

RESTORATION ADVISORY BOARD

Martinez, California

Meeting of October 6, 2003

Reporter's Transcript

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6 NAVAL WEAPONS STATION

7 SEAL BEACH DETACHMENT, CONCORD

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12 REPORTER'S TRANSCRIPT OF MEETING

13 October 6, 2003

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15 Martinez Sheriff's Station

16 1980 Muir Road

17 Martinez, California

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20 Reported by Janine F. Gamble, RPR, C.S.R. No. 10372

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Page 1

1 OTHER ATTENDEES

2

3 DAVID BAILLIE - U.S. Navy

4 DAVID COOPER - U.S. Environmental Protection Agency (EPA)

5 JOANNA CANEPA - Tetra Tech EM Inc.

6 JENNIFER HOLLINGSWORTH - Tech Law

7 CAROLYN HUNTER - Tetra Tech EM Inc.

8 JIM PINASCO - Department of Toxic Substances Control

9 (DTSC)

10 DANIEL STRALKA - U.S. Environmental Protection Agency

11 PETER STRAUSS - TAPP Grant Contractor

12 STEPHEN F. TYAHLA - Department of the Navy

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1 PARTICIPANTS

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3 COCHAIRS: MARGARET WALLERSTEIN - United States Navy

4 MARY LOUISE WILLIAMS - Concord resident

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6 RAB MEMBERS:

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8 CHRISTOPHER BOYER - Martinez resident

9 DAVID L. GRIFFITH - City of Concord representative

10 EDWARD MCGEE - Martinez resident

11 LAURENT MEILLIER - Regional Water Quality Control Board

12 RAYMOND O'BRIEN - Bay Point resident

13 PHILLIP RAMSEY - U.S. Environmental Protection Agency (EPA)

14 IGOR O. SKAREDOFF - Martinez resident

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1 MARTINEZ, CALIFORNIA, MONDAY, OCTOBER 6, 2003

2 6:40 P.M.

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4 MS. WILLIAMS: The polls are now open.

5 MR. ATTENDEE: No; that's tomorrow.

6 MS. WILLIAMS: I'm practicing.

7 Okay. I'd like to call the meeting to order.

8 This is the September -- I'm sorry.

9 This is the October 6 meeting of the Concord

10 Naval Weapons Station, Seal Beach Detachment,

11 Restoration Advisory Board.

12 And I would like to welcome everybody here.

13 Before we get started, I would like to take the

14 opportunity to make a brief announcement.

15 Yesterday our first community cochair, Marcus

16 O'Connell, died. I know we've all known him. I've

17 known and worked with Marcus for going on five years on

18 other projects plus this, and he did teach me many

19 things.

20 Marcus was basically an honest man, deeply

21 involved in his community, mostly Concord, but also

22 county activities. And I, for one, shall miss him very

23 much.

24 Does anybody wish to say anything, or shall we

25 move forward?

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1 MR. O'BRIEN: Well, I wish to echo your
2 sentiments. I think he was passionate about the
3 environment here in Contra Costa County and, as you
4 said, especially in civic affairs in Concord. And I
5 think we'll miss his analytic mind and his scope and
6 comprehensiveness of his knowledge of environmental
7 affairs.

8 MS. WILLIAMS: I think we probably in many ways
9 feel the same.

10 Okay. Shall we then just move forward with
11 the -- we've called the order. Let's do the -- the
12 introductions.

13 I'll start with myself. Mary Lou Williams,
14 community cochair.

15 MS. WALLERSTEIN: I'm Margaret Wallerstein, the
16 Navy cochair.

17 MR. TYAHLA: Steve Tyahla, the Navy Lead
18 Remedial Project Manager.

19 MR. PINASCO: Jim Pinasco, Project Manager
20 DTSC, State of California.

21 MR. BOYER: Chris Boyer, resident Martinez.

22 MR. STRALKA: Dan Stralka with U.S. EPA.

23 MS. HOLLINGSWORTH: I'm Jennifer Hollingsworth
24 with Tech Law.

25 MR. COOPER: David Cooper, U.S. EPA.

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1 MR. SKAREDOFF: I'm Igor Skaredoff, a resident
2 of Martinez.

3 MR. RAMSEY: I'm Phillip Ramsey with the United
4 States Environmental Protection Agency.

5 MR. O'BRIEN: Ray O'Brien, resident of
6 Bay Point.

7 MR. MEILLIER: Good evening. I'm Laurent
8 Meillier from the Regional Water Quality Control Board.

9 MS. CANEPA: I'm Joanna Canepa; I'm with Tetra
10 Tech.

11 MR. MCGEE: Ed McGee, Martinez resident.

12 MR. GRIFFITH: David Griffith, City of Concord.

13 MS. HUNTER: Carolyn Hunter, Tetra Tech.

14 MS. WILLIAMS: Are there any comments from the
15 public?

16 Seeing no public here, we'll move on to
17 approval of the agenda.

18 Everybody has a copy. Are there any
19 corrections, or additions, or any comments on the
20 agenda?

21 (No verbal response elicited.)

22 MS. WILLIAMS: If not, we will vote to approve
23 the agenda.

24 May I have a motion, please?

25 MR. SKAREDOFF: I will.

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1 MS. WILLIAMS: Second?

2 MR. BOYER: Second.

3 MS. WILLIAMS: Okay. All in favor of approving
4 the agenda say "Aye."

5 THE BOARD: Aye.

6 MS. WILLIAMS: Opposed?

7 (No verbal response elicited.)

8 MS. WILLIAMS: Abstentions?

9 (No verbal response elicited.)

10 MS. WILLIAMS: The agenda approval has passed.

11 MS. WALLERSTEIN: Okay. The next order of
12 business is approval of the 14th of July meeting
13 transcript.

14 Does anybody have any questions or comments on
15 the transcript?

16 Do I have a motion to approve?

17 MR. SKAREDOFF: I'll move.

18 MS. WALLERSTEIN: I second.

19 All those in favor?

20 THE BOARD: Aye.

21 MS. WALLERSTEIN: Okay. I guess -- so I
22 guess --

23 Well, the things under unresolved business, I
24 think we'll discuss those later as we do the RAB report.
25 They're probably more appropriate there.

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1 And I guess at this point I would like to move
2 on to the RAB training session.

3 We have Dan Stralka with the EPA to do the
4 toxicology training tonight.

5 And, Phillip, would you like to introduce him?

6 MR. RAMSEY: Yeah, thanks, Margaret.

7 I just want to say a few words. This is Dan.
8 A lot of RAB members here have seen me for the last
9 couple years, and realize there is a whole group of
10 people that support U.S. EPA that are behind the scenes.
11 You do see David Cooper routinely, who is around with us
12 somewhere, and also we have attorneys and our technical
13 support.

14 So, it's my pleasure to introduce Dan Stralka.
15 I did want to mention that Dan -- actually, we've been
16 talking about who's been on this base the longest. And
17 from EPA's standpoint, at least, and I think Jim's
18 really probably got one of the awards from -- from the
19 team, but from EPA's technical support, Dave Cooper and
20 Dan both, you know, happy to announce, have been working
21 on this base for close to -- probably close to ten years
22 for Dan. So they do provide a lot of consistency for
23 the agency as we've been overseeing these investigations
24 and things over the years.

25 So, it's my pleasure to introduce Dan.

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1 MR. STRALKA: Thank you.
2 Yeah, I guess we did -- I was involved with the
3 original proposed plan that they did early on, and then
4 we -- we did a couple RAB training sessions right when
5 this first got started on a Saturday, quite a few people
6 showed up for that, during the risk assessment training
7 and that sort of thing.
8 So, anyway, thank you for inviting me to come
9 talk. I guess I did see on the last RAB that -- I guess
10 it was -- was it Tetra Tech that did the presentation on
11 the risk assessment process? So I guess I have
12 something similar to that, but I was just going to --
13 Was there any questions or -- I mean, we don't
14 have to stick to what I've handled out; we could go off
15 on that. This was kind of just along the same lines of
16 what's a risk assessment, how do you go about doing
17 that? I guess that's what I was thinking of preparing
18 until -- well, until last week, then we found out that
19 Tetra Tech had already done that. So, it's kind of a --
20 rehashing the same thing.
21 Is there anything that you want to go through
22 that -- do you want to just do some examples?
23 MR. SKAREDOFF: Since you've been on the site
24 so long -- Igor Skaredoff -- I wonder if you can use
25 some specific case studies or particular sites to

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1 illustrate some of the -- this process.
2 MR. STALKA: Well, I do have an example here on
3 that, so --
4 MR. SKAREDOFF: Because last time we did have
5 sort of a general how the risk assessment process worked
6 and so on, and there was some references to -- to the
7 site, you know, to the Naval Weapons Station. And I
8 think maybe a natural kind of progression from that
9 would be to go ahead and take that and say, okay, well,
10 here's, you know, how we apply that to -- I don't
11 know -- the landfill or the burn site or whatever, you
12 know, is the appropriate place you want to highlight.
13 MR. STRALKA: Okay. Well, I guess we can go
14 ahead and --
15 MR. RAMSEY: And that's kind of what we had
16 done -- as you're aware, Igor -- during this month to
17 assess -- we were trying to figure out -- I tried to
18 make this the most relevant, provide the most
19 information.
20 I understand that we're following a previous
21 discussion. We're trying to make it a little more
22 specific, chemical specific and base specific. So I
23 think we've done, I think, pretty well the way it's
24 organized. That's --
25 That's Dan's intention, Mary Lou, and the Navy,

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1 and the RAB members.
2 MR. STRALKA: I guess, looking at the
3 introduction slide, I don't have to do this until next
4 week.
5 MR. ATTENDEE: You're off one week. You're
6 early.
7 MR. STRALKA: This is good practice. I can
8 come back next week and do this again. Okay.
9 All right. Well, let me just spend a few
10 minutes, then, and I'll try to just go through this.
11 The risk assessment process, like what was
12 presented last week (sic) was really a big overview, and
13 I'll just try to hit --
14 Let's see. Can everybody see, or can I -- is
15 that okay?
16 So, what -- I guess what you got last week was
17 both human health and ecological -- or last -- last
18 month. I guess what I'll just focus on is the human
19 health. And what I guess -- trying to make sure that --
20 that this whole risk assessment process -- how it's
21 being used, to make sure that -- that you understand
22 that it's -- that it's not -- it's not precise. There
23 is a lot of uncertainties that go into this. We try to
24 take account of those uncertainties and make
25 health-protective assumptions when we do have those

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1 uncertainties.
2 But that's -- that's the whole balance in this
3 whole thing, trying to understand the uncertainties.
4 And -- and some would argue that it's being overly
5 protective, some less so. So you're going to have both
6 sides of the coin, looking at both sides of the coin.
7 But if you understand how the process -- how they went
8 through all this, you can then kind of give it a little
9 reality check.
10 And that's what you always have to do when you
11 look at these risk assessments is try to do a little
12 reality check and see, well, does this really apply?
13 What was the question being asked when they -- when they
14 did this risk assessment and they came up with this
15 number, and does it apply to the situation we have here,
16 and what are the uncertainties or what -- the leeway you
17 have around that number. So, it's not just a number,
18 it's not just a bright line but exactly where that
19 number falls.
20 And I guess the other thing that's critical is
21 to look at -- at the assumptions. Again, the
22 assumptions that go into the risk assessment and what
23 population they're applying it to.
24 Okay. So just real quick, what we're trying to
25 do when you do the risk assessment is you're trying to

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1 ask -- the first question is, is there -- is there a
2 significant -- significant health risk to human health
3 or environmental risk either now or in the future. So,
4 that's still -- you want to make sure you're looking at
5 which time period, what's going on with that.

6 If -- obviously, if it's a current release, the
7 spill, it's in a stream, there's a -- it's a possible
8 exposure right now. There is more of a current concern,
9 something that you have to do much quicker, as opposed
10 to, say, a landfill that's -- that's capped. There may
11 be a potential that's there, but if no one's being
12 exposed, or if it's not being dug up, then -- then you
13 don't have as much of a problem, and you have time to
14 deal with whatever you have there, and so it's not so
15 immediate.

16 So risk assessments are being used, from a
17 regulatory sense, to figure out whether there is --
18 there is either -- actions are necessary, and then to --
19 if action is necessary, what's a safe exposure level,
20 where do you go -- where do you go from there?

21 Let's see. They pretty much did this last
22 time, the four parts of the risk assessment,
23 essentially -- as well they went through -- through this
24 general definition too where the risk is equal to
25 approximately the dose times toxicity.

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1 So, there's the two components -- two major
2 components here are -- the toxicity is something that's
3 inherent in the compound, so that's something that would
4 be studied, say, in a lab. Some wouldn't necessarily
5 need to be studied at the site whereas the dose is site
6 specific. It's the exposure, how are people being
7 exposed to it, how much would they be exposed to.

8 So in this risk assessment, really, the -- the
9 dose part of the equation is really what's being brought
10 out or looked at site specifically for information,
11 what's going on at that location.

12 MR. TYAHILA: Just to give them a sense, I think
13 it might be worthwhile, to mention a few of the sources
14 that are used for obtaining the toxicity values. Like,
15 you know, there is a bunch of agencies that generate
16 them. You might mention a couple of them.

