 some time now, but we made extra copies for you so you  
871 each have a copy of it now. And the normal review  
872 period when you're at the draft, draft stage is 60 days and  
873 previously the RAB functioned under that timeline and  
874 we can make you know we \_\_\_\_\_ and give some

875           some opportunity to review, but I don't that the Navy's  
876           interested in having the thing completely come to a stop  
877           for 2 or 3 months while the RAB ...

878 Speaker: I'm not even asking for 3 months, I'm just saying that 4  
879           weeks in my opinion for me isn't enough to process all  
880           the things that are due.

881 Speaker: Part of the reason for this thing was that, that, that, to  
882           show that you don't have to come up to speed with  
883           everything at the same time.

884 Speaker: I was thinking of 3 things that we have to do by March  
885           1<sup>st</sup>. (*sharp slapping sound here*)

886 Speaker: Do you have a suggestion, Gay, of what you'd like to see  
887           happen.

888 Speaker: I would like to have, I don't know (?) seven weeks would  
889           be more helpful than 4.

890 Speaker: How about asking to have \_\_\_\_\_ before the next  
891           RAB meeting like some kind of a workshop to go  
892           through the documents so that you could...

893 Speaker: Well, it's a matter of reading some of this stuff too, like  
894           he said, the normal period for a draft period is so long.  
895           But normally the RAB would have already been  
896           reviewing documents ahead of time and been very

897 familiar with those documents. But to come in at the last  
898 minute, and now it's you know... You know what I'm  
899 saying?

900 Speaker: I mean, well \_\_\_\_\_ the question of whether the RAB  
901 actually, the trouble that the Navy has, I think the  
902 regulators \_\_\_\_\_ when you're trying to accommodate the  
903 schedule, \_\_\_\_\_ being kind of sure \_\_\_\_\_  
904 overall trying to accommodate the RAB so it varies (?), I  
905 think. I you need a little more time we're trying to be  
906 flexible here, but we're also we're trying to move things  
907 along. But actually, I think your perceptions are much  
908 different from us as a regulatory agency. Maybe even me  
909 specifically. These things have been so delayed. There's a  
910 Superfund process that we're all so used to and we kind  
911 of \_\_\_\_\_ I guess, but that's why. The history here  
912 is some of these documents \_\_\_ shoulda been done years  
913 ago and we're tryin' to be accommodating to the public,  
914 you have to realize and that's you know \_\_\_\_\_ wasn't  
915 on the RAB, we know there was a RAB here several  
916 years ago, some of you are doing the RI's and the FS's,  
917 there was public meetings. The Navy was coming here.  
918 What they typically do is given little discussions. Now

919           we have the RI's for this site. They present those things.  
920           And there's comments the Navy goes through and the  
921           agency and the public. So there has been a history here.  
922 Speaker: Right, but that's been in the last two years, since they left.  
923 Speaker: \_\_\_\_\_ a lot happened, is the thing \_\_\_\_\_  
924           That's the other \_\_\_\_\_ So nothing happened. \_\_\_\_\_  
925           time warp for a year or two on some of these documents.  
926           So we're trying to resume without saying everyone has to  
927           go back to ...  
928 Speaker: Well, I'm not asking you to drastically change this. I  
929           mean you're tryin' to be flexible, \_\_\_\_\_ any  
930           additional time at all? \_\_\_\_\_  
931 Speaker: Let me, let me make a suggestion that site 29 and the  
932           litigation area, neither one of those are decision  
933           documents. Maybe you could split your \_\_\_\_\_ some  
934           groups to look at various things. The most important is  
935           the tidal area landfill. \_\_\_\_\_ document. The one, I'm  
936           reasonably certain when you review the litigation area,  
937           summary you'll probably have some questions there. It's  
938           a 10 page summary, summarizes a complicated 2 volume  
939           report. You're not gonna even be able to scratch the  
940           surface on that one, *really*. But ...

941 Speaker: Well, I think you're bringing up a point here. We have *no*  
942 *independent technical advice on this.*

943 Speaker: That's right. (*several people speak at once*) We're  
944 handicapped here.

945 Speaker: That's why for the tidal area landfill we were planning to  
946 make a RAB presentation.

947 Speaker: Well, I think we *deserve* to have a independent technical  
948 advice. We don't have any.

949 Speaker: So...

950 Speaker: Secondly, I want to say this, you guys are full time on  
951 this. This is your *job*. I have got *another* job. This is a  
952 volunteer effort on my part. And stands for everybody  
953 whose on this RAB. And I think you fail to understand  
954 this.

955 Speaker: No, I haven't.

956 Speaker: Well, I think you do. This is unreasonable.

957 Speaker: There have been attempts by the Concord RAB in the  
958 past to get technical assistance and I don't reason why,  
959 but they never received the grant.

960 Speaker: We're starting a new ball game.

961 Speaker: That's right \_\_\_\_\_

962 Speaker: \_\_\_\_\_ basically be considered a new RAB.

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963 Speaker: Right.

964 Speaker: Okay?

965 Speaker: Right.

966 Speaker: So we have no technical assistance. We haven't even

967 been *advised* of it.

968 Speaker: Okay. Right. \_\_\_\_\_

969 Speaker: Sure.

970 Speaker: The previous RAB attempted to get technical assistance.

971 They didn't get it. They struggled through these

972 documents without the technical assistance. Maybe you

973 guys in community relations can help me out in this, but

974 how many of the community relations groups that you're

975 working with have technical assistance (*loud cough here*

976 *by someone*) by experts?

977 Speaker: I don't know \_\_\_\_ I could probably, I can't speak for all

978 bases. I can talk about the few that come to mind. There's

979 two different kinds of technical advice that are available

980 to RAB's . One is an EPA program. We currently

981 \_\_\_\_\_technical assistance plan program. I hope I'm

982 not ripping off somebody else's presentation tonight. So

983 anyway, that grant is in process with EPA and \_\_\_\_\_

984 talk too much about it. But some technical assistance

985 might be available through that should that grant be  
986 awarded. And that would be in the future, not \_\_\_\_\_  
987 The second thing's that available is actually DOD money,  
988 the, TAPP you folks have heard about. Technical  
989 Assistance for Public Participation. I think is what it's  
990 called. That's actually funded by the DOD facility  
991 through the existing clean up money that they have. So if  
992 you can get control of that. That money in general if at all  
993 much more quickly than say what EPA could bring to  
994 bear with its TAG program at this point. Now I didn't  
995 discuss this at all with the Navy folks, so they're the ones  
996 that need to speak about the TAPP program but if you  
997 needed technical assistance very quickly for these  
998 particular documents, it's more likely \_\_\_\_\_ they  
999 can help you get technical advice to you folks a little bit  
1000 quicker than the TAG can at this point. Once the TAG  
1001 would be awarded, the EPA's supposed to award it to the  
1002 group of community members who are coming together  
1003 to do that, then there would be you know, there would be  
1004 money available to shift do this kind of work. But right  
1005 now, that's not available so when you get to the  
1006 presentation on the TAPP program, I think you'll wanna

1007 listen very carefully to what the Navy representatives say  
1008 about how quickly they can bring TAPP to bear. Which I,  
1009 again, there are some considerations. That's a real quick  
1010 \_\_\_\_\_ So for other bases, Alameda used TAPP twice.  
1011 Alameda Naval Air Station. They don't have a TAG.  
1012 They used TAPP twice. \_\_\_\_\_ Air Force Base  
1013 another closing base, used TAPP twice. They don't have  
1014 a TAB. So it kinda varies from one facility.

1015 Speaker: And when they used TAPP was that like on \_\_\_\_ type  
1016 expert that stayed with 'em for years on end. Or was this  
1017 like \_\_\_\_\_

1018 Speaker: Yeah, thank you. The TAPP program is different from the  
1019 TAG in one unique way in that the TAPP needs to be  
1020 used for a specific document, or groups of documents on  
1021 a specific issue. So the RAB members would say, a new  
1022 feasibility study is coming in. We're not going to  
1023 possibly understand whether is done correctly and all of  
1024 that. And they would go to a DOD facility and say, we  
1025 want a contractor to do this document or these 3 and they  
1026 come out very quickly, at least in the case of Alameda,  
1027 they came out very quickly, did a bang up job and they  
1028 were done in like 3 weeks or something like that. So it

1029 was really quick. But, again, it's whether the DOD  
1030 facility is ready to do that. They need to have contractors  
1031 that they've already established as being reliable. The  
1032 RAB doesn't pick the contractor. The Navy picks the  
1033 contractor. \_\_\_\_\_ That's real important.

