

RESTORATION ADVISORY BOARD

Martinez, California

Meeting of February 2, 2004

Reporter's Transcript

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6 NAVAL WEAPONS STATION
7 SEAL BEACH DETACHMENT (CONCORD)
8 RESTORATION ADVISORY BOARD
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12 REPORTER'S TRANSCRIPT OF MEETING
13 February 2, 2004
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15 Martinez Sheriff's Station
16 1980 Muir Road
17 Martinez, California
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20 Reported by Janine P. Gamble, RPR, C.S.R. No. 10372
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1 OTHER ATTENDEES
2
3 CAROL ARNOLD - Contra Costa Resource Conservation
4 District
5 CLAUDETTE ALTAMIRANO - Weston Solutions
6 HARRY BYRNE - Concord resident
7 JOANNA CANEPA - Tetra Tech Em Inc.
8 DAVID COOPER - U.S. Environmental Protection Agency
9 (EPA)
10 KEVIN CORNISH - Lafayette resident
11 BRUCE GERSMAN - Concord Transcript
12 CAROLYN HUNTER - Tetra Tech EM Inc.
13 CATHY IVERS - Martinez resident
14 LIBBY LEVY - Agency for Toxic Substances and Disease
15 (ATSDR) Registry
16 PATRICK LYNCH - Clearwater Revival Company
17 DEAN McLEOD - CNWLRA
18 GREGG SMITH - United States Navy
19 TAMARA ZIELINSKI - Tetra Tech EM Inc.
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23
24
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1 PARTICIPANTS
2
3 COCHAIRS: MARGARET WALLERSTEIN - United States Navy
4 MARY LOUISE WILLIAMS - Concord resident
5
6 RAB MEMBERS:
7 CHRISTOPHER BOYER - Martinez resident
8 DAVID L. GRIFFITH - City of Concord representative
9 ED MCGEE - Martinez resident
10 LAURENT MEILLIER - San Francisco Bay Regional Water
11 (SFRWQCB) Quality Control Board
12 MARIO MENESINI - Walnut Creek resident
13 RAY O'BRIEN - Bay Point resident
14 JIM PINASCO - Department of Toxic Substances Control
15 (DTSC)
16 PHILLIP RAMSEY - U.S. Environmental Protection Agency
17 (EPA)
18 IGOR O. SKAREDOFF - Martinez resident
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1 MARTINEZ, CALIFORNIA, MONDAY, FEBRUARY 2, 2004
2 6:30 P.M.
3 ---o0o---
4 MS. WILLIAMS: Good evening. Welcome to the
5 Restoration Advisory Board, Concord Naval Weapons
6 Station, Seal Beach Detachment. This is the meeting of
7 February 2nd, 2004.
8 We'll start out with introductions.
9 I'm Mary Lou Williams, the community cochair.
10 MS. WALLERSTEIN: I'm Margaret Wallerstein, the
11 Navy cochair.
12 MR. O'BRIEN: Ray O'Brien, Bay Point resident.
13 MR. RAMSEY: I'm Phillip Ramsey with the United
14 States Environmental Protection Agency.
15 MS. CANEPA: I'm Joanna Canepa. I'm with Tetra
16 Tech. We're a contractor to the Navy.
17 MR. SMITH: And I'm Gregg Smith, the Public
18 Affairs Officer for the Naval Weapons Station.
19 MS. WALLERSTEIN: Okay. And how about --
20 MR. MEILLIER: I'm Laurent Meillier with the
21 Regional Water Quality Control Board.
22 MR. SKAREDOFF: I'm Igor Skaredoff, Martinez
23 resident.
24 MR. BOYER: Chris Boyer, Martinez resident.
25 MR. MCGEE: I'm Ed McGee, Martinez resident.