17 MR. STRALKA: Well, sure. The U.S. EPA has a
18 list, but then essentially everybody -- all the
19 regulatory agencies, essentially what they're doing is
20 they're going to literature searches and -- they're
21 going to go to literature searches. And the lab --
22 they've either contracted the labs, or as in the case of
23 the federal government, they've done quite a lot of
24 work -- funded work in labs where they're doing animal
25 studies, they're doing different types of toxicity

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1 depending on the endpoint.

2 They're also taking epidemiologic studies, so
3 studies that have happened in the environment to people,
4 either workplace -- workplace exposures or accidental
5 exposures, or environmental, like, say, from naturally
6 occurring arsenic in the water.

7 So they're going to look at populations that
8 have been exposed, and they're going to look at all that
9 information and try to distill from that what is a toxic
10 level. And then incorporated in that they're also going
11 to define what's a safe level or a reference dose or --
12 in the case of a carcinogen. So -- so, there's --

13 A lot of those assumptions they're making
14 health assumptions in that to make sure that -- that the
15 toxicity value that's being used to evaluate these sites
16 or is being used in multiple different programs will
17 have health-protective assumptions built into it.

18 So, there is a lot of different -- a lot of
19 different sources, whatever -- whatever -- essentially
20 what is available out there.

21 MR. TYAHILA: (Nods head.)

22 MR. STRALKA: And, oftentimes, if there isn't
23 things available, then the federal government had
24 contracted -- had studies being produced much like --
25 well, I know perchlorate was an issue recently. That's

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1 something that's being -- that toxicity value is still
2 in the process of being worked through. There wasn't
3 anything --

4 A few years ago we had a few epidemiologic
5 studies where perchlorate was being used as a drug, a
6 medication, and there were some -- there were some
7 outcomes that as far as the drug was concerned was not
8 functional, and they ended up modifying and going to a
9 better drug, and so they quit using perchlorate per se.

10 And then, you know, subsequently we've had
11 these perchlorate releases, and then there was the
12 analytical problem. Once the analytical problem was
13 solved, there wasn't any good data out there, and the
14 EPA and the Air Force put together a joint panel to
15 actually conduct the research. They funded the
16 research, and they're in the process of now doing that
17 review of the toxicity factors, toxicity evaluation.

18 And that has gone to the National Academy of
19 Sciences for a broad peer review to distill that number
20 down and put all those uncertainties down.

21 So, that -- that's the kind of process. But
22 that's a long time. I mean, that's something that you
23 can't look up. That's going to take some -- some time.
24 It's going to go through that. Once that's done, then
25 that number is being used by a lot of different

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1 agencies, a lot of different groups to evaluate what the
 2 potency or the toxicity of a single compound is.
 3 So, again, this is that dose equals toxicity.
 4 Like I said, the dose is the contaminant concentration
 5 times the exposure. That's the site-specific portion.
 6 The hazard identification, the dose response,
 7 the toxicity. The hazard identification part is just
 8 talking about how -- what kind of a problem is it, and
 9 then how the dose response is -- how potent is it.
 10 I just really want to quickly touch on this
 11 too. As -- as you look at these reports, and you'll see
 12 them distilled, you see the risk assessment in that --
 13 that equation that I talked about, and you'll see that
 14 calculated.
 15 So, essentially, the definitions that were
 16 being used in those risks is the probability of doing
 17 harm. How much -- how much are you being exposed to,
 18 how much potential is there whereas that's -- that's a
 19 very distilled way of looking at it. Really, when
 20 it's -- when it comes more closer to home, generally
 21 what the public or what people would be exposed to it
 22 are looking at it is the probability of doing harm plus
 23 what's called the outrage factors, which have to do with
 24 how much control you have over it, whether it's
 25 voluntary or involuntary, whether you're receiving

1 benefit from it.
 2 You could go through a calculation and say,
 3 what's the potential harm of gasoline? I mean, it's
 4 very flammable, it's -- you know, it's explosive, it's
 5 some nasty stuff. It's toxic. If you were to drink it,
 6 pouring it on the street, but yet, you know, it's not
 7 considered high risk because, you know, you receive
 8 benefit from it.
 9 You see how it's being used. People are
 10 familiar with it. They know how to use it, pump it into
 11 your automobiles every day, that sort of thing. It's --
 12 there is a familiarity with it. There is an
 13 understanding on how -- how to handle it, how to handle
 14 it safely. So, there is not -- there is not much of an
 15 outrage. Even though there may be a high probability of
 16 it being toxic, it's not that much of a problem.
 17 So you kind of -- that's another balancing
 18 factor that you have to look at. I guess I usually
 19 refer to it as a reality check when you're looking at
 20 how things are being exposed or who's being exposed and
 21 how, and then try to do that reality check of what's --
 22 what's really there.
 23 Okay. Let's switch -- go through some of these
 24 real quick and get some of these examples.
 25 Just to touch on this again, the exposure

1 pathways are the critical points that you want to look
 2 at when you are looking at these -- at these risk
 3 assessments. This is just a pictorial of -- of
 4 different exposure pathways.
 5 So, what we're trying to -- trying to show here
 6 is, okay, if you have some chemical release, you want to
 7 look at the physical properties of that chemical. How
 8 is it going to move in the environment, who is going to
 9 be exposed, where is it spilled?
 10 You know, if it's been spilled on the ground,
 11 it can leach down in the groundwater. If people were
 12 consuming the groundwater, they could be exposed that
 13 way. It -- it could -- as a runoff here it could run
 14 off into streams, and you could have environmental
 15 exposures. Or in this case I said down into the Bay in
 16 the surface water.
 17 If it was volatile, it could volatilize, and
 18 then it would be the issue of inhalation, that people
 19 would be exposed through inhalation.
 20 So, it is critical to look at actually the
 21 source, actually how it's being released, where is it
 22 being released, what's its physical properties, how is
 23 it going to move through the environment, who's going to
 24 come in contact with it and how. Those are critical
 25 points to try to evaluate the toxicity of something as

1 well as to try to determine the dose, how much people
 2 are being exposed to.
 3 Let's see. So, like I said, most of these
 4 slides, I guess you can just use as reference, or if you
 5 have questions later, you can ask me about those.
 6 I guess I just didn't want to give a plug
 7 for -- what essentially I'm going to go through is
 8 looking at the Preliminary Remediation Goals, the PRG
 9 tables, and looking at how you can compare things to the
 10 PRG tables.
 11 That was done as the preliminary screen on all
 12 the Concord sites. So they were essentially comparing
 13 it to residential exposures. Essentially saying, if
 14 this was your backyard, if you were being -- say you had
 15 a house there, you were being exposed to it. That may
 16 not be the case, but essentially that was the first
 17 screening point that was being used. That was -- that
 18 was the most health-protective evaluation.
 19 And so the numbers that they were comparing to
 20 were coming out of the -- what are our remediation
 21 goals, which you can double-check. They usually have
 22 them in the tables, but you can always double-check
 23 those by looking on the Internet, which I've included
 24 this so you have the web address.
 25 And you could look those up if you wanted to

1 double-check those as well as those are, as we call
2 them, evergreen. They're always changing. They're
3 always being updated. So, you know, generally you want
4 to look at what the current -- the current value is.
5 Current -- right now we're doing -- about once a year in
6 the fall generally we are updating the tables where it's
7 necessary. But October 1st, 2002 was the last -- the
8 last table was issued.

9 Okay. All right. Well, let's go to some of
10 your examples here that we have.

11 And I apologize. We did get -- let's see. Is
12 this going to work? Not really.

13 Well, I was hoping the color would come up
14 here. It didn't come out -- honestly, I didn't copy
15 those in color, but what I was trying to show here is
16 for the example of using groundwater contamination as a
17 level of exposure.

18 So if the -- if the exposure route is from
19 groundwater, and we're saying that somebody could be
20 drinking the groundwater. So, again, what we're trying
21 to do is project upon this that somebody is actually
22 using the groundwater. That's the health-protective
23 assumption.

24 So currently no one is using the groundwater.
25 This is site -- this is the Solid Waste Management

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1 Units, Wells 2, 5, 7, 18. So this was the -- what --
2 the railroad repair area, the rolling-stop repair area,
3 the locomotive repair area.

4 MR. O'BRIEN: Excuse me, Dan. So nobody's
5 currently using this for drinking water, so, therefore,
6 what?

7 MR. STRALKA: Therefore there is -- there is
8 not as immediate a concern as far as someone being
9 exposed. There is still maybe -- we're going to --
10 we're going to ask the question, though, are there
11 levels of concern in the groundwater, and we're going to
12 compare that to drinking water standards, or as if
13 someone were drinking the water.

14 So, remember, we're saying everything
15 disappears. When you put houses on here and somebody's
16 drinking this groundwater, would there be a problem?
17 So --

18 MR. O'BRIEN: So, are you taking that into
19 account now, or no?

20 MR. STRALKA: Yeah. So, that's what we're
21 going to look at. That's what we're going to screen it
22 against. So we're going to say, okay, what would be the
23 level of concern if somebody was drinking this water?
24 And we're going to use that as our -- as our metric, our
25 yardstick, to say whether there's a problem there or

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1 not. Then you do the reality check by saying, well, is
2 someone being exposed, and what do we do about it, and
3 how quickly do we have to act upon that.

4 So, obviously, if it -- if it was a protection
5 level, say this is actually going into a drinking water
6 system and there were levels of concern, you would take
7 action right away. You know, you might put a treatment
8 drain in there or something that could remove that
9 contaminant.

10 In this situation, as long as someone isn't --
11 we're not using the water currently as a drinking water
12 source, then there is not such an immediate, I guess,
13 action warranted. There still may be an action
14 warranted. That action might take a much different form
15 than if someone was actually drinking the water.

16 So, again, we're using -- we're using a very
17 health-protective assumption to start with, just to ask
18 the question is there a problem, do we have to look at
19 this any more, and then we're going to -- then we're
20 going to do the reality check of saying, well, you know,
21 there may be a problem, how quickly do we have to do
22 something about it, and do we have time to take care of
23 this or -- you know, how expedient do we have to be?

24 MR. COOPER: You have a question on this side.

25 MS. WILLIAMS: Mary Lou Williams.

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1 What about future use? If -- when the land --
2 if it should change ownership and something be proposed
3 for that area, even though the groundwater is safe
4 today, will the groundwater be rechecked, or would that
5 be put on the shoulders of the new owner? How will that
6 be handled, if the property should change ownership?

7 MR. STRALKA: Well, part of that is not the
8 purview of the risk assessment. So, in other words, as
9 far as the investigation, what you have to ask is, did
10 you find -- did you look where you thought the thing was
11 going to be, did you find it, what did you find?

12 So the risk assessment is asking once you found
13 it, is it at a level of concern? But you still need to
14 go back and do the reality check of, well, did they --
15 did you reasonably look where you should have, did
16 you -- you know, due diligence type of thing. Did you
17 look enough? Would you have found it if it was there?
18 In other words, analytically were your detection limits
19 good enough to actually see concentrations of concern.

20 And then once you get to that point -- so
21 you're trying to construct this conceptual model of what
22 really went on out there and where would I find it, and
23 did I look in the most likely spots.

24 And, generally, that's what the investigation
25 starts out to be is you look at -- you don't do a --

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1 like a random grid. You're not just kind of randomly
2 looking all over the place for everything. You're
3 saying, well, where was there an operation, what might
4 have been released, where would it -- where would
5 it have gone if it was released, and then in what media
6 might it be in, soil, groundwater, surface soil,
7 sediment, and then -- then you -- then you're
8 collecting -- the Navy went out and actually collected
9 samples of that media and then analyzed it.

10 And then once you have those analyses, then
11 you're asking the question, well, did you detect
12 anything that's of concern, at levels of concern?

13 And so, what we're trying to do is use the PRG
14 tables to define what those levels of concern are by
15 looking at residential -- essentially in this case
16 looking at a residential scenario.

17 So if it were to change -- if you have
18 evaluated it based on residential exposures, if the
19 property were to transfer, in general the highest human
20 use for a property would be residential. In other
21 words, the most time that you would be on this site
22 would be from a residential type of exposure.

23 So, that's -- that's being the
24 health-protective part of saying, well, we're looking at
25 someone being exposed. We're looking at children that

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1 could be on this property. So if they're more sensitive
2 to these compounds, trying to take that into account,
3 and then evaluating it as if -- as if it was
4 residential.

5 And then, again, that's why I said when you get
6 to the reality check, it's not residential now, it may
7 not be, but at least you've done that -- you've done
8 that measurement. You've looked at it so that if the
9 property does transfer, or in the case that action is
10 going to be taken, they could look at, well, what if we
11 went to -- how much farther do we have to go to make it
12 residential, or in that sense unrestricted? You
13 wouldn't have to put any restrictions on it.

14 MS. WILLIAMS: Thank you.

15 MR. RAMSEY: Dan, could I give a real quick
16 short answer to Mary Lou?

17 The one thing at this base, what the Navy is
18 guaranteeing themselves for the site for the
19 groundwater, they would guarantee themselves at a
20 minimum institutional controls.