1034 Speaker: Just gonna point out also, just to let you folks know not  
1035 every RAB uses real professional, this high-paid you  
1036 know environmental consultant to read documents  
1037 \_\_\_\_\_. And people do, EPA has come in. We've had the  
1038 Navy. Some of the RAB's I think part of \_\_\_\_\_  
1039 bases, don't have, again, they don't have a hired  
1040 consultant to provide input. They use the Navy to present  
1041 those reports and discuss the projects. They bring in,  
1042 we've had EPA toxicologists to come in to give people  
1043 little you know human health toxicology 101. A one hour  
1044 type little overview of this discipline and understand the  
1045 science behind these reports. So their kinda informal  
1046 mechanisms using the resources that we all bring to this  
1047 table also.

1048 Speaker: I definitely agree with Phillip, but just so you'll be clear,  
1049 there is a distinction here. When EPA or the Navy brings  
1050 its people in to explain things, they're not approaching it

1051 in quite the same way as a technical advisor as an  
1052 independent pair of eyes (?) would be. And what I  
1053 \_\_\_\_\_ people with a fairly critical view of  
1054 \_\_\_\_\_ Very true the EPA can come in and say exactly  
1055 why they did what they did and we're very confident,  
1056 they have great experts. They have a lot of experience,  
1057 but we're also regulators. We've done what we've done.  
1058 *(somebody keeps dropping or slapping something)* \_\_\_\_\_  
1059 often feel more comfortable when they have independent  
1060 set of eyes to look at their document. Sort of a relational  
1061 difference. I think that \_\_\_\_\_ RAB is best served if they  
1062 use a lot of EPA and Navy expertise to explain all the  
1063 background and help people become educated. And then  
1064 if they really feel like they need additional technical  
1065 assistance, \_\_\_\_\_ independent set of eyes, then \_\_\_\_\_  
1066 technical advice. But the first step, should be, let the  
1067 Navy and the EPA try to bring you up to speed. It's a lot  
1068 faster than any contractor, either through the TAPP  
1069 program or messing around with the TAG program  
1070 \_\_\_\_\_ And now I'm gonna \_\_\_\_\_

1071 Speaker: Chris?

1072 Speaker: I also wanted to say that Art(?) is here for at least through  
1073 April 1<sup>st</sup> and independent of any contractor or whatever.  
1074 So, keep that in mind.

1075 Speaker: Okay. Marcus?

1076 Speaker: \_\_\_\_\_

1077 We need that. And we need \_\_\_\_\_ We need to  
1078 understand those things. We need to know about risk  
1079 assessment and how that's done. We don't need to know  
1080 everything about it. We need to know that – we know  
1081 that it ain't perfect. I know \_\_\_\_\_ We need that  
1082 kind of background information. We need that training.  
1083 We to get the TAPP grant in line. \_\_\_\_\_ That's  
1084 my understanding right now. It doesn't sound good when  
1085 I read it, when you put landfill in the middle of \_\_\_ and  
1086 dump water up over the actual landfill itself. Doesn't  
1087 sound good to me. And you're gonna leave it. It doesn't  
1088 sound like a good thing to do. \_\_\_\_\_ take it out of the  
1089 water. But I \_\_\_\_\_ I need training.  
1090 We're not supposed too make any decisions on this  
1091 anyway is my understanding. You can't  
1092 \_\_\_\_\_ but I  
1093 would suggest instead of just instead of just going

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1094 \_\_\_\_\_EPA and regulators know how we feel  
1095 \_\_\_\_\_on the record and. But I would like to know how  
1096 many of those \_\_\_\_\_ I suggest maybe we get a  
1097 little time to think about it. \_\_\_\_\_ we need to  
1098 some time \_\_\_\_\_ I think February 4<sup>th</sup>. Could I see  
1099 a show of hands on that? \_\_\_\_\_

1100 Speaker: Well, I have a slightly different approach. A suggestion.  
1101 We running against a time frame here especially since  
1102 March 1<sup>st</sup> is kind of a first time frame, first deadline for a  
1103 review. Instead of putting things off, what \_\_\_\_\_ taking  
1104 smaller chunks off the time. Maybe going after working  
1105 to see if we can accelerate this whole process of getting  
1106 TAPP funding to get a professional person on our side as  
1107 quickly as possible in order to help review that before the  
1108 March deadline. So, start actively getting someone to  
1109 work technically on our side for this couple first  
1110 deadlines. And 'cause what I'm hearing is we want to put  
1111 things off, make decisions while this the clock is ticking  
1112 pretty quickly.

1113 Speaker: \_\_\_\_\_

1114 I disagree with \_\_\_\_\_

1115 Speaker: Right. But if we could if we discuss if we hold off for a  
1116 few weeks is what I'm saying is that March 1<sup>st</sup> deadline is  
1117 coming so quickly. Why don't we work to attack those  
1118 first few deadlines right away at the same time we're  
1119 reviewing. \_\_\_\_\_

1120 Speaker: \_\_\_\_\_  
1121 speaker to first \_\_\_\_\_ decision  
1122 on whether to accept these deadlines \_\_\_\_\_ March 15<sup>th</sup>  
1123 You wanna \_\_\_\_\_ a motion for that? Or frame a  
1124 concept?

1125 Speaker: Yeah, we're talking about the same deadlines. Do we  
1126 have a feeling for how real that is at this point? My  
1127 feeling from what we've heard tonight is extending these  
1128 deadlines may not be an option. And so we may be  
1129 spinning our wheels here instead of just moving forward  
1130 with what we've got at the time.

1131 Speaker: Along this line, \_\_\_ put you folks in the hot seat. As I  
1132 look at the tidal area it says that, you've not signed off on  
1133 the ROD. I mean you think you're gonna be able to, your  
1134 part of this decision too, are you gonna be able to meet  
1135 the March deadline? That the RAB is being put under or  
1136 DTSC? *(several people speak at once)*

1137 Speaker: \_\_\_\_\_ because right now, EPA has already  
1138 commented on it. So it's now in the Navy's corner. You  
1139 know we're optimistic actually, we have had our  
1140 \_\_\_\_\_ meeting yesterday, in fact, on this landfill Record  
1141 of Decision. We were getting some responses from the  
1142 military in terms of some changes we needed to be done  
1143 to fix that document. And so, it looks like a couple, three  
1144 months. That's what we've been alluding to folks all  
1145 along \_\_\_\_\_ site 1 that we knew that this  
1146 document was gonna have to be reworked a little bit and  
1147 its gonna you know \_\_\_\_\_ this thing our two to three  
1148 months. And that should be sufficient to accommodate  
1149 some kind of an outreach activity in having the Navy give  
1150 some kind of little briefing \_\_\_\_\_ the public  
1151 \_\_\_\_\_ so. This probably, again, we don't know  
1152 exactly what will happen \_\_\_\_\_ comes out  
1153 here, but \_\_\_\_\_ reason right now, we could  
1154 actually finish it. We may be able to wrap it up. You  
1155 know \_\_\_\_\_ we don't know. It's the future, it's been  
1156 the Navy important now. Sometimes you don't know how  
1157 these things are gonna come back. It's looking good. The  
1158 time frame is probably realistic. \_\_\_\_\_

1159 Speaker: You sound like I sound \_\_\_\_\_ you wanna get  
1160 married? (*laughter*)

1161 Speaker: Well, again, Dean, again in somebody's court how's it  
1162 going to come back is sometimes \_\_\_\_\_

1163 Speaker: What I was fishing for, since you guys meet, you have  
1164 your meetings, you have to have a sense of how close you  
1165 are. The issues that you're throwing back and forth at \_\_\_  
1166 how close you are to getting a petition.

1167 Speaker: Well no it's actually, there is major problems with this  
1168 document and we're looking at some major conceptual  
1169 splits. Taking ground water out of this decision document  
1170 and the landfill. It's fairly major. Separating the  
1171 groundwater, dealing with proceeding with the landfill  
1172 cap, carving out the groundwater aspects of that decision.  
1173 That's a big piece of that document. So were there  
1174 significant reclamation by EPA. We've got  
1175 \_\_\_\_\_ We you know have a 10 page letter and  
1176 we have a meeting to informally discuss these things. We  
1177 actually get sometimes some paper back and then we can,  
1178 the attorneys everyone else looking at a decision  
1179 document, this is a document that has legal, technical  
1180 aspects \_\_\_\_\_ to review.

1181 Speaker: The way I look at this, it's gonna take the EPA and the  
1182 Navy some time too digest the RAB comments, so it  
1183 certainly couldn't be signed on March 1<sup>st</sup>. So, it's you  
1184 know 15 to 30 days after that anyway.