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1 MS. WALLERSTEIN: Mario, it's your turn to
2 introduce yourself.
3 MR. MENESINI: Thank you.
4 Mario Menesini from Walnut Creek, Central
5 Sanitation District as well.
6 MS. WALLERSTEIN: Okay. Can we start over
7 here?
8 MR. GERSMAN: Bruce Gersman, reporter with the
9 Concord Transcript.
10 MS. IVERS: Cathy Ivers, Martinez resident.
11 MR. BYRNE: Harry Byrne, Concord.
12 MS. BYRNE: Beth Byrne, Concord.
13 MS. ARNOLD: Carol Arnold with the Contra Costa
14 Resource Conservation District.
15 MR. COOPER: David Cooper, U.S. Environmental
16 Protection Agency.
17 MR. CORNISH: Kevin Cornish from Lafayette.
18 MS. LEVY: Libby Levy with ATSDR.
19 MS. ALTAMIRANO: Claudette Altamirano with
20 Weston Solutions.
21 MS. WILLIAMS: Okay. Are there any comments
22 from the public, please?
23 (No audible response elicited.)
24 MS. WALLERSTEIN: Hearing none, we'll move on
25 to the next item, which is the agenda approval and

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1 agenda management.
2 Pardon?
3 MS. WALLERSTEIN: That's next. You want me to
4 do it?
5 MS. WILLIAMS: Yeah.
6 MS. WALLERSTEIN: Okay. The proposed agenda
7 for this evening has been changed from the one that was
8 first sent out. And the major change was to move the
9 TAG presentation to the March agenda and take it off the
10 February agenda. So -- usually the first thing we do is
11 go ahead and approve the agenda for this evening.
12 So, does anybody have any questions on this?
13 Okay. Do I have --
14 Do I have a motion to approve the agenda?
15 MR. MENESINI: Move to approve the agenda.
16 MR. O'BRIEN: Second.
17 MS. WALLERSTEIN: All those in favor?
18 THE BOARD: Aye.
19 MS. WALLERSTEIN: Oh, I forgot to say
20 discussion.
21 Discussion?
22 THE BOARD: (No audible response elicited.)
23 MS. WALLERSTEIN: All those in favor, Aye.
24 THE BOARD: Aye.
25 MS. WALLERSTEIN: I'd also like to have a vote

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1 to approve the March agenda. And I don't know -- I did
2 E-mail it out to all of the RAB members, and I hope you
3 all had a chance to review it.
4 MR. MENESINI: I move approval.
5 MS. WALLERSTEIN: Second?
6 MR. BOYER: Second.
7 MS. WALLERSTEIN: Discussion?
8 MR. O'BRIEN: Is this in lieu of approving the
9 agenda at the meeting, at the beginning of the meeting?
10 MS. WALLERSTEIN: Oh, yeah.
11 What I would like to do from now on is at each
12 meeting to approve the agenda for the following month so
13 that if there are any questions about, you know, what's
14 on the agenda or the timing, that we can discuss it
15 ahead of time and resolve them.
16 MR. O'BRIEN: (Nods head.)
17 MS. CANEPA: There are copies of this agenda.
18 MS. WALLERSTEIN: Yeah, I E-mailed copies of
19 the agenda out.
20 Okay. The next thing, we had a proposed RAB
21 agenda for 2004, I believe at the last meeting. And I
22 E-mailed another copy of the proposed RAB agendas for
23 2004.
24 And, as we discussed at the last meeting, the
25 reason that we did this was so that we could take a

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1 long-term view of what's coming down -- you know, what's
2 coming down the pike for the upcoming RAB meetings so
3 that we can plan accordingly and make sure that the RAB
4 is able to have the presentations and information that
5 they feel is necessary. So I E-mailed this out to all
6 of the RAB members.
7 Does anybody have any questions on it? It
8 looks like this (indicating).
9 MS. WILLIAMS: Well, this agenda -- it can be
10 modified if the need arises, can't it?
11 MS. WALLERSTEIN: Yeah. This is -- this is
12 just a planning tool.
13 And, actually, there are two things that are
14 asterisked on there, in May the Litigation Area Draft
15 Post-Remedial Action Monitoring Plan, and then in June
16 the Litigation Area data gaps technical memo. Those are
17 asterisked. Those are two items that are more likely to
18 be delayed.
19 And I just intended for this to be used as a
20 planning tool so that as we're deciding, you know, what
21 should go on what agenda, that we see how that affects
22 things downstream.
23 There are two things that are not on this list.
24 One item is, I understand, I think it was you, Ray, had
25 asked for a presentation on how the Integrated Natural

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1 Resources Management Plan relates to the IR Program, and
2 that's -- that's not on this list.

3 The other thing that's not on this list is I'm
4 assuming that sometime in late summer to fall time
5 period the ATSDR will issue their draft report on their
6 public health assessment. And I'm assuming that the RAB
7 would want to hear a presentation on that.