21 And now we're kind of like that's the least
22 that would happen to the Navy. We're actually
23 pushing -- EPA would be pushing for -- we still have to
24 go through the RI/FS process, but we're suggesting to
25 the Navy that this is a site that may actually be a site

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1 that's a good candidate for actually taking action,
2 eliminating the problem and not doing some long-term
3 monitoring.

4 There are sites that have limited groundwater
5 like this, and they end up having decisions that are
6 just to monitor that plume because of the limited
7 groundwater usage around that site.

8 But we are -- again, it's a pretty localized
9 area, and we'll work with the military, you know, all
10 through the RI/FS process.

11 I'm saying right now, though, that we would
12 have a control so that if the Navy were to either start
13 groundwater actions or do some long-term monitoring,
14 they have to -- they have to kind of flag that property
15 that there is known contamination so they don't come and
16 sink other -- sink a well for drinking water, for some
17 reason, something like that.

18 MR. STRALKA: They are under control. They
19 would have to test it and do all that as well.

20 Just like you said, if they were going to
21 transfer the property, at least in this stage we would
22 know that there is something there of concern and
23 that -- that would trigger or be carried along with --
24 with this parcel. So they would --

25 You know, however it was being redeveloped,

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1 whether the Navy redeveloped it or not, they would at
2 least know what is there, and then that would allow you
3 to go through this RI/FS process -- RI/FS process of
4 looking at the remedial investigation, figure out what's
5 there, and then the feasibility study, what can you do,
6 what are the costs of doing different options, what is
7 the best way to handle this?

8 MR. SKAREDOFF: Maybe I can ask you
9 specifically about this site of what were found and is
10 there anything -- tripping over myself.

11 What compounds were found of concern and at
12 what level are they at present?

13 MR. STRALKA: So, yeah, here what they were
14 looking at is -- so the operational history here is
15 these were locomotive repair --

16 MR. RAMSEY: All their heavy equipment, auto
17 shops, things like that.

18 MR. STRALKA: So they were using degreasing
19 solvents. They're cleaning the engine parts, they're
20 cleaning the gears and all that stuff. And whether it
21 was spilled, dumped, however it was released. So, you
22 know, whether the vessels leaked, the drums leaked, or
23 the tanks or whatever, we had cleaner solvents released.

24 So the type of cleaning solvents that you would
25 expect to see are trichloroethylene, TCE,

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1 perchloroethylene, PCT. Then once those products are
2 released in the environment, then there is some
3 microbial action breakdown, so you'll see breakdown
4 products of those. The cis and trans-1,
5 2-dichloroethylene.
6 So those are the types of things that you would
7 expect to see with this type of operation if it was
8 released, and that's what they were finding.
9 MR. SKAREDOFF: These are the kinds of things
10 that tend to go away, essentially, as far as they're a
11 hazard?
12 MR. STRALKA: They actually are fairly --
13 they're fairly resilient in the groundwater because in
14 the groundwater -- groundwater tends to -- microbial
15 conditions are anaerobic, so there's no oxygen.
16 In an aerobic environment they tend to be
17 broken down fairly quickly and volatilize. And they're
18 broken down in the sun by UV light, but in groundwater
19 they're obviously protected from the UV light. The
20 microbial action there is much less, so they aren't --
21 they aren't broken down as quickly so they tend to --
22 tend to last much longer.
23 MR. SKAREDOFF: So once they're there, they're
24 pretty much there.
25 MR. STRALKA: Well, then, see, there's other --
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1 there's other processes as far as dilution; right? I
2 mean, they can -- the concentration can go down over
3 time just by dilution, if it spreads out.
4 There are operations where -- where as they've
5 gone through the Feasibility Study on certain sites,
6 they've looked at what's called monitored natural
7 attenuation where they've looked at just how the
8 microbes are chewing it up and over time just letting
9 the microbes do that. That's a very long-term process,
10 but it's very costly as well because you still have
11 monitoring, you still have to figure out what's going
12 on.
13 So, again, that's one of -- those are the
14 parameters and types of questions that in the
15 Feasibility Study, once you decide that there is a
16 problem there, how much and how long do you have to deal
17 with it, what are you going to do?
18 MR. SKAREDOFF: Well, on this particular site
19 has -- has a decision been made?
20 MR. STRALKA: Yes. If you just compare it to
21 the risk levels or levels of concern, you're in the --
22 you're in the range that there is levels of concern.
23 MR. GRIFFITH: What would be the most likely
24 remediation? Would it be bio for this type of site?
25 MR. STRALKA: I don't know what would be the --
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1 MR. GRIFFITH: Would that be one of the
2 candidates?
3 MR. STRALKA: That would be -- that would be
4 one thing they could do. And the other option -- I
5 mean, there is looking at how much mass is there. Is
6 it -- maybe it would be cheaper in the long run to try
7 to just pump it out and capture it. Maybe -- some of
8 the other things are -- I mean, you have to look at --
9 look at the groundwater recharge, how much is going
10 through there.
11 So those are the types of questions that are
12 going to be put together in the Feasibility Study is
13 looking at all of these different options and what is
14 the best way to deal with it.
15 MR. RAMSEY: But, Dan, just real quickly, I
16 mean, it is in the RI, which is a summary of some of the
17 remedial investigation data. It was -- what EPA has
18 been doing is trying to focus the Navy. You collect
19 your remedial investigation data to -- so you'll be able
20 to implement and evaluate different remedial actions.
21 And we have been working with the Navy. One
22 reason we're doing all the soil gas assessments was to
23 look at vapor, existence of vapor concentrations in
24 soil. Well, that's also to assess -- one of the -- a
25 remedial action technology, air sparging vapor
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1 extraction, where you inject air or oxygen into the
2 well, and you can extract the gas around that well. So
3 you're dealing with the groundwater and extracting the
4 vapors that are being generated from this operation,
5 kind of a two-action remedial action.
6 So we're collecting that kind of data to
7 actually evaluate that specific, you know, action,
8 remedial action alternative. As opposed to monitoring
9 natural attenuation, more of a passive option, the Navy
10 will probably have a pump-and-treat mechanism. So we
11 have --
12 As we're going through an RI, you do that RI to
13 be able to evaluate alternatives. So we're looking at
14 different alternatives as we're going through this RI.
15 So, there is --
16 MR. COOPER: I want -- I want to toss something
17 in here as you're saying that.
18 It's important to get down on the record that
19 EPA has a process for actually determining what the
20 final remedy will be and all that. So the discussion
21 that we just had is all very speculative, and it's too
22 early in the process for EPA to make a decision on what
23 they're going to do or say what we'll probably do, or
24 anything like that, or what the EPA would recommend, or
25 what the Navy's going to do.
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1 So we need to be careful as we talk about this
 2 that while some remedy options may seem more promising
 3 than others, this is not the time to be deciding or for
 4 EPA or the Navy to be saying we'll probably do this or
 5 that because we don't want to violate the remedy
 6 selection process which is some- -- some time down the
 7 road.
 8 MR. SKAREDOFF: Well, this particular site, as
 9 far as the CERCLA process, we're over here in
 10 (indicating) --
 11 MR. COOPER: We're still way over here
 12 (indicating). The different ways that we can address --
 13 the ways we haven't got to yet. The actual proposed
 14 plan is after the Feasibility Study, weigh the options
 15 after this document, then we'll look at a proposal that
 16 the Navy will put together to say among the many ways of
 17 addressing this waste, this is the way we think is the
 18 best. We want you to comment on all of them and tell us
 19 what you think. So we're not -- as you can see from the
 20 map, we're not even close to getting to an actual --
 21 MR. STRALKA: So, yeah, we're still at the
 22 beginning of that process, and we're still trying to
 23 figure out exactly how much volume do you have out
 24 there, what's contaminated, where is it.
 25 MR. TYAHLA: Real quickly, a 30-second --

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1 I mean, the soil gas, from our point of view,
 2 is really going to feed into the remedial investigation.
 3 Really the objective of it, besides getting some data
 4 maybe for future remedial alternatives, it's really to
 5 help us find any -- it's going to feed into the RI,
 6 which is going to build into the Feasibility Study.
 7 And some of the options Phillip's talked about
 8 and we talked about internally when it comes time to
 9 scoping the -- what are the options we should evaluate.
 10 And then at that point, you know, that's -- that's a
 11 ways down the line.
 12 But we'll let Dan get back on track.
 13 I mean, we're really looking at now, you know,
 14 what made it an issue that we have to deal with. And
 15 that's the fact some of the screening -- risk screening
 16 criteria are exceeded in groundwater, so we know we have
 17 to finish off this RI and get us down to the FS.
 18 MR. SKAREDOFF: I think this is really a nice
 19 illustration. I really like the way this is sort of
 20 showing how the process functions. We're in the process
 21 over here, like you're saying, findings, found some
 22 stuff. And I guess there is some more work being done
 23 to find out hot spots maybe, and that will affect what
 24 you do because if there is some concentrated hot spots,
 25 maybe just dealing with those is an effective way to do

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1 it.
 2 MR. TYAHLA: Exactly.
 3 MR. SKAREDOFF: So we're still in that process
 4 of trying to nail that down.
 5 MR. TYAHLA: This is a very good site to give
 6 an example of going through a process because everything
 7 you just said, and the fact there is no, like,
 8 site-specific source identified. Even how it got there
 9 is speculative because we know what kind of happened
 10 around there, but we're doing the soil gas hoping it
 11 will help find out whether it might be a source. What's
 12 taken us there is the fact that the levels are -- exceed
 13 these risk criteria.
 14 MR. SKAREDOFF: Those came from the preliminary
 15 assessment, those numbers?
 16 MR. RAMSEY: Actually, they're MCLs. Those are
 17 contaminant levels for drinking water.
 18 MR. SKAREDOFF: No, no. I meant the actual
 19 data data.
 20 MR. COOPER: The RI process --
 21 THE REPORTER: I can't take you all down.
 22 MR. STRALKA: There's a lot of pieces to the
 23 RI. It isn't a single -- one question. There is lots
 24 of questions. So --
 25 So the first thing that's done is you look at

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1 the most probable source. You look at the groundwater.
 2 There were a couple monitoring wells in here,
 3 groundwater, you got some detections. Then you say,
 4 well, okay, are they at levels of concern? So you
 5 compare them to the PRGs. Yes, they are. So -- okay.
 6 Well, how big is this problem?
 7 Then there was another phase of investigation
 8 where they went in and were actually doing hydropunches
 9 which were closer to the surface, going down and hitting
 10 the surface of the groundwater, which in the conceptual
 11 model, if you think how is this stuff released, it was
 12 released here on the surface and it percolated through,
 13 the highest concentrations should be closer to the
 14 surface than farther down.
 15 MR. SKAREDOFF: This stuff is heavier than
 16 water.
 17 MR. STRALKA: It is heavier than water.
 18 So, again, it depends on the conceptual model,
 19 how it was released and how much was released. So in
 20 that process, that's what they're trying to get a handle
 21 on, how much is really there.
 22 The soil gas information is the same sort --
 23 same sort of question. It takes care of that -- because
 24 these are volatiles, you have the -- I guess the
 25 advantage for trying to chase down these kind of