1185 Speaker: That's my point was not rushing the RAB but there's still  
1186 \_\_\_ a lot of dialogue going on between the parties and

1187 \_\_\_\_\_

1188 Speaker: Right. Right.

1189 Speaker: \_\_\_\_\_ meeting that we've  
1190 had yesterday \_\_\_\_\_ Navy \_\_\_\_\_ process  
1191 \_\_\_\_\_ supervisor \_\_\_\_\_ I'm trying to really  
1192 \_\_\_\_\_ as fast as I can \_\_\_\_\_ So therefore, I think  
1193 it might be possible \_\_\_\_\_

1194 Speaker: So once again, it's more like the 15<sup>th</sup> or the 30<sup>th</sup>. Because  
1195 the March 1<sup>st</sup> would be the RAB. And then you need  
1196 time to think about the RAB. So, there's gonna be  
1197 additional \_\_\_\_\_

1198 Speaker: So I guess my point here is you guys are wrestling with  
1199 this thing. You're all professionals. And the RAB are  
1200 just coming into it. This is raising some serious issues,  
1201 just between the technical professionals. I mean what  
1202 does \_\_\_\_\_ for the RAB?

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1203 Speaker: It thinks it's most definitely \_\_\_\_\_ that the Navy has

1204 \_\_\_\_\_

1205 Speaker: Very little now. I'm sorry.

1206 Speaker: \_\_\_\_\_ the Navy is and that's

1207 understandable. \_\_\_\_\_ the RAB

1208 divided into two components \_\_\_\_\_ And another

1209 component \_\_\_\_\_

1210 Speaker: \_\_\_\_\_ just wanna check in and let you guys know that

1211 you're not really the first significant agenda item and it's 8:25.

1212 \_\_\_\_\_

1213 Speaker: \_\_\_\_\_ you're talking about that you presented?

1214 Speaker: Yes.

1215 Speaker: I assume those are in the document that we're gonna be

1216 reviewing? \_\_\_\_\_ changes so that we can look at

1217 those? So we can have...

1218 Speaker: Well you have the set comments to on the

1219 landfill \_\_\_\_\_ Marcus, \_\_\_\_\_

1220 Speaker: \_\_\_\_\_ send them out to at

1221 least \_\_\_\_\_ people \_\_\_\_\_ we wanna get

1222 these letters \_\_\_\_\_ distribution of all the

1223 regulatory agencies some of these various documents

1224 \_\_\_\_\_ Marcus and he can decide who gets these

1225 kind of things unless you folks wanna all these get all this  
1226 paperwork from the agencies and things.

1227 Speaker: \_\_\_\_\_ when I don't \_\_\_\_\_

1228 Speaker: Well, so you're saying, you'd wanna see, you'd wanna  
1229 see all the regulatory agencies comments \_\_\_\_\_ to the  
1230 Navy.

1231 Speaker: Um, in the beginning, \_\_\_ like to have some of what's  
1232 going on? 'Cause I think it'll give me a better  
1233 understanding?

1234 Speaker: Yeah okay.

1235 Speaker: But those go out. That's how, that's all we have. We have  
1236 our opinion and \_\_\_\_\_ informal meetings with  
1237 Navy. \_\_\_\_\_

1238 Speaker: But I do understand \_\_\_\_\_ what he was bring  
1239 up. When you haven't finalized what you're doing  
1240 \_\_\_\_\_

1241 Speaker: That's not true. That's not true. We submit our comments  
1242 to the Navy on our document. So we provide comments  
1243 that say this needs to be corrected.

1244 Speaker: Okay, they respond back by saying...

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1245 Speaker: \_\_\_\_\_ call a meeting with them about that. About  
1246 our letters and how they're responding to what we're  
1247 proposing \_\_\_\_

1248 Speaker: Okay, \_\_\_\_\_ documents we're reviewing, we're  
1249 not gonna know really what the Navy's actually gonna be  
1250 doing.

1251 Speaker: Right.

1252 Speaker: Well, you're just like we are. I mean you got, this is  
1253 \_\_\_\_\_ RAB brings a position too. Like well what  
1254 happens when we're reviewing this and then agency  
1255 commenting, and then you change that document, we  
1256 have to go review it again. Well, that's that's one thing  
1257 that happens. Sometimes RAB decides therefore you  
1258 wanna see this final initial version, \_\_\_\_\_ versions that  
1259 are kind of getting polished by the agency inputs because  
1260 of the reading you want to do and you want to follow  
1261 these exciting stories. (*laughter*) That's really what it gets  
1262 to. And to get all the processed \_\_ paperwork it comes  
1263 from , modifying these documents.

1264 Speaker: \_\_\_\_\_

1265 Speaker: I just wanna make sure I'm giving you appropriate  
1266 comment when I do give my comment. \_\_\_\_\_  
1267 information \_\_\_\_\_

1268 Speaker: \_\_\_\_\_ facts. And sometimes we all deal with that  
1269 \_\_\_ we call it a moving target where we're you know all  
1270 these versions are coming and going and sometimes it  
1271 gets critical \_\_\_\_\_ I mean sometimes  
1272 regulatory agencies \_\_\_\_\_ sometimes get flying  
1273 furiously and sometimes people wonder what versions are  
1274 we dealing with.

1275 Speaker: \_\_\_\_\_

1276 Speaker: Yeah you don't wanna be reviewing a document that  
1277 people have already corrected. You're always like you're  
1278 a page behind or something.

1279 Speaker: That's right.

1280 Speaker: \_\_\_\_\_ a copy \_\_\_\_\_ not be responsible for distributing  
1281 all the documents \_\_\_\_\_ you guys- \_\_\_ to all the  
1282 RAB members \_\_\_\_\_ I learned a heck of a  
1283 lot \_\_\_ your comments \_\_\_\_\_ speaking of training  
1284 \_\_\_ after having read this, reading your comments, really  
1285 helped \_\_\_\_\_ value to me and I think the other  
1286 RAB members would find it very valuable too.

1287 Speaker: \_\_\_\_\_

1288 Speaker: \_\_\_\_\_ quickly make a suggestion. We have like the

1289 meeting list \_\_\_\_\_

1290 Speaker: I'd like to get back to the \_\_\_\_\_ question. .

1291 \_\_\_\_\_ we're not supposed to make a

1292 decision \_\_\_\_\_

1293 Speaker: I have a question \_\_\_\_\_ pertains to that. If we're

1294 not supposed to make the end decision and we're not

1295 approving the minutes or anything for the next meeting

1296 anyway, does \_\_\_\_\_ think that whatever we're

1297 doing tonight, \_\_\_\_\_ discussions, \_\_\_\_\_ coming to

1298 any consensus or doing anything tonight anyway? That

1299 it's all going to the \_\_\_\_\_

1300 Speaker: \_\_\_\_\_

1301 Speaker: Yes, \_\_\_\_\_ what I am to consider the tidal

1302 area landfill owner \_\_\_\_\_ problem 5, we had

1303 proposed that the Navy would do an overview of the site

1304 at the February meeting. I think you consider that, and if

1305 you want it, let us know? Yes or no? And then the

1306 contractor would have to prepare the presentation. Page

1307 1. Tidal Area.

1308 Speaker: Do you want the presentation? \_\_\_\_\_

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1309 Speaker: Do you want the presentation, yeah. And if you do, they  
1310 need to get started on it.

1311 Speaker: \_\_\_\_\_ question might be \_\_\_\_\_ Will  
1312 the presentation \_\_\_\_\_ --

1313 Speaker: Well, this'll be site specific. Yeah, we're going through  
1314 the peculiarities of this site and what we know about it  
1315 and what we intend to do and agency.