8 But if we have this before us, we can see what
9 our schedules are going to look like and decide which
10 presentations are most important and what you want to
11 hear.

12 So, does anybody have any questions?

13 MR. O'BRIEN: So why aren't we putting those
14 two items on the agendas?

15 MS. WALLERSTEIN: Well, they can be put on, but
16 what would probably -- what we'd have to do is -- well,
17 for example, if you wanted to have them on the March
18 agenda, you know, they probably won't fit there unless
19 you said, you know, we don't want to hear about the
20 Site 13 groundwater work, which I think you do.

21 But, you know, this is just a planning tool so
22 that anybody who wants a particular presentation, or if
23 we have a lot of documents coming out within a short
24 period of time, the RAB may say we don't need a
25 presentation on this, you know, if you can just provide

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1 us some written information, or maybe it's a smaller
2 thing we can handle as part of the remedial project
3 managers' section of the meeting.

4 But it's simply a planning tool. There is no
5 magic to something being on or off this per se. But I'm
6 looking -- I just didn't put the ATSDR on there because
7 it didn't really fit anywhere. And I'm sure that --
8 especially as we get later in the year -- more of those
9 things will change. And at that point when the draft --

10 I also don't know when the draft report is
11 coming out. It could be anywhere from late summer to --
12 to late fall. So when we know -- when we have a better
13 idea of when that's coming out, then we can discuss
14 whether we would have a presentation at the meeting, if
15 we felt we needed one.

16 Are there any more questions?

17 Okay. Yeah, and I'd like us to vote on this.
18 Not to adopt this, you know, as it is carved in stone
19 now, but that we adopt this as a planning tool for use
20 in managing our future agendas.

21 MR. SKAREDOFF: Do you need a motion for that?

22 MS. WALLERSTEIN: Yeah, I'd like to vote on it.

23 MR. SKAREDOFF: Have we already motioned? I
24 will move that we adopt this forward schedule of agendas
25 as a planning tool.

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1 MR. MCGEE: Second the motion.

2 MR. MENESINI: Okay.

3 MS. WALLERSTEIN: Mario seconded.

4 Is there any further discussion?

5 MR. O'BRIEN: Yeah, I'd like to see these two
6 items that we have no place for listed on a separate
7 list so they don't drop through the cracks.

8 MS. WALLERSTEIN: Okay. All right. Then I can
9 add on the bottom just a list of things that we're
10 considering or, you know, that need to be fit in
11 someplace.

12 MR. O'BRIEN: That would be great.

13 MS. WALLERSTEIN: Okay. With that amendment
14 then.

15 MR. SKAREDOFF: I'll agree to the amendment.

16 We need to vote on the amendment now?

17 MS. WALLERSTEIN: No; I think we can just add
18 it in the discussion.

19 Okay. INRMP and ATSDR.

20 MR. RAMSEY: Margaret, can I ask a question
21 about one of these? For June it indicates Site 22
22 Revised Draft Supplemental RI. Is that actually a
23 presentation on the work plan? I don't believe you're
24 going to have the results. So, that's going to be the
25 RI -- the RI work plan.

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1 MS. WALLERSTEIN: Okay.

2 MR. RAMSEY: Just, again, we won't be reporting
3 on the results of the sampling yet. It's the plan to do
4 the sampling.

5 MS. WALLERSTEIN: Right. That's why this is
6 changeable.

7 MR. RAMSEY: So folks understand.

8 MS. WALLERSTEIN: Uh-huh.

9 Okay. Is there any more discussion? Any
10 additional comments?

11 Okay. All those in favor, Aye.

12 THE BOARD: Aye.

13 MS. WALLERSTEIN: Opposed?

14 THE BOARD: (No audible response elicited.)

15 MS. WALLERSTEIN: Motion passed.

16 Okay. That brings us to --

17 At the last meeting we didn't approve the
18 January 5th transcript so -- oops, I'm reading from the
19 wrong agenda.

20 Okay. The next -- the next thing is approval
21 of the January 5th meeting transcript.

22 MR. O'BRIEN: Well, in a discussion prior to
23 tonight's meeting with Mary Lou -- or with Joanna,
24 actually, she said we were not going to approve the
25 transcript because it was only handed to us tonight.