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1 chemicals, of looking at the vapor and trying to
2 ascertain that and see what that tells you about are
3 there other sources because the vapor -- the vapor might
4 move in different directions more easily than -- than
5 the liquid phase or that which is the groundwater --
6 that which is in the water.
7 So, I mean, it's -- there is multiple facets of
8 trying to get a handle on exactly what's -- what's out
9 there.
10 MR. SKAREDOFF: We're still in the middle of
11 that.
12 MR. STRALKA: We're still in the process of
13 doing that.
14 MR. RAMSEY: We just got resolution. This is
15 something that the agency has been working with the Navy
16 on for the last month was just to get agreement to do
17 the soil gas survey. Last month we had a series of
18 discussions. It was first get the agreement from the
19 Navy to go out and do the soil gas. So we had to kind
20 of work through those issues.
21 MR. TYAHLA: Our Sampling Analysis Plan that we
22 worked on with the agencies is being shipped out as we
23 speak. It was due tomorrow.
24 MR. SKAREDOFF: This discussion has been very
25 helpful for me because I think I probably heard all of
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1 this stuff before, but now it's in context for me, and I
2 have -- sort of have a mental grasp. It's probably
3 dangerous that I think that.
4 MR. RAMSEY: We were hoping things were going
5 to build a little bit here. That was the intention,
6 so. . . .
7 MR. STRALKA: But I guess the type of example I
8 was trying to show here was that -- and, actually, this
9 is --
10 One question I did have is, this preliminary
11 information was already in the repository. It has
12 been --
13 MR. RAMSEY: There is a draft agreement that
14 kind of stopped the RI to go do another round of the
15 supplemental -- another phase of investigation, to do
16 the soil gas work. We're hoping that that will all be
17 rolled into a Revised Draft Final RI here, you know, in
18 the --
19 MR. STRALKA: The short answer was that there
20 were nondetects in these wells.
21 MR. RAMSEY: We had really low -- really low
22 levels, correct, Dan, just trace, a couple parts per
23 billion of TCE. You may detect just a little trace
24 levels the furthest upgradient.
25 MR. STRALKA: So, yeah, groundwater is --
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1 MR. RAMSEY: It's past SWMU 5. SWMU 5 is where
2 we think the waste oil tank may be the culprit. That's
3 the first hydropunch location where the concentration
4 jumps up into about the 80 micrograms, that's parts per
5 billion, drinking water.
6 MR. STRALKA: Yeah, and then it was all --
7 I mean, the highest hits were right here
8 (indicating).
9 MR. RAMSEY: Then there is --
10 Some other numbers remain high over a second
11 suspect source area, which was a locomotive wash rack.
12 And just from the EPA's experience, we know
13 that the military may have -- even at other bases I've
14 worked on they've acknowledged -- Oakland Army base was
15 using military industrial solvents to degrease their
16 locomotives. So similar things may have happened there.
17 It was heavy equipment.
18 MR. STRALKA: That was fairly commonly.
19 MR. SKAREDOFF: This particular site was a pump
20 station, kind of at an angle there?
21 MR. RAMSEY: Well, there is fuel tanks right
22 above, so between SWMU 5 and SWMU --
23 Is that 7, Dan, that's kind of in that long
24 rectangle?
25 MR. STRALKA: Right there. That's 7 and that's
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1 5 (indicating).
2 MR. RAMSEY: There are USTs right in that open
3 area.
4 MR. STRALKA: Right.
5 MR. RAMSEY: There were fuel tanks out there,
6 so the Water Board -- Laurent's dealing with the USTs.
7 There are wells there that are associated with both
8 these manufacturing areas, and then, you know, there are
9 fuel tanks. I mentioned the waste oil tank that's a
10 suspect for the groundwater contamination we're looking
11 at.
12 MR. SKAREDOFF: So I guess in previous comments
13 I had a little bit of confusion where the comments --
14 the situation with the gas station. Was it a separate
15 program that's being dealt with, a separate issue?
16 MR. TYAHLA: CERCLA versus non-CERCLA. Like
17 the gas stations, petroleum products --
18 MR. COOPER: Are exempt.
19 MR. TYAHLA: The whole Underground Storage Tank
20 Program, that -- really the approval body for that is
21 the Regional Water Quality Control Board. So,
22 it's. . . .
23 MR. RAMSEY: That was not a Superfund. It
24 would have been a Superfund if they didn't have oil
25 pollution.
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1 MR. SKAREDOFF: Drive around town, you see all
2 these underground tanks. That's a separate program.
3 But it's still the same physical area, and so I guess my
4 question is, how does that fit in with what we're
5 talking about here, or does it at all?

6 MR. TYAHLA: Well, the Navy's examining both
7 situations, underground storage tanks through a program
8 dealing primarily with the petroleum volatiles, those
9 being gasoline. So -- and with gasoline you're dealing
10 with, like, benzene, toluene, you know, those things.
11 So, what you're missing are the chlorinates.

12 Now, when you get into chlorinated solvents
13 like trichloroethylene, perchloroethylene, that's what
14 throws it into the CERCLA Superfund realm and -- but we
15 have all the data. We're looking at it. Like we'll
16 look to see if our Underground Storage Tank Program is
17 analyzed for certain wells, things like that, use all
18 the data we can. But you only hear us talk about --

19 MR. STRALKA: The Navy is the landowner so
20 they're responsible for all those operations. The
21 regulatory authority or the overseeing regulatory agency
22 may be different in the sense of CERCLA, U.S. EPA versus
23 the Water Board for the Underground Storage Tank
24 Program. But they're essentially coming up with --
25 they're deriving their standard, what's the level of

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1 agencies may have overview of different parts that
2 they're doing, but essentially they're going to be held
3 to the same standard across the board.

4 MR. SKAREDOFF: Is that still within the
5 purview of what the RAB should be --

6 MR. TYAHLA: Not really. In a sense no. It's
7 a Superfund.

8 MR. SKAREDOFF: So the RAB is concerned with
9 Superfund issues?

10 MR. RAMSEY: Well, I mean, it probably depends
11 on the RABS. And some -- some bases people will
12 cover -- there will be a component that deals with USTs.
13 It just, I think, depends on the individuals.

14 I just have to kind of, you know, respond to
15 Steve. I mean, I've been on a number of RABS. There
16 was a fuel depot. They dealt with the UST, those
17 massive two million concrete tanks at Point Molate. You
18 bet. It's also a BRAC base, so that is some of the
19 difference. You know, it --

20 THE REPORTER: I can't report all of you
21 speaking.

22 MR. SKAREDOFF: What's a "BRAC"?

23 MR. COOPER: That's the official name for a
24 base closure.

25 MR. SKAREDOFF: This one's not being closed.

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1 concern.

2 Along similar lines, they're still going to do
3 the same type of risk assessment, looking at how -- how
4 people might be exposed, what are the most important
5 compounds.

6 Like Steve was talking about for the -- for the
7 petroleum products, generally what's looked at is called
8 the BTEX, the benzene, the toluene, ethylbenzene, and
9 xylenes, those types of things. Those are -- those are
10 the most toxic components of that mixture.

11 That was the whole reason for California
12 reformulating their gasoline, to get the benzene out,
13 because the benzene was an air contaminant as well.
14 People pumping gas, there is a lot of vaporization. So,
15 it was a significant amount of benzene in the air. And
16 just to remove that -- that portion of the toxic from
17 that mixture of gasoline, that was the whole -- that was
18 the whole purpose of reformulating the gasoline.

19 MR. SKAREDOFF: That was an old gas station, so
20 it would have been loaded with benzene.

21 MR. STRALKA: Yeah, this would have some older
22 stuff.

23 So, yeah, again, the same sort of thing. The
24 Navy is responsible for it. The Navy is going to be
25 looking at all these different facets. Different

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1 Okay.

2 MR. COOPER: The general answer is Superfund.

3 MR. SKAREDOFF: From my own perspective as a
4 RAB member, is it appropriate for -- appropriate for me
5 to be raising questions about underground gasoline
6 storage tanks?

7 MR. STRALKA: I would -- I would say --

8 I would say as a public member you can and you
9 should, if you're concerned about that. It may not be
10 in the purview as far as under the CERCLA, but then the
11 Navy could answer that question, or at least tell you
12 where they are in the process responding to the
13 Underground Storage Tank Program.

14 And the Underground Storage Tank Program is
15 public information as well. So, I mean, if that's
16 something that you're concerned about, you can ask those
17 questions.

18 MS. WALLERSTEIN: We may not want to make it a
19 formal part of the RAB because I think when the
20 documents start coming out, everybody has plenty of work
21 to do and review. But, you know, as Dan said, those are
22 public documents. If you want copies of any public
23 documents regarding the underground storage --

24 MR. SKAREDOFF: Prefer maybe just a five-minute
25 comment on where things are rather than a stack of

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1 things like that to read (indicating).
2 MR. STRALKA: Let's see, I guess, trying to
3 keep your agenda -- already at the end, but let me
4 just -- I guess this was the purpose of trying to
5 present these was to have more discussion like we were
6 just having of what was going on and what were levels of
7 concern.
8 This was -- there is another site. Looking
9 at -- this is Site 22, and the arsenic concerns at
10 Site 22, which is in the Magazine area.
11 So, again, this is the conceptual model that's
12 at the stage where they're still doing the RI. They're
13 still collecting information.
14 Originally there was the fin repair. The fin
15 repair operation was the first thing that brought us
16 there. There was some soil samples collected. They
17 were screened against levels of concern, essentially the
18 PRGs. There were some hits of arsenic.
19 They came back and collected another round of
20 information, more soil samples, and screened those
21 against those levels, trying again to ascertain what's
22 the extent, what's going on there. There was still a
23 question about what was the extent, where were these
24 things, so --
25 I think they've done three rounds -- right? --
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1 now?
2 MR. RAMSEY: I mean, at least.
3 MR. STRALKA: There is another round to look at
4 what really is the extent of contamination there.
5 So, again, what -- what we're looking at is --
6 is looking at the Preliminary Remediation Goals, the
7 PRGs; second, what's the level of concern.
8 In the case of naturally occurring metals like
9 arsenic, of course, it's toxic. That's why we're asking
10 the question.
11 For naturally occurring metals there may be
12 levels in the environment that have nothing to do with
13 the operations, so, obviously, you -- it's like you're
14 not going to -- the Navy is not going to be responsible
15 for cleaning up something that was naturally there if
16 they have not exacerbated the problem or they can do --
17 there might be other means by which they can limit the
18 exposure and limit the risk without doing extensive
19 remediation.
20 So, there is different questions that have to
21 be asked there. But in this instance, what we were
22 looking at was level of concern that we would be looking
23 at for naturally occurring -- or I guess the naturally
24 occurring level based on the Concord basewide
25 investigation was -- I think it was 13 to 15 parts per
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1 million.
2 Is that right?
3 MR. RAMSEY: That's probably the max up there.
4 10 to 15. I forget exactly the --
5 MS. CANEPA: The 95th UCL was 10, and then the
6 99th was 23.
7 MR. STRALKA: So low teens, if you will, 10 to
8 12, something in there.
9 Now, the level of concern that we would look at
10 for noncancer endpoints for arsenic in soil, again,
11 looking at residential exposure, would be 22 parts per
12 million.
13 So those are kind of the guideposts that you're
14 looking at to try to ascertain whether there is a level
15 of concern here or not. And they were getting -- well,
16 they were getting several that were in the hundred parts
17 per million of arsenic in -- in certain areas.
18 So, again, that's why -- that's why in the RI
19 process they're still trying to get a handle on what was
20 there, how -- where is it, how much is there, and we're
21 still trying to piece together -- there are still some
22 questions about, well, what was the operational history.
23 Was this something that may have been used as
24 weed control or grass control as a -- you know, to
25 keep -- because of the fire hazard in the Magazine
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1 areas, was this something that was spread over a larger
2 area, did we just happen to catch it here, was this
3 something that's associated with the operation of the
4 fins, the fin replacement or whatever?
5 So, there is still a lot of those questions
6 which are going on which subsequent rounds hopefully
7 will give us a little bit more light on so we can try to
8 ascertain exactly the extent of the contamination, where
9 is it, how is it there, and then try to --
10 Whenever you're doing these conceptual models,
11 you always keep testing it. You always keep asking
12 questions. You have a conceptual model of what went on.
13 Just like in the sense of the -- the degreasers. It's
14 like, well, okay, there was an underground storage tank
15 that might have leaked. Well, where would it have gone?
16 Well, if it was an underground storage tank,
17 you would find it here, it would be right below the
18 tank, it might hit groundwater. Once it hit
19 groundwater, it might move like this. So you would
20 expect to have a -- a certain pattern. If you're
21 getting that pattern, and it's like, well, where else
22 could this come from, was it being dumped out the back
23 door, was there a one-time leak, say a railcar, you
24 know, a massive release all at once, how would the
25 distribution be different?
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1 The same thing is going on here with -- with
2 arsenic. How is it being used, how is being released,
3 what was the original source, and then where might we
4 find it if that was the case? Then you start sampling
5 the different media and saying, well, where is it? Now
6 that I have this data is that -- is that consistent with
7 my conceptual model of where I think it is or where I
8 think it was? Has it changed? Is it really doing what
9 I -- what I expect it to be doing?

10 So, that's -- that's the kind of reality check
11 of when you're looking at the information of, well, did
12 they -- did they ask the right question, did they sample
13 in the right spots, do we -- do we know enough about
14 this site to be able to make a decision as far as taking
15 action or not?

16 And part of that is, well, what are the levels
17 of concern, and what are the levels that are detected,
18 how much volume is really out there?

19 Remember, in Site 13 we had a -- that was the
20 burn areas. There were a few hits, but they were --
21 during the investigation there was some -- there were
22 some concentrations that were detected in soil that were
23 elevated relative to the Preliminary Remediation Goals.
24 But they were so localized, and they weren't elevated --
25 the amount that they were elevated wasn't that great,

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1 that? If -- if that was true what -- would that be
2 here? Does it make sense? As the reader, does this
3 story make sense? Is there some -- is there a flier
4 here? It's like there is something not consistent with
5 what's going on.

6 So, as the reader that's -- that's what you're
7 going to have to do, to go through all this and ask
8 those questions. That's what we're doing when we're
9 reviewing the documents.

10 MR. COOPER: Dan, could you give one example of
11 that, just one quick where --

12 MS. WILLIAMS: Time out. Time out.

13 MS. WALLERSTEIN: It's time for the court
14 reporter's break.

15 MS. WILLIAMS: I'm invoking the two-minute
16 rule. The court reporter needs a break.

17 MR. STRALKA: What would you like to do? Do
18 you want to take a break, or do you want to come back to
19 this?

20 MS. WILLIAMS: We'll have to take a break
21 because it's in her contract.

22 So we will come back at -- in 10 minutes, which
23 would then be 7:00 o'clock.

24 MR. O'BRIEN: Can we make it five minutes since
25 we're running behind, Mary Lou?

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1 really, compared to the risk range that we would be
2 looking at. That -- the volume --

3 That was the no-action site because there
4 was -- there was just a few hit or miss, here or there,
5 didn't really have a potential to go anywhere or to
6 leach, the volumes were so small. So, that was -- that
7 was the decision.