1316 Speaker: \_\_\_\_\_

1317 Speaker: Thank you. I haven't had a chance to read this document  
1318 that I just got tonight. But in here \_\_\_\_\_

1319 Speaker: \_\_\_\_\_ (*laughter*)

1320 Speaker: \_\_\_\_ my feeling \_\_\_\_\_ retired and I'm busy! (*laughter*)

1321 But what I really wanna know, in here, will it tell me in  
1322 black and white what these contaminates and toxins and  
1323 whatever else is there, that we're trying to deal with, is  
1324 gonna tell me name by name, or is it just gonna be a \_\_\_\_

1325 Speaker: \_\_\_\_\_

1326 Speaker: Is it gonna be specific as to what's there? Other than just  
1327 garbage.

1328 Speaker: \_\_\_\_\_ (*laughter*)

1329 Speaker: Well, I just can't make any sort of decision unless I know  
1330 what's in there.

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- 1331 Speaker: \_\_\_\_\_ short answer. Under presumptive \_\_\_\_\_  
1332 guidance \_\_\_\_\_ EPA. That you can cap a landfill without  
1333 knowing exactly what's in it.
- 1334 Speaker: Okay, well then in your presentation in February would  
1335 you please us definite idea as to what your cap consists  
1336 of? How many layers? What is the thickness per layer?
- 1337 Speaker: \_\_\_\_\_
- 1338 Speaker: It's all \_\_\_\_\_
- 1339 Speaker: \_\_\_\_\_
- 1340 Speaker: I spent a lot \_\_\_\_\_ we had a tour. I don't know if any of  
1341 the other residents have ever been on a tour. But I'm  
1342 wondering if it would be possible arrange a tour? Of the  
1343 facility?
- 1344 Speaker: Sure.
- 1345 Speaker: Because I find that very beneficial and  
1346 \_\_\_\_\_
- 1347 Speaker: \_\_\_\_\_ under new business? Should we  
1348 move with the next item? \_\_\_\_\_
- 1349 Speaker: \_\_\_\_\_ joint use study committee. And her name is  
1350 Beverly Frietas (?) And she works Engineering Field  
1351 Activity West. She is the sole member on that committee.  
1352 I have asked her to come to the next meeting to give us a

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1353 briefing on the interactions between the meetings and the  
1354 joint use committee. So you'd understand the dynamics  
1355 of that meeting. How you know what exactly is going on.  
1356 I did explain to her that what we're interested is in, sorry,  
1357 I spoke for the RAB, maybe that was inappropriate, but  
1358 the RAB is interested as to \_\_\_\_\_ coordinate or at  
1359 least communicate with the joint use committee. And  
1360 Beverly like I said, being a member on the committee can  
1361 give you this down to the \_\_\_\_\_ detail information  
1362 what's going with the committee. What's proposed and  
1363 so forth. So rather than my misspeaking about any  
1364 detailed information, I would submit that we have her  
1365 come to the next meeting. She's agreed to do and all we  
1366 ask her to do is let her know. Beverly Frietas.

1367 Speaker: \_\_\_\_\_

1368 Speaker: Well, she's the Navy rep.

1369 Speaker: Yeah, right.

1370 Speaker: Yeah, so like I say that's our sole member on that, well  
1371 not member, she's our sole point of contact with that  
1372 committee.

1373 Speaker: I would like to make \_\_\_\_\_

1374 Speaker: \_\_\_\_\_

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1375 Speaker: Who.

1376 Speaker: \_\_\_\_\_

1377 Speaker: Brian. Can you repeat the name one more time?

1378 Speaker: Brian. W.E.I.S.S. \_\_\_\_\_ He is the

1379 staff person for the East Bay Park \_\_\_\_\_ And he

1380 actually knows \_\_\_\_\_ a real estate

1381 person \_\_\_\_\_ and I think Brian would be better able to

1382 talk \_\_\_\_\_

1383 Speaker: \_\_\_\_\_

1384 Speaker: We went out \_\_\_\_\_ I heard there was some

1385 question at the last RAB meeting actually as to where the

1386 fire burned and where it was relative to \_\_\_\_\_

1387 houses in this area and this is the outline of where the fire

1388 burned within the last four properties. So that's here just

1389 to show you that. \_\_\_\_\_ Port Chicago and walked

1390 around up in here \_\_\_\_\_

1391 Speaker: \_\_\_\_\_

1392 Speaker: This is undergrowth here. That's \_\_\_\_\_ I don't,

1393 Are there houses within a hundred yards there?

1394 Speaker: No.

1395 Speaker: Well \_\_\_\_\_

1396 Speaker: There's houses on the next corner there.

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- 1397 Speaker: That corner is vacant. That's \_\_\_\_\_
- 1398 Speaker: What is that street? That runs \_\_\_\_\_
- 1399 Speaker: \_\_\_\_\_
- 1400 Speaker: Say again.
- 1401 Speaker: \_\_\_\_\_
- 1402 Speaker: \_\_\_\_\_
- 1403 Speaker: The next house is on that \_\_\_\_\_ Lane, I think.
- 1404 That's on the \_\_\_\_\_
- 1405 Speaker: This is the area of the fire. (*several people talking at*
- 1406 *once*)
- 1407 Speaker: Comments?
- 1408 Speaker: Yes, initially \_\_\_\_\_ (**tape stops**)
- 1409 Speaker: (**tape resumes conversation in process**) \_\_\_\_\_ eagle
- 1410 coming in contact with a high voltage line and falling
- 1411 \_\_\_\_\_ and starting a fire. It's my understanding that
- 1412 that did indeed happen but it wasn't this fire. In actuality,
- 1413 there were five fires, I believe. Four of them were set by
- 1414 juveniles who have subsequently been guests of the, shall
- 1415 we say, the local police department. So that's one thing.
- 1416 But just to clarify the explanation we did supply did
- 1417 account for one fire, but it was not the \_\_\_\_\_ fire that was
- 1418 of concern. So \_\_\_\_\_ the red tape on that because we gave

1419           you the information but not for the right site. So now we  
1420           have documentation, the response has been provided. The  
1421           letter of response from Concord Weapons Station and  
1422           \_\_\_\_\_ and I don't know if you all have copies of that?

1423   Speaker: That was provided tonight.

1424   Speaker: So just a clarification on that.

1425   Speaker: All right. Request for copies of the environmental clean  
1426           up laws.

1427   Speaker: I'm Laurie Berger from Tetra Tech. And I've been asked  
1428           to explain a little bit what the request means and provide  
1429           some alternative that might provide you with better  
1430           information. The request that we got from the RAB was  
1431           to provide copies of both the text of the statutes and the  
1432           regulations which implement the statutes. And for all of  
1433           the laws that are on the list, it would literally be  
1434           thousands and thousands of pages of documents that  
1435           would not be in a very well, not very readable, they're not  
1436           well indexed, and I don't think they would provide the  
1437           kind of overview that would be very helpful to you. This  
1438           is, I just brought some things so you could sort of get an  
1439           idea. This is just CERCLA. And this is statutes. And this  
1440           is the regulations. And it would be impossible, I mean,

1441           you would just never have the time, 'cause this is a full  
1442           time job to go through and get a overview and a sense of  
1443           what each statute and set of regulations meant by getting  
1444           the whole thing. At least, that's by sense, it would be  
1445           thousands of pages of documents. It would not be very  
1446           useful. What we thought as an alternative and I brought  
1447           some books, here. This, for example, this is the  
1448           compendium of California environmental laws. It just has  
1449           portions and its over a 1000 pages. It just has portions of  
1450           the health and safety codes. Portions of the water code.  
1451           But what we thought would be helpful, there are couple  
1452           of books that provide good summaries of the major  
1453           environmental laws and they have references to the  
1454           regulations and statues if you have particular questions.  
1455           We thought we could get copies of these and provide  
1456           them to the RAB and then have you check them out  
1457           amongst yourselves. One copy of each. This a federal  
1458           book. One copy to the RAB. One copy of each book. This  
1459           is the Federal version. It's called the Environmental Law  
1460           Handbook. It goes through basically every major Federal  
1461           environmental law, provides a summary and overview of  
1462           how it works. This is the California version. Called the

1463 California Environmental Law Handbook. They're both  
1464 published by government institutes. And they provide  
1465 real good summaries. It's what I go to to look for when I  
1466 wanna know you know, like how \_\_\_\_\_ works or how a  
1467 particular statute works. Get an overview and then get  
1468 you can get more specific. So we suggest that we could  
1469 provide, we could provide expanded summaries as well.  
1470 We could also be available to answer any questions that  
1471 you have after reviewing something, you know \_\_\_ books  
1472 like this. The other problem with hard copies besides  
1473 from the volume and the fact that it's hard to really get an  
1474 understanding, is that you have to be continually, the  
1475 statutes are presumably good for a year until they might  
1476 be amended. Next year, the regulations are updated at  
1477 different times. Like the California regulations which I  
1478 brought a copy of, the landfill regulations. There are  
1479 loose leaf forms. And we subscribe to the service which  
1480 continually updates you as need be. So what I do is  
1481 usually I go online. If I know what I want, I go online and  
1482 I've provided a list in the back of websites that are  
1483 helpful. There are the Federal website for the \_\_\_\_\_  
1484 regulations, I know, I think you may have tried to ask

1485 this, it's very difficult to access. I've provided an  
1486 alternate one that's the electronic one. And it works much  
1487 better. We've also provided directions to the Pleasant Hill  
1488 \_\_\_\_\_ library which has all the hard copies of every thing  
1489 Federal and State that you might need. I think basically  
1490 that it would just it we think that it would be much to  
1491 your benefit to have summaries and be available to  
1492 answer any further questions that you might have.  
1493 \_\_\_\_\_ Oh right, there were two things you  
1494 asked to be covered from the executive orders. Executive  
1495 Order 12580 and Executive Order 10288. I did provide  
1496 those in the back. Those would be something that would  
1497 be more difficult to find in the library. There's an  
1498 amendment to one of them and a little fact sheet  
1499 summarizing one of them as well. \_\_\_\_\_ in the back.  
1500 Speaker: Excuse me? \_\_\_\_\_ put over in the library are  
1501 specifically for RAB members use?  
1502 Speaker: I haven't put anything in the library. What the  
1503 library \_\_\_\_\_  
1504 Speaker: \_\_\_\_\_  
1505 Speaker: There's nothing that we would be planning to put in the  
1506 library. What's already in the library are copies of the

1507 United States Code. The Code of Federal Regulations and  
1508 all the California Statutes and the California regulations.