8 That same kind of decision process you're going
9 to have to go through with all of these other sites.

10 MR. SKAREDOFF: Is there a name or a procedure
11 that sort of describes how you do this testing against
12 your conceptual model? I mean, that sounds like a
13 really excellent process. Is that kind of spelled out
14 as to how one goes through that, or is there some check
15 marks that you go through. . . .

16 MR. STRALKA: Not really check marks. I mean,
17 that -- what -- what you'll eventually see in the RI is
18 that conceptual model. I mean, after they keep testing
19 it and whenever they're presenting it, they're going to
20 say, well, this was the operational history, this is
21 what we did, this is what we found.

22 And as the reader you always have to keep
23 asking the question, of, well, okay, this is the
24 conceptual model that they're -- that they've
25 constructed. Is that true? Does that -- can I test

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1 MS. WILLIAMS: Well, she has to have her time.

2 MR. O'BRIEN: Okay.

3 MS. WILLIAMS: So we'll do it.

4 How much time do you have to have, Janine?

5 THE REPORTER: Ten minutes.

6 MS. WILLIAMS: Ten minutes, see?

7 (Recess from 7:48 p.m. to 7:57 p.m.)

8 MS. WILLIAMS: Okay. We're going to --
9 How much have you got, Dan?

10 MR. STRALKA: I just wanted to wrap up with,
11 again, from Site 22, when you're looking at those -- at
12 the documents, this is -- this is coming out of the
13 draft. I guess it's the draft RI.

14 So, what they were -- what they were trying to
15 do here, I guess what you'd expect to see is -- again,
16 these were all the -- these were all the chemicals that
17 were detected at the site when they were doing their --
18 their sampling. So they're -- they're listing what
19 is -- exposure point concentrations.

20 So, again, you have to look at, well, what was
21 the exposure routes that they were looking at? Here it
22 was residential. They're looking at the top six inches
23 of soil. So, that, again, would make sense if there is
24 going to be no disturbance out there.

25 Okay. So we also have another scenario that

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1 they looked at from zero to 10 feet as if there were
2 disturbance, if any of that soil could be brought to the
3 surface, say, in redevelopment or whatever else, and if
4 that -- that concentration -- it would just be brought
5 to the surface if people would be exposed to it without
6 any change in its concentration. So --

7 So here they've calculated for the top six
8 inches what's the exposure, what's -- what's the average
9 concentration over that area, then they've compared it
10 to the Preliminary Remediation Goals for residential,
11 and they're listing both the -- the cancer endpoints and
12 the noncancer endpoints.

13 So, as you can see here, for arsenic you have a
14 concentration -- average concentration across this area
15 is 88 parts per million. Again, that's the surface, the
16 top six inches. And then they're comparing it to what
17 would be the level of concern based on the cancer
18 endpoint, what would be the level of concern based on
19 the noncancer endpoint.

20 Then, too, remember here we have a naturally
21 occurring level which would be higher than the cancer
22 endpoint. But based on everything we've collected at
23 the base basewide, the -- I guess the understanding is
24 that it's around 10 to -- 10 to 15 would be the
25 naturally occurring level for arsenic in the soils here,

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1 would want to look at to try to ascertain what did you
2 really detect, what levels did you measure, are they at
3 levels of concern, which ones -- which chemicals are the
4 ones that are really of concern, and which ones do we
5 need to focus our attention on?

6 So I guess --

7 MR. SKAREDOFF: Excuse me, Dan. Before you
8 leave that one, I notice -- there is -- something jumped
9 out at me there. There is a lot of zinc there. I know
10 that zinc isn't particularly toxic and the amount that
11 is there is below the concern level, but is that any
12 kind of a clue, is there any kind of association between
13 zinc and arsenic that might help with understanding its
14 conceptual model?

15 MR. STRALKA: I don't know, but that's the kind
16 of question you want to look at as far -- with the zinc
17 level I'm not sure what the zinc -- naturally occurring
18 zinc level was.

19 MS. CANEPA: I don't know offhand.

20 MR. STRALKA: But, you're right, zinc,
21 obviously, if you're using galvanized sheet metal, that
22 sort of thing, you're going to get a lot of zinc. I
23 mean, that's what it is, zinc oxide and zinc plating on
24 galvanized. So you're going to get washoff, so you
25 could -- you could have a lot of zinc in the surface

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1 which isn't -- which isn't inconsistent with soils in
2 this part of the country anyway.

3 And so then they -- they just calculate the
4 risk. The risk from that chemical doing this ratio.
5 Essentially they're taking this concentration and doing
6 the ratio and calculating what the risk is or the hazard
7 index is, which is the noncancer.

8 And so they are doing this for all of these
9 chemicals and then summing it up. And so then what
10 you're going to see presented is you're going to see
11 presented either a risk number, and then you can look at
12 tables like these and figure out, well, which -- which
13 is the chemical that's of concern, which is the driver.

14 So, obviously, in this case it's -- arsenic is
15 the one chemical that's really driving the levels of
16 concern, and it's at the upper end of the -- the risk
17 range.

18 So, again, trying to take into account these
19 uncertainties in calculations and toxicities and
20 exposures, typically EPA tries to manage the risk
21 between this 10 to minus 6 to 10 to minus 4 or 1 in a
22 million to 1 in 10,000 and looking at trying to manage
23 those risks to keep the exposures down to within that
24 range or lower.

25 So these are the summary-type tables that you

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1 soil, I guess.

2 Just let me look and see what else.

3 MR. SKAREDOFF: Is a high zinc level associated
4 with the high arsenic levels, for instance?

5 MR. STRAUSS: One of the conclusions that the
6 Navy has in a recent sampling analysis report was that
7 they -- that they found that the arsenic is man made. I
8 mean, this is not a -- you know, geological.

9 MR. STRALKA: But it is something to look at
10 that maybe, say, historically formulations for
11 herbicides may have had zinc and arsenic mixed together
12 in fairly high concentrations. So, it may be an
13 indicator.

14 I mean, that would be something to look at. So
15 go back and, again, try to piece together a conceptual
16 model of doing, you know, a verification. Was it common
17 to have herbicides -- arsenic-containing herbicides? If
18 this was the formulation, this type of formulation often
19 had high zinc levels in it or -- I mean, that would be
20 the type of thing you want to look at.

21 They may not be a concern from a toxicity
22 endpoint, but it may be supportive evidence for your
23 conceptual model to try to piece everything together.

24 MR. SKAREDOFF: I notice also absent from this
25 is lead. Was that because there wasn't any found

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1 or. . . .
2 MR. RAMSEY: Well, it's not really -- the level
3 is not -- I think we had one sample that --
4 MS. CANEPA: Lead was looked at.
5 MR. STRALKA: It was looked at, but it wasn't a
6 concentration of concern.
7 Okay. I guess that was pretty much it. That's
8 all I had. Anything else? Or any other questions?
9 I mean, if there are -- you know, you can
10 always ask Phil or, you know, you can call me directly
11 at EPA if you have any questions about the toxicity
12 values.
13 MR. BOYER: Dan, do you know of any human
14 health studies that have been done around the base in
15 the past?
16 MR. STRALKA: On the base itself?
17 MR. BOYER: Around the base. How about in the
18 past on the employees at the base?
19 MR. STRALKA: Not that I know of, but I haven't
20 really --
21 MR. RAMSEY: I'm actually talking with -- we
22 have kind of a sister agency. It's under the Department
23 of Health Services. It's an Agency for Toxic Substances
24 and Disease Registry, ATSDR. They're in our building.
25 And I talked to these people. They will typically do --

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1 Superfund sites the ATSDR does these health assessments.
2 So they go in and look in communities.
3 I was chatting with an individual who has
4 responsibility for Concord, and it turned out ATSDR had
5 not gone through some procedures they should have done
6 for Concord. And they're in the process of doing that.
7 We'll prioritize doing a public health assessment.
8 So the agency that actually goes out, kind of
9 does a -- they'll let us know more, I think, in the
10 future when things start activating. They oftentimes
11 will ask for individuals -- names of individuals to do
12 interviews with, community members, environmental
13 groups, things like that. So they will be looking at
14 this base.
15 I was asking people in the past, like, was
16 trying to find out from ATSDR had they done something or
17 had they not because it's -- primarily the listing for
18 this base was because of ecological issues, and maybe
19 they're not as involved since it's a public health
20 agency. And it turned out they may have just erred
21 and didn't --
22 MR. STRALKA: But I guess was --
23 Was there a question specifically that you're
24 looking for?
25 MR. BOYER: I'm just wondering if there is one

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1 that's been done as a baseline.
2 MR. RAMSEY: That's what I said. The ATSDR
3 typically does sites, and I think they should have. And
4 they're in the process of trying to get mobilized to
5 look at Concord and then to decide -- to what extent and
6 how in depth their process goes depends on the base and
7 the public health.
8 MR. BOYER: The question would be, obviously,
9 in the neighborhoods are there some arsenic-induced
10 birth defects or other kind of human health hazards that
11 we know about anywhere? It sounds like everything we're
12 doing here is research into what we don't know. That's
13 all.
14 MR. STRALKA: Well, yeah, right now we're still
15 trying to figure out the extent of where everything is,
16 and then the question is, well, who's being exposed?
17 MR. BOYER: Right.
18 MR. STRALKA: And are they being exposed? I
19 guess that's part of the other thing.
20 MS. WALLERSTEIN: I think --
21 MR. RAMSEY: It's an interesting comment
22 about -- like arsenic, though, has real specific -- I
23 mean, that's the one thing we didn't, I guess, get into,
24 like some of the aspects -- some of the toxicology of
25 certain things, and arsenic -- a fair amount is known

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1 about arsenic.
2 MR. STRALKA: You'll see skin cancers and
3 things like that, which -- I mean, that's not -- they're
4 fairly unique types of cancer. And that's -- that's not
5 something that's reported in California much.
6 MR. BOYER: Okay.
7 MS. WALLERSTEIN: Okay. Thank you, Dan.
8 MR. STRALKA: Thanks.
9 MS. WILLIAMS: Thank you very much.
10 MS. WALLERSTEIN: It was a very informative
11 talk.
12 And I would also like to thank EPA for
13 providing the speaker tonight for RAB training. Thank
14 you.
15 So next up is Peter Strauss.
16 MR. STRAUSS: Sorry I was late coming here.
17 There was a -- traffic was worse than -- worse than I
18 have ever seen it.
19 MR. COOPER: Car fire on the bridge between the
20 City and Yerba Buena Island.
21 MR. STRAUSS: What I've done is I have
22 completed two reports for the RAB. I'm not going to go
23 through the reports. The report on Site 13 is on the
24 table. What I'm going to do is I'm going to put the
25 main conclusions on the board, and I'm going to ask if

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1 anyone has any questions about it because it is my
2 conclusion about how -- after reading the documents what
3 I -- what I came to believe.
4 I can go through these. The wind-borne dust is
5 an issue that I believe was raised by Laurent, and I
6 don't think it was ever addressed by the Navy.
7 I believe that the groundwater sampling is not
8 adequate. There is only four wells there. They're
9 mostly around building -- the fin repair shop building.
10 Now, for Site 22 it's expanded to a wider area
11 now, to the Magazine area, as you may call it. And so I
12 think that that's -- that's inadequate, and I think
13 that -- that the -- the Navy has to consider other
14 ground- -- groundwater sampling techniques that may be
15 cost effective, cost efficient, but get a wider sample,
16 especially considering that one well sample for
17 perchlorate.
18 And I think that at the -- at the time when the
19 Sampling Analysis Plan was done I made a comment to
20 them. I said, well, you know, why are we sampling for
21 perchlorate? If you do a sample, sample at least in
22 four wells, and they -- only one well was sampled, and
23 that sample had a hit. And -- because it doesn't really
24 provide you very good information. And I think that
25 you -- you really need to spread out your sampling

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1 field.
2 From my perspective, the source of arsenic in
3 soil is still unknown. Now, in my Site 22 report I had
4 an appendix -- an appendix that gave some sources on --
5 on arsenic and -- but if I -- if I recall, most of the
6 arsenic -- it's most likely what the Navy thinks it is,
7 which is -- you know, was used to control rodents.
8 Most -- most of the arsenic used in the United
9 States has been used to treat woods, to treat used wood,
10 and there is a significant amount of railroad ties
11 around. And I think that has to be looked into a little
12 further.
13 I also think as -- if the recommendation is
14 accepted of making the groundwater sampling more robust,
15 I think that that arsenic should be evaluated in
16 groundwater. I do not believe it is right now.
17 MR. RAMSEY: They're going --
18 The Navy has agreed to sample all the four
19 wells at that SH5H or whatever the building is at
20 Site 22. They're going to sample all the four wells for
21 arsenic. That was agreed originally.
22 And just -- just to speak here for the Navy, in
23 order to have a little bit of discussion, Peter, the
24 Navy -- we know they actually have agreed to sample all
25 the existing four wells also at the Site 22 for the

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1 perchlorate. And that's been --
2 I mean, right, you guys?
3 MR. TYAHLA: It's true.
4 MR. RAMSEY: This is what the Navy has
5 informally told me in meetings, so I'm -- I'm assuming
6 we're going to -- we're putting something in in
7 response --
8 MR. TYAHLA: That's true. The Navy's --
9 MR. RAMSEY: -- in the sampling plan that just
10 confirms what the Navy has already told us.
11 MR. TYAHLA: That's true. I was --
12 The one question I had for Peter, a lot of
13 these bullets you're putting up are I'm presuming from
14 the draft report on Site 22 dated --
15 MR. STRAUSS: Right.
16 MR. TYAHLA: -- in August 2003.
17 MR. STRAUSS: Right.
18 MR. TYAHLA: Is there a final of this version
19 coming out because --
20 MR. STRAUSS: There will be a final. There
21 will be a final, but I want to -- this is the --
22 MR. TYAHLA: We kind of are, like, internally
23 working on our responses to your comments, but I'd
24 rather have you present them, and, you know, we'll deal
25 with the comments later.

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1 MR. STRAUSS: Okay. That will be fine.
2 I would -- would love to get comments from --
3 from -- from the audience.
4 And I really want to know whether this is what
5 the RAB wants from me because I've been hired by the
6 Navy to give you independent technical advice. And I
7 would really like to know whether this is what you're --
8 what you expected and what you want. And if I can
9 improve it for the next presentation, I would like to.
10 So, are there any more questions from anybody
11 from -- on these bullets?
12 MR. GRIFFITH: Kind of relating to them. About
13 the four monitoring wells, that's something -- I guess a
14 question for Phillip too. Are there plans to do
15 further -- for anybody --
16 MR. RAMSEY: Go ahead. That's all right.
17 MR. GRIFFITH: Well, actually, it would be you
18 because it's a technical question for the feasib- -- for
19 the studies.
20 Will there be more monitoring wells installed
21 or hydropunches installed to do further groundwater
22 testing throughout the site since it's expanding so
23 much?
24 MR. RAMSEY: Well, what -- now we have a SAP.
25 That SAP does not have any -- the existing sampling that

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1 we're looking at, the comments are due on the 14th, does
2 not have additional groundwater work. And EPA is not
3 planning on raising a comment to go out and start
4 punching the valley to start looking at groundwater. I
5 think until -- we'll get this phase completed, and we'll
6 see what groundwater concentrations we're seeing at
7 Site 22 where we have these four wells.

8 We can look at the arsenic concentration in an
9 area that has levels that are getting our interest. So
10 I think it will give at least some indication if we're
11 seeing any impact or not to the groundwater at that one
12 location where we have these four existing wells before
13 we would be suggesting -- raising this issue about
14 putting in additional wells.

15 One thing is we need to see the results first
16 before we just go out and, you know, put in wells at
17 \$10,000 a pop.

18 MR. GRIFFITH: Yeah, I wasn't implying that.
19 If there were hits, though, that could be part of the --

20 MR. STRAUSS: Yeah, I don't know how much a
21 hydropunch cost.

22 MR. RAMSEY: No. Well, we want to see from
23 these four wells. That's why we've agreed it's a
24 reasonable approach for the Navy, first, is to sample
25 the wells at Site 22, this one building at Site 22, to

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1 see if we see any arsenic in the groundwater or not.

2 MR. TYAHLA: If I can chime in a little, since
3 we're doing work out there, the Sampling Analysis Plan,
4 like Phil said, we're in consultation with them. We had
5 agreed to go ahead and do sampling at these four wells
6 and not install new ones for -- and part of it is going
7 back to what Dan's talking about, confirming our
8 conceptual site model.

9 Right now what we suspect is we're dealing with
10 a soil issue. And the reason for checking groundwater
11 right at that site would be because we know we have a
12 soil issue right there, although it's probably totally
13 unrelated to the operations of that site, and that's why
14 we're expanding the examination of the soil in the area.

15 But right now we would, you know, suspect that
16 we probably won't see because of the nature of -- like
17 how metals behave in soil. We kind of suspect that --
18 it would be more of a surprise if we saw kind of
19 significant levels in groundwater.

20 But looking right there at the existing four
21 wells is like the next step. Like Phillip said, we see
22 something there and it gets our concern, then perhaps
23 that would be when we take that step, maybe search
24 further in the groundwater.

25 MR. STRAUSS: Is that --

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1 Is that Sampling Analysis Plan being
2 circulated?

3 MR. TYAHLA: It's been out.

4 MR. STRAUSS: It hasn't been out to me.

5 MR. TYAHLA: I'd have to look at the
6 transmittal letters to see who all received it, but it's
7 been -- it was out --

8 MR. RAMSEY: August 18th.

9 MR. STRAUSS: Because I would like to see the
10 elevations on that and whether that's truly
11 representative of the -- the entire Magazine area.

12 MR. COOPER: Not to question your work, Peter,
13 but just to make sure we're clear, would that have been
14 part of your scope of work, to look at that particular
15 document?

16 MR. STRAUSS: I'm looking at Site 22.

17 MR. RAMSEY: Since you're looking at 22 anyway.

18 MR. COOPER: All documents. Okay. Just
19 checking.

20 MR. STRAUSS: I am going a little -- you know,
21 this is --

22 If I'm narrowly -- I can't answer any questions
23 to -- any questions of value to the RAB if I'm narrowly
24 constricted to reading only the documents that were
25 listed by the Navy in my contract. I have to be, you

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1 know, open to other things. I assume that the Navy
2 thinks that I'm open always.

3 MR. COOPER: It's mostly the way you presented,
4 like did I get this. And if it wasn't in your scope of
5 work, that might account for why you didn't initially
6 get it, because there are tons and tons of documents
7 related to the site that you probably didn't get.

8 MR. TYAHLA: Well, like I said, I would have to
9 confirm --

10 MS. CANEPA: I think Phillip has a transmittal
11 letter.

12 MR. RAMSEY: I've got the transmittal letter,
13 and I do see Peter as copied on the list of
14 distribution.

15 MS. CANEPA: And those are typically
16 distributed via FedEx, so there would be a FedEx
17 transmittal that we can track down the number to make
18 sure it was delivered to your house.

19 MR. TYAHLA: Because you can tell the scope is
20 narrowly focused on, like, the Site 22 RI. Anything
21 Site 22 or inland areas basically we were copying.

22 MR. COOPER: That's fine. It's just a process
23 issue.

24 MR. BOYER: Peter, a question on the source of
25 arsenic. When you say it's not -- unknown, you're not

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1 questioning the fact that it needs more sampling, it's
2 just more what the source is?
3 MR. STRAUSS: Yes. Yes. I would say that it
4 would be -- looking at the railroad ties would be
5 another -- would be of value to maybe just rule it out.
6 MR. BOYER: Sure. That leads me to a question,
7 Peter. And that is in the Sampling Plan that you guys
8 are working on, are you satisfied that you're going to
9 sample enough areas to characterize whether it's going
10 to come from the railroad ties or on top of the bunkers
11 or -- because we were talking earlier at the break --
12 MR. RAMSEY: We're still looking at this, but I
13 wasn't -- we'll go back and look.
14 About the need to comment, we actually in the
15 previous phase of the investigation that was summarized
16 in the draft RI for Site 22 -- EPA actually asked that
17 some of the sampling stations be moved so that we could
18 assess railroads because it was the Navy documenting
19 railroads may have been a source.
20 And I'm not sure if it was because of pesticide
21 application along the ballasts more than the railroad
22 ties themselves, but we actually did move some of the --
23 the borings up along the ballasts to see if there was
24 any elevated arsenic at least two -- I mean, it's only a
25 couple of boring locations, but we did move them to put
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1 them up next to the ballasts, and there was no
2 significant difference. It was all the same value.
3 There were no hot spots.
4 MR. STRALKA: The things that you're looking
5 for when you're saying "railroad ties" is -- is
6 typically it was chromated arsenic, so you would see --
7 you would see -- you would see high chromium as well as
8 high arsenic, and they were looking for both of those,
9 and we didn't see high chromium.
10 But, I mean, pressure-treated railroad ties is
11 fairly recent. I don't know when it started, but that
12 was fairly recent. Typically they were using
13 chrome-plated railroad ties and those -- and, actually,
14 more of our concern originally was herbicide or
15 rodenticide along the right-of-ways.
16 And so, again, that's what they were looking
17 for, and we really didn't see any correlations with
18 railroads versus -- so that's -- that's why that
19 expansion, to try to figure out, well, is this a
20 Magazine operation and not building -- associated with
21 the building operation?
22 MR. STRAUSS: So from EPA's standpoint you feel
23 that the railroad tie is -- the connection between
24 railroad ties is not --
25 MR. STRALKA: Yeah.
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1 MR. RAMSEY: I don't think --
2 The distribution does not reflect a railroad
3 track source. We're finding it out in the open spaces.
4 In fact, we've got -- some of the highest values were
5 found out in -- when you're out at this location you
6 really wonder --
7 MR. STRALKA: We were looking at -- they did
8 pull out some old aerial photographs and try to figure
9 out -- I mean, essentially the Magazine area was in
10 place as-is as built. I mean, one-time deal. And it
11 wasn't like -- it wasn't a lot of modifications and
12 moving around. And that was the other reason why we
13 didn't -- it doesn't appear as though it's tied to
14 railroads, because we were, again, seeing higher
15 concentrations out in the open space and not associated
16 with the railroad lines.
17 MS. WALLERSTEIN: We need to move along here.
18 If we want to get finished at 8:30 tonight, we need to
19 keep going. Sorry.
20 MR. STRAUSS: Well, I'm going to go through
21 this Site 13 pretty quickly, then. I know that people
22 haven't had time to read it -- time to read the report.
23 And these are conclusions.
24 And the first one -- I really want to hear from
25 Dan about this. First bullet point, it's the -- I guess
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1 everybody's heard about what the hazard index means now.
2 The Navy in this particular health risk
3 assessment uses a segregated hazard index, which is an
4 organ-specific index that is generally you have less
5 on -- it's a less amount -- it's a lesser amount for
6 each specific chemical, and then it's added up for
7 the -- for -- to get an III, to get a hazard index.
8 And I would like to send this back too because
9 I want to see -- you know, I read through the EPA
10 guidance and it says -- it's very complicated. It's a
11 really tricky exercise, and EPA should review it. And I
12 don't know if you --
13 MR. STRALKA: We typically do. That's -- the
14 procedure is that initially you would look at the hazard
15 index just -- essentially for a noncancer endpoint you
16 have a reference dose or reference concentration that
17 you're going to compare it to, and that's what the
18 hazard index is. It's just a simple ratio between that
19 definition of the level of concern and the level that
20 you've measured out there.
21 And so in the first pass what you would do is
22 you would do this for all chemicals and then just sum up
23 all the chemicals and end up with a hazard index. You
24 have a hazard quotient for each chemical and hazard
25 index total for all the sites.
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1 Then once it's over, once you have a hazard
2 index above one, then the procedure is you go back and
3 ask the question, are these chemicals affecting the same
4 organ systems, and that's the organ-specific segregated
5 hazard index.
6 MR. STRAUSS: And you do that? Typically the
7 EPA's toxicology department reviews that?
8 MR. STRALKA: Right. Yeah. Typically you
9 would look at it and say, on the first pass if you sum
10 everything and nothing's above, it's all below one, you
11 don't go through the level of effort.
12 If it's above one, then you have to go back and
13 say, well, is it above one because I've got multiple
14 chemicals, all of which are lower than one, but by
15 putting them all together they are higher than one, and
16 do they affect the same organ systems, in which case
17 they would be additive, and they should be additive, or
18 are they -- they affecting different systems, and they
19 really shouldn't be added together?
20 MR. STRAUSS: Okay. So long as that is --
21 that's the case, that you reviewed it.
22 MR. RAMSEY: I think I was getting at, Peter --
23 this is the Site 13 Record of Decision, I guess is what
24 your comment's on. I'm not sure because we just got a
25 groundwater report also that's for Site 13, 22. I was

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1 realizing as we're going through these hits. So Dan and
2 I actually specifically went through these -- this issue
3 on this subject ROD.
4 MR. STRAUSS: You did. Okay. That's fine.
5 MR. RAMSEY: There was a minor comment we had.
6 MR. STRAUSS: Let's not waste any more time on
7 it, then, if that's been done.
8 I -- I thought that the -- the presence of
9 arsenic should be considered as a potential risk. At
10 Site 22 it was determined that it was ten milligrams per
11 kilogram at site background, and you had hits in -- in
12 that area a hundred times the residential PRG.
13 I didn't see a lot of discussion of arsenic in
14 the document, and so I would -- I would hope that at
15 least you would go back and look at that again and see
16 if that is -- if that -- if that pops out. I mean, if
17 there is an explanation, I would be glad to take the
18 explanation and revise it in the report.
19 MR. STRALKA: I guess I would just comment to
20 go back and look in the RI because I believe that was
21 discussed in the RI. It may not have been carried
22 through to the ROD, but I believe it was in the RI.
23 MR. STRAUSS: The ROD is the -- sort of the
24 main document that I reviewed.
25 MR. STRALKA: Right.