1509 Speaker: Maybe I can address this to both of you. \_\_\_\_\_  
1510 when the trailer set up, is it possible to have a copy of  
1511 CERCLA or any of those things, one set there for the  
1512 RAB members to use?

1513 Speaker: I think so. \_\_\_\_

1514 Speaker: Yeah, I think, CERCLA, I think certainly. I think  
1515 that \_\_\_\_\_

1516 Speaker: t \_\_\_\_\_ hat's not very much documentation, right  
1517 \_\_\_\_\_

1518 Speaker: But this is one statute. I mean this is just CERCLA. And  
1519 if \_\_\_\_\_

1520 Speaker: I'm not saying we all need copies , or read all that  
1521 \_\_\_\_\_ the facility, the trailer we're gonna  
1522 have there. The reason, the big problem is, it's been  
1523 brought up a lot of times, most of us have jobs, the  
1524 libraries have, the libraries is open 20 hours a week and if  
1525 we're gonna have access to a locked place where we can  
1526 go at night where you know, we're bored, we can't sleep  
1527 \_\_\_\_\_ (laughter) This stuff's exciting stuff. No  
1528 seriously, I know there are a number of people, here, who

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- 1529           this stuff doesn't intimidate. It's not a matter of being  
1530           intimated, but it is a matter of having access to it.
- 1531   Speaker: Yeah, I mean, it's all available online, if it's ...I know  
1532           people like hard copies.
- 1533   Speaker: But my computer does intimidate me. (*short laugh*)
- 1534   Speaker: I understand that. I think the problem would be is  
1535           usefulness. If you wanna take a look at this, you're  
1536           welcome to, but just to and I actually can leave these  
1537           copies
- 1538   Speaker: Can't you just leave a copy of the, we can keep at the  
1539           facilities, you know, this repository we can have access  
1540           to. I mean we don't, we can't afford to hire a lawyer. We  
1541           gotta do our own research. So \_\_\_\_\_the same  
1542           laws that you're using.
- 1543   Speaker: I mean the question is, there will be a huge volume of  
1544           stuff, um \_
- 1545   Speaker: Give an estimate, Laurie, what are you talking about?
- 1546   Speaker: Several thousand pages worth of stuff. This is 300  
1547           hundred pages.
- 1548   Speaker: \_\_\_\_\_
- 1549   Speaker: That the same \_\_\_\_\_ there?
- 1550   Speaker: That's part of it.

- 1551 Speaker: We have downloaded and still in the process of  
1552 downloading, so hopefully we'll complete it.
- 1553 Speaker: It would be several, it would be a lot.
- 1554 Speaker: There's no way anybody's gonna read all that stuff. I  
1555 mean, you'd have to be an attorney to read all that stuff.  
1556 And then it would be questionable if you'd understand it.
- 1557 Speaker: The problem that, the real problem I mean as an  
1558 attorney...
- 1559 Speaker: Why are we generating all this paper?
- 1560 Speaker: I think that what I'd do and what the best thing to do is to  
1561 get an over view of CERCLA. You know, to get this  
1562 book has a CERCLA overview and then it'd break it  
1563 down and it'll have sections. So if you wanna know about  
1564 community participations, or if you wanna know about  
1565 how you do an RI, then you can refer to the statute or the  
1566 regulation and we'll be happy to actually you know help  
1567 you with specifics. Questions as well.
- 1568 Speaker: \_\_\_\_\_
- 1569 Speaker: I just wanted to add that um Laurie does this for her  
1570 living. She interprets environmental law and she doesn't  
1571 have a copy of all these statutes in her cube. She goes to  
1572 the Internet and to the local law library to access all of

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1573           this because if she had a stack of all of the laws, it would  
1574           be a full time job to update it. They get changed.

1575   Speaker: What's the nearest law library?

1576   Speaker: The Concord Public Library.

1577   Speaker: The public library \_\_\_ Pleasant Hill, central library has  
1578           everything that you'll need. I called today and spoke with  
1579           the \_\_\_\_\_

1580   Speaker: And there directions in your packet.

1581   Speaker: \_\_\_\_\_ library also.

1582   Speaker: Right, and the county library also.

1583   Speaker: And to the JFK. Which I think is gonna be centralized  
1584           with the \_\_\_\_\_

1585   Speaker: Marcus?

1586   Speaker: \_\_\_\_\_ last week, I go through the site 1 and also \_\_\_\_\_  
1587           net looking up RABs, and CERCLA and Superfund and  
1588           the EPA site and all this stuff trying to \_\_\_\_\_  
1589           I was one initially made this request for this law stuff  
1590           'cause we were getting this long list of  
1591           \_\_\_\_\_ clean water, so I said, well,  
1592           \_\_\_\_\_ access to the clean water act. I mean,  
1593           I'm a person who goes to the source, when I see citation,  
1594           \_\_\_\_\_ I go read that citation. I don't just take \_\_\_\_\_

1595 last week, I got on the net and I downloaded a lot of stuff  
1596 and I find that I'm really not using that much. I really  
1597 don't need the whole Clean Water Act. I really don't  
1598 whole the whole Clean Air Act. There's just certain  
1599 things. I need, so downloading that is fine. I don't  
1600 mind\_\_\_ There's some things though, I can use it all the  
1601 time. And I find that one is the S & P(?). I'm just  
1602 constantly referring to that. And I either downloaded it in  
1603 PDF format so that \_\_\_\_\_ I find it  
1604 incredibly helpful. It lays out the process for \_\_\_\_\_  
1605 what's required. Federal requirements. I think we should  
1606 all have a copy of that. That's about 70 pages or  
1607 something like that.

1608 Speaker: This is it.

1609 Speaker: \_\_\_\_\_

1610 Speaker: You may have \_\_\_\_\_ excess of it or portions that are \_\_\_\_\_

1611 Speaker: I find it incredibly helpful.

1612 Speaker: That I think is doable. At least, you could go through and  
1613 see, some of it you don't see, I can't image you would  
1614 need.

1615 Speaker: I haven't downloaded all of it \_\_\_\_\_ looked  
1616 interesting to me. \_\_\_ very helpful.

1617 Speaker: Yeah, and I think it is and you'll find a lot of it's stuff on  
1618 exactly what these documents are and how they actually  
1619 work, you're right is in the NCP (?) The problem that I  
1620 had when I was trying to download a good copy for you  
1621 was to get a PDF current version where you can  
1622 download it all at once. And it's pretty much impossible.  
1623 I got the 1997 version, and you can go back and find a  
1624 particular, you know, the most recent version, online. But  
1625 ...

1626 Speaker: \_\_\_\_\_ library, take the Code of  
1627 Regulations, laid it down on the copier so you get two  
1628 pages on a sheet. On a single sheet of paper. Do double  
1629 sided so it comes down to be about \_\_\_\_\_ you  
1630 get 4 pages on each 8 ½ by 11 essentially. It's pretty easy  
1631 to do at the law library. I think \_\_\_\_\_ person to do  
1632 that \_\_\_\_\_ download if off the net, you have to  
1633 download it in sections \_\_\_\_\_

1634 Speaker: Right. This one \_\_\_\_\_

1635 Speaker: It goes on forever.

1636 Speaker: I actually found a place where you can download it all in  
1637 one shot. Which, I mean, you're right, that way is

1638 impossible. And I totally understand, 'cause it's section  
1639 by section. Takes a long time. But I think that ...