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1 MR. STRAUSS: Again, I -- I -- I really don't
2 think that the groundwater sampling is -- is -- is
3 robust enough. There is four sampling points, and I
4 don't feel that that's very adequate representation
5 of -- we've had a lot of activity out there, and it's my
6 opinion that that's not sufficient.
7 Two wells lie really outside of Site 13 proper,
8 so -- and one is downstream. There is one in the middle
9 of Site 13, one on the upper boundary, one on the -- I
10 think it's in the northern boundary, and one downstream.
11 I just don't think that gives you a good reading of
12 what's in the groundwater.
13 I don't know what the Navy has planned to do
14 given the hits of perchlorate and what they're -- if
15 they're going to modify that.
16 The -- the -- this fourth point I brought up
17 because it -- it ran through a series of comments that
18 are both -- the public, Marcus O'Connell made, EPA
19 reiterated, and the -- and I don't think that there was
20 a response in the ROD. All they said was, well, we've
21 sampled seasonally at the other sites, and we -- we just
22 have sampled here on a -- on a seasonal basis.
23 And I think it's important -- or it's important
24 for -- for -- for the Navy to -- to tell us why they
25 should not sample. I mean, I think that's a -- that's a

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1 fair request. I think it's exactly what you asked.
2 MR. RAMSEY: Sometimes we just have to be
3 patient. They're going to do more sampling now, I
4 guess, Peter. So the Navy does know now that Site 13
5 will probably be like quarterly sampling. So I think
6 we'll know what the sampling should be now that the
7 perchlorate detections have come in.
8 MR. STRAUSS: Nitrate -- although -- nitrate
9 is -- the MCL is about four times higher than the PRG.
10 MR. RAMSEY: It's like 30.
11 MR. STRAUSS: But reading through the -- the --
12 the site investigation it seemed like nine cattle died
13 from nitrate poisoning in that area.
14 And now I have a question in to Steve for --
15 for some time about what -- what was done about that and
16 whether that was taken care of in any way. And so --
17 but I think it's an issue that should be elevated to
18 some level of concern here.
19 A lot of people are going to disagree with me
20 on that first point, which is that lead in soils should
21 be of concern. What I did not find in the -- in the
22 ROD, and the justification for why lead is not used, is
23 the fact that it was a machine gun firing range for a
24 very short time. And I don't know if that went by
25 people.

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1 And if it was, if we have a lot of bullets out
2 there, then there are ways to -- there might be very
3 cheap ways to -- to -- to clean that up. But what the
4 Navy did was sample in -- I guess in two trench
5 locations and had high hits and then sampled next to
6 that and could not find anything, and as a result they
7 concluded that lead's not a problem. It's spotty, but
8 it might be more spotty than -- than we think.

9 I am very concerned about the ecological risk
10 assessment. If you read the report -- my report, I go
11 into a little more detail, but it's on a low -- there --
12 they have a -- they use an HI for -- a hazard index for
13 species as well, and the -- the hazard index greater
14 than one should be -- should have some action associated
15 with it.

16 For the quail and coyote, even on the low dose,
17 which they adopt -- which the Navy has adopted, it seems
18 that they -- they -- they have dismissed it and --
19 because they think the range is too -- for a coyote or a
20 quail is just too wide, and this is a very small area.

21 But the other scenario which, from my
22 perspective, I would use, which is the high dose -- high
23 reference dose, then you would find that all the species
24 that they studied have a hazard index greater than one,
25 and I think that's of concern.

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1 This last -- I'm --
2 I wasn't sure whether to put this in, this last
3 point. In 1992 they did a geophysical survey and
4 inspection for UXO and found debris but no UXO,
5 Unexplained Ordnance. The accuracy of the detection
6 equipment has greatly improved, and I don't think it's
7 very costly to go out there before they close this site
8 to do that again. They found some UXO on the site in
9 the past. This is the perfect place for it.

10 MR. STRALKA: Again, the conceptual model there
11 was this was -- the hits that were out there were areas
12 where they disposed of out-of-spec old ordnance and
13 whatever, so it wasn't inconceivable that they would
14 find pieces like they did. They found pieces of
15 ordnance, pins, and things like that.

16 But it also wasn't a known impact zone. I
17 mean, they weren't firing things out there as opposed to
18 just digging the pit and burning. The pits were very
19 obvious. I mean, there were scars where they had hits
20 when they walked out there that were obvious. Those
21 were marked. That's why it was consistent with our
22 conceptual model when they found lead in the pits,
23 because if you took an ordnance and you burned it, you
24 have lead associated with that.

25 You know, you burn off the chemical, and you

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1 still have the lead and the debris in the soil. That
2 made sense with the conceptual model. And then they
3 didn't find it outside the pits. That kind of supported
4 that that's how it was being disposed.

5 There weren't burns, per se, unlike the pistol
6 range where you do have a target and you're shooting
7 into it, you have a backstop. There really wasn't
8 backstops out there designed such that may have -- that
9 would have been used for a long period of time. I
10 mean -- so, there wasn't a construction of a -- of a
11 range, if you will, small arms or whatever.

12 MR. STRAUSS: Are you referring to the machine
13 gun range or --

14 MR. STRALKA: See, I guess the machine gun --
15 it wasn't a range.

16 MR. RAMSEY: Well, I think, just talking a
17 little bit about some of the site history, Site 13, like
18 I said, based on -- we don't have known areas, here's
19 the targets; right?

20 It was being constructed for railcar storage
21 they didn't complete. So they had these natural
22 occurring little valleys or gullies down there appear to
23 be the sources that Navy personnel were saying this is
24 where we dumped these things, which is the burning, or
25 this is the pit we did our fire training and where

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1 the --

2 MR. STRALKA: Ordnance.

3 MR. STRAUSS: Napalm was burned, and, you know,
4 5000, I think, pounds -- 500,000 pounds.

5 MR. RAMSEY: All the black powder over the
6 years, right.

7 Because I know it's like Dan was talking about
8 it, and I've seen the area where the high lead, Peter --
9 I walked out at that site several times. The area that
10 had one -- I think it was a 2000 part per million hit of
11 lead. That same revetment I found little blobs of
12 melted aluminum. I've never seen -- I've walked quite a
13 bit of that site and never seen any projectiles or
14 anything like that but -- just from our walking around
15 the site but. . . .

16 MR. BOYER: I'm sorry.

17 MS. WALLERSTEIN: Go ahead.

18 It's 8:30 now. We have two more agenda items.

19 If anybody wants to stay after and ask
20 questions, they're certainly welcome to, but I would
21 like to wrap up the meeting. I don't want us to get
22 into the habit of going overtime.

23 Is that okay with everyone?

24 MR. STRAUSS: Can I get a little bit of
25 feedback from the community members here?

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1 MS. WILLIAMS: Start with them.
2 MR. STRAUSS: Is this what you were looking for
3 as an independent --
4 MR. GRIFFITH: I think it's important that
5 somehow you receive all of the most recent documents,
6 make sure that you receive everything available, but the
7 format seems really good in terms of reviewing it.
8 MR. STRAUSS: Okay.
9 MR. TYAHLA: Just to chime in real quickly,
10 Site 13, I think everybody knows from the Site
11 Management Plan that ROD is not being pushed forward
12 right now because we found perchlorate at the site. So
13 we're still going to assess the site to some extent
14 based on that finding. I just want to make that clear.
15 And, also, for both of these reports, I mean,
16 there are a lot of comments in here from Peter. I
17 didn't want to talk -- to respond to those comments
18 tonight, but we will be preparing written responses to
19 comments. Now, when we issue that, kind of uncertain,
20 because it might be worthwhile to issue that prior to
21 him finalizing his report.
22 So, there might be some things we say, okay,
23 makes sense, but we'll have to talk about that amongst
24 ourselves, the Navy, what we want to respond to the
25 comments we're drawing from draft reports and decide how

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1 to do that.
2 MR. STRAUSS: Right.
3 And, you know, I just want to make sure -- make
4 clear that I'm not accusing the Navy of doing things
5 that are untoward. I'm reading documents. Really, I'm
6 trying to do an independent job and -- from the
7 community perspective, the communities that I've worked
8 with in the past.
9 MR. SKAREDOFF: I'd just like to make a couple
10 of comments.
11 One of them is this kind of stuff that you're
12 presenting here, Peter, is very much in line with my own
13 personal approach to looking at these things. I've done
14 a similar kind of thing for SWMUS, for instance. I
15 don't have time to do that kind of in-depth work for
16 every possible thing, so I think this is very valuable
17 for me. So I feel comfortable that you're looking at
18 them the way I would if I had more time for looking at
19 them in more detail.
20 The other comment I would like to make is to
21 Steve. And that is, when you do make the replies, I
22 think it would be good to schedule some time during one
23 of our meetings to actually hear those replies and have
24 a little discussion around them at the time. I think we
25 could probably cut through a whole lot of shuffling of

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1 letters back and forth if we just talked about it at the
2 time because that way, you know, we'll all kind of be
3 there to hear all these things happening at the same
4 time. It would be a much more efficient way to come to
5 a final agreement.
6 MR. STRAUSS: Yeah. Unfortunately, we're
7 running up against a contract deadline. My contract
8 expires with the Navy on December 31st. So we have one
9 more RAB meeting, and I will be on schedule to present a
10 couple of more reports.
11 Maybe we can -- maybe we can work out in the
12 meantime what it is that you would like me to present,
13 either replies to -- because these are the two main
14 sites. As I see it right now, as I've read them, these
15 are the two sort of things that, you know, pop out to
16 me.
17 MR. SKAREDOFF: Well, I think that in -- if,
18 say, these are -- replies show up after your contract
19 runs out and you're not able to be here, I think it
20 would be what would be likeliest. When the rest of us
21 are still here and we're hearing the Navy replies to
22 them, we can still have a meaningful discussion.
23 MR. STRAUSS: Thank you.
24 MR. GRIFFITH: Also, in terms of format, I
25 thought what might make it go a little more quickly and

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1 more meaningful is if you could have some discussion
2 with Navy representatives and the U.S. EPA about some of
3 the content. For instance, if you were to go through
4 this bullet list with them before presenting to us, you
5 could probably knock out a few of the items that have
6 been --
7 MR. STRAUSS: That's right. You're right.
8 MR. GRIFFITH: -- that have been addressed
9 already before coming to us. So maybe that could help
10 with efficiency.
11 MR. STRAUSS: You're right.
12 MR. GRIFFITH: And the ones they do go, okay,
13 you do have a good point, we will investigate further,
14 those are the ones you present to us.
15 MR. STRAUSS: Yeah, you're right.
16 MR. COOPER: Well, but even the ones that you
17 might present disagreement on, it's important for the
18 community to know what Peter or any other contractor has
19 seen, even if there is a disagreement.
20 MR. GRIFFITH: I'm not talking about the ones
21 they disagree about.
22 MR. STRAUSS: I mean, about III, I wanted -- I
23 wanted to make sure that EPA reviewed --
24 MR. GRIFFITH: We want to hear about the ones
25 he disagrees about. It's the ones that are already

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1 addressed or there is a -- a very specific reason that
 2 can be resolved or explained versus things that he
 3 disagrees with in the report. We want to hear about the
 4 disagreements, of course.

5 MR. COOPER: Then reversing what I just said, I
 6 think it's also important for you folks to see where
 7 there is -- where ultimately there is some agreement
 8 because if the Navy is doing their job right and Peter
 9 has a question about that, or any contractor, I think
 10 it's important for you folks to know that this issue has
 11 been raised and, you know, constructive minds have
 12 looked at it and decided it's not an issue or whatever,
 13 and not just only -- in other words, not only report
 14 about the problems and the disagreements but also places
 15 where, basically, your contractor is confirming that the
 16 Navy is doing good work, or the EPA, blah, blah, blah.

17 MR. GRIFFITH: To a certain extent.

18 MR. COOPER: Using less time.

19 MR. GRIFFITH: Pretty much, but not for the
 20 items that are cut-and-dry, though. I mean, that can be
 21 determined by whoever's involved. If it's like such a
 22 simple answer like, oh, you didn't see the most recent
 23 report, you could knock that out.

24 MR. COOPER: Of course.

25 MR. GRIFFITH: Yeah, just talking about that.

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1 MS. WALLERSTEIN: Okay. Thank you very much,
 2 Peter.

3 Okay. Reports and announcements. I guess
 4 Mary Lou was going to talk about membership.

5 MS. WILLIAMS: I'm asking, and I see that we're
 6 short another community member, that I'd like to appoint
 7 a membership committee this month because we need -- we
 8 really -- now we're down to six people. We need to
 9 recruit.

10 And so anybody that's here, if you're
 11 interested in serving on the membership committee, give
 12 me a call because we want to get started by the next --
 13 no later than the next RAB meeting in November, whatever
 14 that date is.

15 And I have some ideas of who we can contact --
 16 try to contact. I understand that the Navy has tons of
 17 resources including --

18 Is anybody here a member of any of the military
 19 veterans groups because that would be a good source to
 20 contact? I personally don't know anybody except World
 21 War II vets, and I think they're a little beyond that.

22 But I'd appreciate anybody willing to serve on
 23 the nominating committee to please give me a call. And
 24 also even -- even the government agency people that are
 25 here, if you know of a neighbor or a friend or somebody

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1 that might be interested, you know, give us their name
 2 or have them contact me. I don't believe it would be a
 3 conflict of interest on your part, but we need bodies,
 4 and let's get going here.

5 That's all I have to say right now.

6 MS. WALLERSTEIN: Okay. I guess to follow up
 7 on that, I think -- I think really our most important
 8 source of leads for possible RAB members are the
 9 existing RAB members and people that are out and about
 10 and active in the community. So I would really urge
 11 everybody to recruit as much as possible.

12 We also -- I've got down here community
 13 outreach activities. One thing we did do, we went to
 14 the watershed celebration with the Alhambra Creek
 15 Watershed Group. Joanna and I went. We hosted a booth.
 16 This was the display we had at the booth. We got a
 17 number of people to sign up for the mailing list.
 18 Igor has a copy of the watershed map.

19 MR. SKAREDOFF: This is a copy of the map that
 20 was basically the foundation for the meeting. I'll just
 21 pass it around. People can take a look, see what you
 22 think.

23 Phillip, you've probably seen it; right?

24 MR. RAMSEY: Yeah, I went in, and I didn't get
 25 one either.

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1 MR. SKAREDOFF: Five bucks.

2 MS. WALLERSTEIN: Phillip Ramsey attended, as
 3 did Mario Menesini, and it really was a great -- Joanna
 4 and I really had a good time there. It was really a
 5 great outpouring of, you know, community support and,
 6 you know, rallying around, you know, this group that's
 7 really working so hard to improve the watershed, and it
 8 was a lot of fun, especially the opera singers.

9 MR. SKAREDOFF: There is -- there is a movement
 10 afloat to try to develop a watershed group for Diablo
 11 Creek, which runs through -- through the site, so . . .

12 MS. WALLERSTEIN: We'll go to their celebration
 13 too.

14 Then we're also planning more community
 15 outreach activities. I guess you have -- have
 16 requested -- in the past Tetra Tech has helped us to
 17 develop, you know, a presentation that we go out and
 18 talk to, for instance, your group or a Rotary Club. And
 19 that will also be, you know, community outreach, and,
 20 you know, let more people know what's going on and also
 21 hopefully to get more interested in the RAB.

22 MR. COOPER: Speaking of community outreach, I
 23 can't remember off the top of my head when the last Fact
 24 Sheet has gone out to update the community on things,
 25 but you could also put -- in that mailing list you could

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1 put in a notice that you're looking for RAB members when
2 you do the next one of those.
3 MS. WALLERSTEIN: Good idea.
4 MR. COOPER: Whenever. Probably soon. I can't
5 remember if we said we were going to do quarterly
6 updates or send biannuals, but it's --
7 MS. CANEPA: It was January. The last one was
8 in January.
9 MR. COOPER: Oh, well, then now would be a good
10 time.
11 MR. RAMSEY: There was some initial discussion
12 about topics and what could we focus on.
13 MS. WALLERSTEIN: Yeah. We got input from the
14 RAB members on that, and we're working on the Fact Sheet
15 now.
16 When is it going to be coming out?
17 MS. CANEPA: We're developing the schedule
18 still, but it will probably be late November.
19 MR. COOPER: Oh, good. Okay.
20 MS. CANEPA: If all the review processes flow
21 along. I mean, obviously it needs review.
22 MR. SKAREDOFF: There will be an outreach
23 opportunity on November 12th. It would be the Watershed
24 Symposium. It will be a countywide -- sort of like a
25 countywide version of what we did.

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1 MS. WALLERSTEIN: The Watershed Symposium.
2 MR. SKAREDOFF: Watershed Symposium. It will
3 be from 8:30 in the morning until 3:30 in the afternoon
4 at the Shadelands Center in Walnut Creek. And the
5 contact person for that would be John Kopchik at Contra
6 Costa County Development.
7 MS. WALLERSTEIN: I have his contact
8 information.
9 MR. SKAREDOFF: So, that will be a similar
10 opportunity except a wider audience. So maybe provide
11 some outreach and maybe recruit some more members there.
12 MS. WALLERSTEIN: Okay. Thank you.
13 Moving on to the RAB 2004 schedule. I'm sorry,
14 I didn't bring -- I had picked out dates and sent them
15 by Mary Lou. Basically we're sticking to the first
16 Monday of every month. And I think the only time that
17 slips is, again, I think for 4th of July and I believe
18 Labor Day, Labor Day weekend.
19 But I'm assuming that the first Monday is fine
20 with the RAB members to continue with. Okay.
21 And then the last thing that I didn't put down
22 here is -- should be under unresolved business. We're
23 planning on having Tetra Tech do the next -- training
24 next November on fate and transport.
25 So, is that acceptable to the community RAB

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1 members?
2 MR. RAMSEY: So next month?
3 MS. WALLERSTEIN: Next month, yeah.
4 MR. GRIFFITH: Excuse me.
5 MS. WALLERSTEIN: I guess that brings us to the
6 agenda for the next meeting.
7 Yes.
8 MR. GRIFFITH: Can I request in that
9 presentation we have another format with a case study of
10 the actual site, something like that? It's really
11 helpful. It's directly related. It gives some
12 substance.
13 MS. WALLERSTEIN: M-hmm.
14 MR. GRIFFITH: Thanks.
15 MS. WALLERSTEIN: So the agenda for the next
16 meeting, then, we have the training on board and then
17 it --
18 Is Peter Strauss or Patrick Lynch coming?
19 MS. WILLIAMS: Peter is finishing. And I was
20 under the impression from Ray that Patrick has a report.
21 Do you know anything?
22 MR. COOPER: I'm not sure. It's really too bad
23 that he left because he really should speak.
24 My understanding, there have been some issues
25 about how the final product was going to come out, and

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1 so it's not clear to me whether Patrick would be
2 presenting it or not.
3 MS. WILLIAMS: Well, I can E-mail him when I
4 get home tonight because he's been very involved with
5 Marcus the last couple of weeks.
6 MR. COOPER: You'll be E-mailing Ray?
7 MS. WILLIAMS: Yeah; not Marcus.
8 MR. COOPER: I thought maybe you were saying
9 Patrick.
10 MS. WILLIAMS: No; I'll E-mail Ray and ask him
11 about that.
12 MR. COOPER: That will be best.
13 MS. WALLERSTEIN: I'll make sure I contact Ray
14 also.
15 So we'll finalize whether or not Patrick Lynch
16 is coming this next week.
17 Okay. Since we're 15 minutes over time, Steve
18 has suggested that we delay the remedial project
19 managers' update until the next meeting if there's
20 nothing of --
21 MR. TYAHLA: It's up to the RAB.
22 MR. BOYER: Or E-mail your notes out to us.
23 One of the two.
24 MR. TYAHLA: Well, the one handout that is out
25 there is what did the RPMs do this month.

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1 MR. GRIFFITH: This is really helpful. It's a
2 good format.
3 MR. TYAHLA: Notice the nice little NAVFAC logo
4 on the top? Very stylish.
5 There is one little thing that's not on there,
6 and I'll point it out, Phillip corrected me, that we had
7 two conference calls regarding the SWMUS Sampling
8 Analysis Plan. I forget the date.
9 It was the 11th and the 15th, I believe,
10 Phillip.
11 MR. RAMSEY: Yeah.
12 MR. TYAHLA: So, you know, we worked hard on
13 that this past month. So, that's the only reason we
14 don't point that out, and it kind of tells you what
15 we've been up to.
16 MR. SKAREDOFF: I guess, are there any
17 time-sensitive issues that we need to know about before
18 next month?
19 MR. COOPER: That's a good question.
20 MR. RAMSEY: I mean, I can maybe use that as a
21 little segue. Igor or Steve, you want me to maybe get
22 in my RPM meetings in a minute or something, if I answer
23 that?
24 I was going to elaborate. I mean, the EPA is
25 looking at a number of documents. I brought these here
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1 just to show everyone real quickly (indicating).
2 EPA just wrote a letter too. We asked for a
3 three-week extension on finishing -- this is the Tidal
4 Area Sites 2, 9, and 11 Remedial Investigation. We have
5 just written a letter to the Navy asking for two things
6 on this document. One, we asked for a three-week
7 extension because it has a long, complex history. And
8 the other thing we've asked the Navy is to consider
9 renaming this or reclassifying it from a revised draft
10 final to a draft. And this is, again, because it has a
11 very long history. We're still going through it.
12 So we're suggesting that also as a way to
13 possibly try to work through the ongoing issues with
14 this RI to get it wrapped up. That's one way we're
15 suggesting the Navy to consider doing that.
16 So, that document is still out. So the
17 public -- we've asked, and if Steve doesn't answer like
18 in a day or two, I think there is a default approval in
19 our FFA document.
20 MR. TYAHLA: Oh, is there?
21 MR. RAMSEY: I found out about it. Five days
22 you've got to respond, or it's a default; and the same
23 applies to us.
24 The other is, folks, we're looking at -- we
25 have a little report on the groundwater sampling 13 and
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1 22. So just a snapshot of the last round of sampling
2 they did. Peter was -- mentioned the perchlorate. So
3 this was just -- it's not a primary document. It's just
4 kind of a sampling report. We did have one month, and
5 our comments are due in a couple of -- actually, it's
6 due this week. It's actually tomorrow, Steve, and EPA
7 will get this to you here this week.
8 We're meeting with the Navy on the Site 1 ROD
9 tomorrow.
10 And the other documents you have out -- Igor,
11 in answer to your question -- is the sampling plan
12 that's for the Site 22. So the Navy does have a SAP
13 out. The comments were due from the agencies the 14th.
14 So we've still got a little bit of time.
15 And just so folks know, we are working with the
16 Navy on -- maybe just for the RPM session, just to add a
17 minute or two here, if that's okay with folks, is we are
18 meeting with the Navy on the Site 1 ROD that we had sent
19 our letters back on the 22nd of August. This is the
20 redline strikeout Record of Decision received from the
21 Navy on Thursday. This takes about twice as much paper,
22 and so we're going to be meeting with the Navy tomorrow
23 to be discussing the Site 1 ROD.
24 The good thing I'm finding as I'm looking
25 through all these 200 pages is where is the
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1 disagreements. And so the Navy is going to have to help
2 us here. We're under the impression -- since they were
3 kind enough to invoke the informal dispute on this
4 Record of Decision, we're still trying to find out where
5 the real problems are.
6 It appears lots of this stuff the Navy is
7 agreeing to the changes we've requested, at least that's
8 my interpretation. So, what we're going to have to find
9 out tomorrow is where is the disagreement. I -- you
10 know, lots of paper there. And I guess they didn't make
11 it easy for EPA to say on page so and so.
12 There are some -- I think some ARARs, the
13 Applicable or Relevant and Appropriate Requirements, the
14 closure laws that will be decided for this decision. We
15 know somewhere in there there is an ARAR or two or three
16 that the Navy is having some problem with accepting the
17 language changes we have given them. So --
18 MR. TYAHLA: Could I add to the Site 1 ROD? I
19 know this is the kind of discussion you wanted, and this
20 will only take a second. We sent --
21 We're passing around a marked copy of the ROD.
22 We color coded the key areas that need to get resolved.
23 So Phillip is kind of being tough on me there. But we
24 shaded parts that we thought would be controversial.
25 But there is a lot that we agreed to. There is
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1 like text issues. We kind of just said, yeah, we could
2 fix that. And there is some more substantive things, if
3 you want to call them that, that are more the things the
4 lawyers are going to have to agree to the details, which
5 is why we couldn't just carte blanche say we agree.
6 Our lawyers have a call from the Navy regarding
7 ARARS, and then EPA has what they want us to do
8 regarding ARARS. So tomorrow hopefully Phil and I are
9 going to get bored, the lawyers can talk about the
10 technical details or whatever. That's kind of what I'm
11 anticipating. But for a lot of textual changes, yeah,
12 we're going to make them.
13 MR. RAMSEY: And I think that's about it.
14 That's my RPM update. That's a quick summary.
15 MS. WALLERSTEIN: Laurent, do you have anything
16 that can't wait until next month?
17 MR. MEILLIER: Yeah, I can.
18 MS. WALLERSTEIN: Jim?
19 MR. PINASCO: I can wait until next month.
20 MR. RAMSEY: I was going to say, you will be
21 here next month; right, Jim?
22 MR. PINASCO: We'll see.
23 MR. RAMSEY: Like everybody vote tomorrow;
24 right?
25 MR. SKAREDOFF: Go and vote, yeah.

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1 MR. COOPER: Vote twice.
2 MS. WALLERSTEIN: Do we have a motion to
3 adjourn?
4 MR. BOYER: Motion to adjourn.
5 MS. WILLIAMS: Second.
6 All those in favor?
7 THE BOARD: Aye.
8 (Off record at 8:52 p.m., 10/6/03.)
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CERTIFICATE OF REPORTER

I, JANINE P. GAMBLE, Certified Shorthand Reporter of the State of California, do hereby certify that the foregoing meeting was reported by me stenographically to the best of my ability at the time and place aforementioned.

IN WITNESS WHEREOF I have hereunto set my hand this 21st day of October, 2003.

JANINE P. GAMBLE
JANINE P. GAMBLE, RPR, C.S.R. No. 10372

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