1640 Speaker: So, Laurie, you're saying, you need to provide that copy  
1641 for \_\_\_\_\_

1642 Speaker: Yeah.

1643 Speaker: Okay. So that can be done.

1644 Speaker: This can be done. This is done. I made a copy for you  
1645 guys to keep this. Right we can make additional copies of  
1646 this. With a warning that this is 1997 and you may wanna  
1647 check the most recent.

1648 Speaker: Well, why would we want copy of an antiquated  
1649 documents? I mean, just give us reference, let us go out to  
1650 the website, take a look at \_\_\_ version. You said yourself,  
1651 Marcus, that you don't use the whole thing, so  
1652 downloading just what's usable can't be that much.

1653 Speaker: Well, \_\_\_\_\_

1654 Speaker: Or the other thing is you can read it on the screen.

1655 Speaker: If we can get \_\_\_\_\_

1656 Speaker: We could provide, I can go to a law library and we can  
1657 provide the most recent version like you said. And it can  
1658 be done if provide one copy to each of you, it would you  
1659 know, be something like this, we can do that. It would

1660 just involve going to the law library and having it copied.  
1661 \_\_\_\_\_ Very little of this has changed since 1997. I  
1662 don't \_\_\_\_\_  
1663 Speaker: You said that not of that pertains to what \_\_\_\_\_ to us?  
1664 Speaker: It doesn't.  
1665 Speaker: Is there a way to \_\_\_\_\_ (*several people speak*  
1666 *at once*) \_\_\_ choose the pertinent parts and give that to us  
1667 'cause I sure don't wanna look at a document like that.  
1668 Speaker: Yeah.  
1669 Speaker: I don't know sometimes it gets hard to select  
1670 \_\_\_\_\_ less trouble to \_\_\_\_\_ provide  
1671 something wrong. And it's like CERCLA, CERCLA,  
1672 yeah, it's you know, 121 so many things are \_\_\_\_\_  
1673 there's lots of other parts of CERCLA. Who knows what  
1674 people are exactly needing it for. Probably easier to say if  
1675 somebody wants a copy to produce it and let's just  
1676 sacrifice one tree please. And we'll move on, right? The  
1677 \_\_\_\_\_ with CERCLA, just gonna add that CERCLA may  
1678 be significant. We do reference mainly \_\_\_\_\_ we do  
1679 for Superfund is falling under CERCLA. So that, and I  
1680 don't believe that lies \_\_\_\_\_ one copy pretty manageable  
1681 to keep around.

1682 Speaker: I mean this is a downloaded copy...

1683 Speaker: I mean Dean's right even as you look at a regulator's  
1684 copy of CERCLA certain things are flagged and lots of  
1685 stuff is all we don't have our attorney sit and explain to  
1686 us what is all this stuff in here. Don't worry about \_\_\_\_

1687 Speaker: We're never gonna \_\_\_\_\_

1688 Speaker: Probably what you're dealing with is just these sections  
1689 and who \_\_\_\_\_

1690 Speaker: \_\_\_\_\_ as it applied to Federal facilities.

1691 Speaker: That would be \_\_\_\_\_

1692 Speaker: That would be a very helpful \_\_\_\_\_

1693 Speaker: Okay.

1694 Speaker: \_\_\_\_\_ We don't need \_\_\_\_\_ I  
1695 don't need \_\_\_\_\_

1696 Speaker: \_\_\_\_\_ seems the Code of Federal \_\_\_\_\_ you  
1697 know CFR the whole set, well you know you're talking  
1698 linear feet, some of these regulations, so...

1699 Speaker: We're concerned about the environmental, here we are,  
1700 we're asking for tons of paper. You know, so I mean are  
1701 we concerned about the environment or are we just  
1702 joking.

1703 Speaker: \_\_\_\_\_ these already articulated section that  
1704 you would like to see and there's a way you can go to the  
1705 library and make it a more condensed version and give  
1706 people a copy of \_\_\_\_\_. Is that the agreement?

1707 Speaker: We can do that.

1708 Speaker: That would be helpful

1709 Speaker: Okay.

1710 Speaker: \_\_\_ quickly \_\_\_ comments on California legal  
1711 information. I use the website, the one that  
1712 \_\_\_\_\_ mentioned \_\_\_\_\_ and its very useful  
1713 \_\_\_\_\_ to download the regulation. What I do is  
1714 there's a box that you can \_\_\_\_\_ and I  
1715 know \_\_\_\_\_ human health area of the California Code.  
1716 That is gonna highlight the different sections, and then  
1717 you go into the sections and you say, okay, you \_\_\_\_  
1718 okay which sections \_\_\_\_\_ go to the sections and what  
1719 you can do what I do is I just copy, you know I just  
1720 highlight the area that I really am interested in. Copy into  
1721 a Word file, that is my working file for legislation.  
1722 Legislation \_\_\_\_\_ understanding for the  
1723 \_\_\_\_\_ understanding for this  
1724 \_\_\_\_\_ document \_\_\_\_\_ on the screen. It's very

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- 1725 very useful. At least the California. You know, the  
1726 \_\_\_\_\_ is more difficult. I agree.  
1727 But the one, especially the one \_\_\_\_\_ very  
1728 useful. \_\_\_\_\_
- 1729 Speaker: Is this stuff on West California coast?  
1730 Speaker: \_\_\_\_\_ West California coast?  
1731 Speaker: Yeah.  
1732 Speaker: That's the statute. The California statutes are west.  
1733 \_\_\_\_\_
- 1734 Speaker: So this is regulation?  
1735 Speaker: Right. Regulations that are west. Implement \_\_\_ Right,  
1736 more detail. But you, I agree. The California Code of  
1737 Regulations website is pretty good. And the official, I  
1738 have it on the handout, the second one for the federal is  
1739 the electronic code of Federal regulations. The book of  
1740 electronic, they call it Electronic Code of Federal  
1741 Regulations. And it's much faster and much easier than  
1742 than the official code, they're both official government,  
1743 both \_\_\_\_\_, but the second is much easier to work with  
1744 than the second.
- 1745 Speaker: \_\_\_\_\_ on there?  
1746 Speaker: Yeah, they're both in the back of the room.

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- 1747 Speaker: You just download it and some of the binders are here.
- 1748            Would the members like to have a CD copy of all of
- 1749            these? \_\_\_\_\_ for all of these.
- 1750 Speaker: Of these?
- 1751 Speaker: Um hm.
- 1752 Speaker: I think if we put \_\_\_\_\_
- 1753 Speaker: Sure, make that available \_\_\_\_\_
- 1754 Speaker: \_\_\_\_\_ copier? In the trailer? \_\_\_\_\_
- 1755 Speaker: Yeah, would it be helpful to have it on disk? Some of this
- 1756            stuff?
- 1757 Speaker: That would be helpful
- 1758 Speaker: Well, it's 5 to 9. What do you folks want to do? \_\_\_\_\_
- 1759            agenda.
- 1760 Speaker: Set the next meeting agenda is what we need to do.
- 1761 Speaker: Pass around these yellow sheets, that are meeting
- 1762            evaluation forms. I'd love it if fill them \_\_\_\_\_
- 1763 Speaker: Could I just tell people \_\_\_\_\_
- 1764 Speaker: \_\_\_\_\_ (*little laughter*)
- 1765 Speaker: What are the concerns of the group?
- 1766 Speaker: \_\_\_\_\_
- 1767 Speaker: I sense that \_\_\_\_\_

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1768 Speaker: We've already gone through two meetings. I mean this is  
1769 the second meeting to catch up at the last one. I'd hate for  
1770 \_\_\_\_\_ rollover to the following meeting. I'd  
1771 like next time to start from scratch. I mean how much  
1772 more do we really have to do?

1773 Speaker: \_\_\_ 15 minutes? We got a lot done last time.

1774 Speaker: I think we touched most of those issues like  
1775 \_\_\_\_\_

1776 Speaker: We make an effort to go through \_

1777 Speaker: Very well if there's a consensus, let's get on with it.

1778 Speaker: \_\_\_\_\_ 22 said they'd wanted to go line by line, but there  
1779 I'm hearing \_\_\_\_\_ more expeditious.

1780 Speaker: \_\_\_\_\_

1781 Speaker: Okay. Number 22, are there any comments?

1782 Speaker: Can you read the question?

1783 Speaker: Sure.

1784 Speaker: Marie?

1785 Speaker: Yes. 22, I just wanted to point out that 22, there was an  
1786 errata sheet distributed at the last meetings and it's  
1787 attached to the meeting summary that was distributed  
1788 tonight. So 22 is an errata sheet. \_\_\_ response.

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1789 Speaker: Okay, 22. Present an overview of the extensions,  
1790 \_\_\_storage, handling at Concord. Include a discussion of  
1791 how outdated munitions are or were handled. Comments  
1792 on this? No comments? Okay, Number 23. Provide  
1793 information to the RAB regarding prior chemical  
1794 pollution testing on cattle and elk on Naval Weapon  
1795 Station Concord \_\_\_\_\_. In addition, provide information  
1796 on and research conducted on the elk herd at the  
1797 installation? Any comments on this one? Okay, Number  
1798 24. And I'm reading off the errata sheet. Distribute a  
1799 timeline of integrated natural resource funds for cultural  
1800 resources and natural resources. Any comments on that  
1801 one.

1802 Speaker: Yeah, the question was then stated, I think we were  
1803 asking, I don't think we were asking for a timeline, we  
1804 were asking for \_\_\_\_\_

1805 Speaker: Just a minute. Rudy, do you think you could provide us  
1806 with the name of the person for the base who is  
1807 coordinating the various studies \_\_\_\_\_ refer to the  
1808 cultural resources?

1809 Speaker: Yes.

1810 Speaker: Okay.

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1811 Speaker: I will provide this name. I can't provide this name now.  
1812 But I can provide you with name, phone number and  
1813 email.  
1814 Speaker: Okay. And who is that person?  
1815 Speaker: Dick \_\_\_\_\_. He works as the \_\_\_\_\_ That's  
1816 the Natural Resources Person at the EFA West.  
1817 Speaker: I think \_\_\_\_\_ is larger than that. \_\_\_\_\_ cultural  
1818 resources study going on. Got a natural resources, and got  
1819 an environmental baseline. CERCLA. I understand  
1820 \_\_\_\_\_ How are all these things, whose  
1821 coordinating all these things \_\_\_\_\_ Let's say for  
1822 instance cultural resources be integrated with  
1823 \_\_\_\_\_  
1824 Speaker: Right and in addition to that, I understand there's been  
1825 some recent building activity on the base. So who who's  
1826 got command of the whole picture?  
1827 Speaker: Well, it's program, in the Navy, really have some sort of  
1828 a program manager that manages the specific program  
1829 \_\_\_\_\_  
1830 Speaker: No not specific program. Who is monitoring and  
1831 \_\_\_\_\_ the timetable for the management of all the  
1832 programs at this particular installation.

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1833 Speaker: Gil has a comment.

1834 Speaker: Yes, \_\_\_\_\_ was the group that works directly with

1835 Concord Naval Weapons Station. That oversees the

1836 natural resources, cultural resources, planning. All those

1837 are within one group and EFA West and they work in

1838 support of Concord Naval Weapon Station. The person in

1839 charge would be Mark Meadows. At EFA West. I don't

1840 know his phone number right off the bat.

1841 Speaker: Did you say Mark?

1842 Speaker: Mark M-E-A-D-O-W-S.

1843 Speaker: So we can get that information included in the minutes?

1844 Speaker: Yes. And Dick \_\_\_\_\_ is in his group. \_\_\_\_\_ And

1845 \_\_\_\_\_

1846 Speaker: Does he handle building activity?

1847 Speaker: Right. Any proposed change at the building, in fact. The

1848 activity is subject to their review.

1849 Speaker: Well, so, I don't want to belabor the point like we

1850 brought it up a couple of times with the Navy before, and

1851 I read the cultural resources study that just passed, and

1852 the bottom line comment was that there's no activities

1853 planned for the Navy that are gonna impact the cultural

1854 resources. And yet, when we're talking here we got a

1855 quick get to work because we're gonna have to start  
1856 doing some serious work there down at the wetland  
1857 \_\_\_\_\_ And that's completely contradictory. They're  
1858 completely uncoordinated. There's you're talking about  
1859 the same piece of ground essentially and in one case,  
1860 there's nothing that's gonna affect the cultural resources  
1861 that's the Navy has planned. And yet you have a major  
1862 clean up plan going. This is what we're talking about  
1863 when we say, from my point of view, someone who lives  
1864 here. I don't care about you know, hey how you slice the  
1865 pie up(?), it's the whole picture. And of course that's not  
1866 the purpose of this RAB, we only have we don't expect to  
1867 be involved in that. But we'd like as individuals to know  
1868 whose got the big picture.

1869 Speaker: Well in general, well, let me explain this a little bit, in  
1870 general the clean up effort deals with certain areas. Areas  
1871 that were former operation sites in the Navy. Testing labs,  
1872 boundaries, maintenance facilities, gas stations, what  
1873 have you. So as far as any cultural resources or natural  
1874 resources, being impacted, they already have been. What  
1875 we're trying to do with the clean up program is restore  
1876 the site. Clean up the stuff. Return it to its former

1877 condition. Now, getting to the tidal area, for the most  
1878 part, we are not going to disturb any of the tidal area  
1879 other than to look in the tidal area. Do some sampling and  
1880 make a determination. Do we have to do a clean up in  
1881 that particular area? Now if we have for instance a habitat  
1882 area that needs that requires cleanup, every consideration  
1883 is taken to ensure that one, that the cleanup does not  
1884 adversely impact the area. In other words, I may have  
1885 some contamination in the wetland area for instance, with  
1886 the remedy, i.e. going in there and just dredging  
1887 everything out of there, taking all the vegetation, the  
1888 critters, destroying the habitat would that be worse than  
1889 leaving the habitat as is? See all those are taken into  
1890 consideration \_\_\_\_\_

1891 Speaker: I don't think they are and that's my point. That's my  
1892 point. Because as I read the cultural impact study, it calls  
1893 for major archeological work to be done. The \_\_\_\_\_  
1894 the ground, doing some under the ground \_\_\_\_\_

1895 Speaker: What does the cultural study have to do with the RAB?

1896 Speaker: It has nothing to do with the RAB.

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1897 Speaker: You made a statement it has nothing to do with the RAB  
1898 and yet here we are after nine o'clock discussing  
1899 something that has nothing to do with the RAB.

1900 Speaker: \_\_\_\_\_

1901 Speaker: The remediation of the areas have already been  
1902 established. Because they have been used. That's why  
1903 they're contaminated.

1904 Speaker: I'm hearing underlying concern is make sure there's  
1905 coordination among environmental programs and these  
1906 cultural and natural resource programs. And I'm hearing  
1907 Gil say in fact there is coordination. The department that  
1908 handles this is gonna get you information on whose those  
1909 points of contact are. So given your comment, Gene, are  
1910 we okay then with moving on with this list of things and  
1911 then \_\_\_\_\_ you're interested in? Okay. So  
1912 Number 25 is distribute copies of the \_\_\_\_\_  
1913 management plan \_\_\_\_\_ Any comments on \_\_\_\_\_  
1914 Okay, Number 26. Distribute copies of the Naval  
1915 Weapon Station Concord Pollution Prevention Plan to the  
1916 RAB. Any comments on this? 27, distribute copies of the  
1917 underground storage tank report. Any comments on this.

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1918 Speaker: In its response to that, the Navy said the underground  
1919 storage tank program is not a part of \_\_\_\_\_ program.  
1920 \_\_\_\_\_ I wondered why not? It seems like  
1921 underground storage tanks pose pollution problems and  
1922 need to be remediated. Why not \_\_\_\_\_ RAB

1923 Speaker: In general, the \_\_\_\_\_ I \_\_\_\_\_ too bad our  
1924 lawyer left, the RAB is involved with the CERCLA  
1925 response action. Petroleum, pure petroleum \_\_\_\_\_ are  
1926 excluded from CERCLA. That's the way the legislation is  
1927 written. Okay. So the USD program pure petroleum and  
1928 USD as it comes out of the refinery is excluded from  
1929 CERCLA. So it's handled under other environmental  
1930 programs. Now do we have another program handles  
1931 UST's Yes we do. But it's not under CERCLA. More  
1932 comments? Okay 28. Provide location map for all UST's  
1933 at Concord. Comments? 29. Summarize \_\_\_\_\_ impact  
1934 at Concord from UST's. Any comments? 30. Submit  
1935 copies of RAB budget including a list of available  
1936 resources. Marcus.

1937 Speaker: We did get a copy of the budget but I don't  
1938 \_\_\_\_\_ but there's copy \_\_\_\_\_ I just have  
1939 a question \_\_\_\_\_ RAB budget.

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- 1940 Speaker: \_\_\_\_\_ can answer that I guess. The information  
1941 provided as an attachment was based on historical data.  
1942 \_\_\_\_\_ budget cycle this coming Spring, \_\_\_\_ having  
1943 been part of the RAB having done some of this admin  
1944 things. I believe we should be able to realistically and  
1945 budget for what we need. And we plan to do that.
- 1946 Speaker: This is just the residual...
- 1947 Speaker: That's residual historical data.
- 1948 Speaker: Are we gonna be involved in that at all? \_\_\_\_\_
- 1949 Speaker: I would like some feedback from the members. So we can  
1950 really submit a real budget so to speak that provides for  
1951 an address on these.
- 1952 Speaker: Okay. \_\_\_\_\_ thank you.
- 1953 Speaker: Okay. 31. Supply information on EPA technical  
1954 assistance public participation program. I got some  
1955 explanation tonight from \_\_\_\_\_. Comments?
- 1956 Speaker: The Navy says in response to this, the EPA is going to  
1957 give us the \_\_\_\_\_ on this TAPP program?
- 1958 Speaker: On the TAPP one?
- 1959 Speaker: That's right.
- 1960 Speaker: Yes.
- 1961 Speaker: That's an error. That's an error.

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- 1962 Speaker: TAG is EPA. TAPP is DOD.
- 1963 Speaker: Correct.
- 1964 Speaker: So we have to do that clarification.
- 1965 Speaker: And so \_\_\_\_\_ presentation on TAG
- 1966 indicates that the person who wrote the answer wasn't
- 1967 aware that \_\_\_\_\_ DOD program.
- 1968 Speaker: Right. That's correct.
- 1969 Speaker: We're supposed to be, one of the first things that s'posed
- 1970 to happen, RAB's are supposed to be \_\_\_\_\_ I
- 1971 think we have to move ahead as quickly as we can
- 1972 \_\_\_\_\_ and maybe Rudy and I can meet off line
- 1973 and talk about that a little bit. We haven't talked about
- 1974 \_\_\_\_\_
- 1975 Speaker: I would make a recommend that you move ahead and
- 1976 make an application for a TAG. Go ahead and fill that out
- 1977 and start working it through the system and you know
- 1978 draft it and send it up to \_\_\_\_\_
- 1979 Speaker: \_\_\_\_\_ just a question,
- 1980 \_\_\_\_\_ expeditiously, anything that you're aware of
- 1981 \_\_\_\_\_ that would be a problem for them?
- 1982 Speaker: The ...
- 1983 Speaker: \_\_\_\_\_ petitions about whether the Navy \_\_\_\_\_

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1984 Speaker: Right now, I can't speak to whether or not TAG dollars  
1985 are available for this fiscal year. So that may be for the  
1986 next fiscal year. But perhaps we can work something out  
1987 with respect to funding through \_\_\_\_\_ Concord and  
1988 with my headquarters and that.

1989 Speaker: \_\_\_\_\_ intention \_\_\_\_\_ some assistance faster \_\_\_\_\_  
1990 possible you guys to get clear on that.

1991 Speaker: Yeah, I got the feeling that it's very urgent and you know  
1992 technical assistance would be greatly appreciated.

1993 Speaker: \_\_\_\_\_ Federal regulations \_\_\_\_\_

1994 Speaker: Okay. 36(?) \_\_\_\_\_ the Navy organizational chart to  
1995 the environmental program include all contact  
1996 information. Any comment? Any updates on that?

1997 Speaker: \_\_\_\_\_ isolating an organizational chart with the  
1998 titles of the peoples that we want information on. What I  
1999 need to do next is get the name of the person, their  
2000 address and so forth And I'll provide that organizational  
2001 chart along with a list of names and addresses and so  
2002 forth at the next RAB meeting..

2003 Speaker: \_\_\_\_\_ they have a great  
2004 picture \_\_\_\_\_ of course you can't just download it,

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2005 I would have \_\_\_\_\_ myself. I actually have a copy  
2006 \_\_\_\_\_  
2007 Speaker: What's it called again?  
2008 Speaker: The Manual of Environmental Restoration. I can get you  
2009 a link to it, the actual \_\_\_\_\_  
2010 Speaker: Yeah, I'd appreciate if you can \_\_\_\_\_ Rudy and  
2011 go ahead and do that.  
2012 Speaker: Okay, present information oh sorry go go ahead. Present  
2013 information on the Navy and EFA/EPA dispute resolution  
2014 process. Any comments? 34.  
2015 Speaker: \_\_\_\_\_ Nobody answered  
2016 this question.  
2017 Speaker: I responded and the Navy said, let's keep that open.  
2018 *(laughter)* Okay, provide a list of key documents and  
2019 schedule presentations for future RAB meetings.  
2020 Comments? 35. I'm reading from the errata.  
2021 Acknowledge issues raised during a 1996 RAB by Dean  
2022 McLeod regarding historical contamination resources at  
2023 the tidal area sites. The Navy is requested to provide a list  
2024 of the sites and installation restoration programs.  
2025 Program. Any comments.

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2026 Speaker: I'd be happy to extend that one for discussion some other  
2027 time. But I still would like to talk about it some more. 36.  
2028 Reading from the errata sheet. Provide  
2029 \_\_\_\_\_Concord Emergency Response Plan to RAB  
2030 members including \_\_\_\_\_ discussion of security of the  
2031 installation, public notice in the event of an emergency  
2032 \_\_\_\_\_ procedures for employment of \_\_\_\_\_ during  
2033 fires on the installation. Any comment?

2034 Speaker: \_\_\_\_\_

2035 Speaker: That's the end. \_\_\_\_\_ an hour and 15  
2036 minutes late\_\_\_\_

2037 Speaker: \_\_\_\_\_ set aside a date and discuss that? Maybe  
2038 meet over lunch or \_\_\_\_\_ and iron this out?

2039 Speaker: \_\_\_\_\_ I'd like to  
2040 suggest \_\_\_ sit down and write by-laws \_\_\_\_\_  
2041 Maybe three people. Rudy, may you and I and whoever  
2042 else wants to come. But if we could have a small group  
2043 work on this and then bring it back to the large  
2044 \_\_\_\_\_

2045 Speaker: You've also the Mare Island by-law that are probably  
2046 gonna be really close \_\_\_\_\_

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2047 Speaker: I've downloaded a lot of by-laws around the country  
2048 \_\_\_\_\_ RAB's and Mare Island is probably \_\_\_\_\_ I  
2049 think there's \_\_\_\_\_ But I'd like a small group to  
2050 iron that out \_\_\_\_\_

2051 Speaker: Sure, just set a date and I'll be there.

2052 Speaker: Okay. Is anybody else here whose on the list whose really  
2053 \_\_\_\_\_ by-laws? Okay. Let's set a date.

2054 Speaker: Just \_\_\_\_\_ let the rest go. The one thing that you need to  
2055 have decided before you leave here tonight though is  
2056 what's your next meeting agenda is going to be and what  
2057 I heard was that you wanted to have a presentation on  
2058 upcoming ROD that you're going to be reviewing. And I  
2059 heard that there \_\_\_\_\_ earlier in the meeting that you  
2060 wanted to have that on the agenda. Correct?

2061 Speaker: Correct. Yes.

2062 Speaker: Marie. \_\_\_\_\_ the group here that on  
2063 our \_\_\_\_\_ 4<sup>th</sup> meeting and of course, Gil was not  
2064 here at our last meeting, Gil had the commitment \_\_\_\_\_ -  
2065 I won't be here, so I would like to get the opinion of the  
2066 group perhaps postponing the RAB meeting to fit the  
2067 schedule to the next Monday to February 11<sup>th</sup> \_\_\_\_\_ folks  
2068 are here.

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- 2069 Speaker: Anybody have a problem with that?
- 2070 Speaker: Okay.
- 2071 Speaker: I got a problem with \_\_\_\_\_ presentation. Is that  
2072 February? The first meeting?
- 2073 Speaker: And thing was Gil was on vacation when it was decided  
2074 that the RAB meeting would be regularly that first  
2075 Monday.
- 2076 Speaker: \_\_\_\_\_ information \_\_\_\_\_
- 2077 Speaker: The decision was made \_\_\_\_\_
- 2078 Speaker: \_\_\_\_\_ another point. Where are we as far as getting a  
2079 court reporter? \_\_\_\_\_
- 2080 Speaker: I think the agreement was \_\_\_\_\_ February.
- 2081 Speaker: So at the next meeting, one'll be here?
- 2082 Speaker: Yes. In February.
- 2083 Speaker: So every thing is set for February 4<sup>th</sup> then?
- 2084 Speaker: Okay.
- 2085 Speaker: Yes.
- 2086 Speaker: \_\_\_\_\_
- 2087 Speaker: Gil, we'll give a cell phone \_\_\_\_\_
- 2088 **(meeting dissolves into adjournment)**
- 2089