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1 MS. CANEPA: Maybe Carolyn.
2 MR. O'BRIEN: Oh, maybe Carolyn.
3 MS. WILLIAMS: It was me, that I was going
4 to --
5 MS. WALLERSTEIN: Oh, okay.
6 MS. WILLIAMS: -- to suggest that we don't
7 approve the January 5th meeting transcript because we
8 just got it tonight, so that we will postpone it and put
9 it over to the March meeting, which will give us a
10 month's time to review it so that we can make any
11 comments or corrections and approve it at the March 1st
12 RAB meeting.
13 MS. WALLERSTEIN: That's right. You and I had
14 discussed it, and that's why it's on the March agenda to
15 approve the January 5th and the 2nd -- February 2nd.
16 So, is that fine with everybody?
17 MR. O'BRIEN: Oh, sure.
18 MS. WALLERSTEIN: Did you make a motion?
19 MR. O'BRIEN: No. I don't think I need to.
20 That's fine. I just was unclear about that. Okay.
21 MS. WALLERSTEIN: Okay. And then the next item
22 on the agenda is the bylaws amendment. And this is the
23 amendment I E-mailed out, the same copy that you've seen
24 before. And this is the amendment that removes the
25 requirement for a court reporter -- a court reporter

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1 transcript of each meeting and stipulates that we'll
2 have minutes prepared for each meeting.
3 So, do I have a motion to approve that
4 amendment to the bylaws?
5 MR. BOYER: I move.
6 MS. WALLERSTEIN: Second?
7 MR. MENESINI: I'll move.
8 MS. WALLERSTEIN: Discussions?
9 MR. O'BRIEN: I would like to encourage all of
10 the members to vote against this motion. I believe it's
11 absolutely necessary to have a verbatim transcript of
12 all of these meetings. Secondly, I think it is highly
13 inappropriate for the Navy's contractor to be taking the
14 minutes of this meeting. So I encourage you to vote
15 against this.
16 MS. WALLERSTEIN: Any other discussion?
17 MS. WILLIAMS: Carolyn passed out to everybody
18 a copy of minutes from Hunters Point. I don't honestly
19 know what the date was on that. But that is the way
20 that Tetra Tech does their minutes, and it's here for
21 your comparison with our transcript. That will help you
22 see what it looks like, what the content is, is this
23 format with the amount of information sufficient, do you
24 want more information in the minutes, do you want less?
25 This is just a little more of a tool to help people make

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1 up their minds.
2 MR. SKAREDOFF: I guess I had a question about
3 the process we would use with these non-verbatim minutes
4 if we adopted them. If someone challenged something
5 that was in there, what would be the procedure for
6 addressing that?
7 MS. WILLIAMS: The meeting is being
8 tape-recorded. So if there was a challenge or a
9 question as to something in the minutes, or that isn't
10 in the minutes, refer back to the tape recording.
11 MR. SKAREDOFF: So we'd have summary minutes,
12 if you will, or edited -- edited minutes and the
13 verbatim recording, tape-recording?
14 MS. WILLIAMS: And what was your suggestion,
15 Margaret, to go beyond that?
16 MS. WALLERSTEIN: We can tape-record the
17 meeting, but we can also do a digital recording, which
18 might be more convenient so that, for instance, if you
19 wanted to listen to the recording of the meeting, we
20 could just E-mail you a voice file and you could listen
21 to it. So, it would be readily available.
22 MR. SKAREDOFF: So, anyway, it would be voice
23 recorded?
24 MS. WALLERSTEIN: Yes.
25 MR. SKAREDOFF: So we'd have a voice recording

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1 and we'd have --
2 MS. WALLERSTEIN: Minutes.
3 MR. SKAREDOFF: -- minutes that are not
4 verbatim?
5 MS. WALLERSTEIN: Right.
6 Well, you have a copy of the Hunters Point
7 minutes. And the minutes also would be similar to -- to
8 what you get from the RPM meeting minutes now, you know,
9 captures the discussion and the decisions and the action
10 items.
11 MR. MENESINI: I've certainly had no occasion
12 to refer back to the verbatim minutes in my experience
13 so far here.
14 And, Ray, do you have something that --
15 MR. O'BRIEN: Well, I have actually referred
16 back to the minutes and -- actually in a RAB meeting,
17 subsequent RAB meeting.
18 I also find the index in the back to be highly
19 useful to zero in on certain things that I would like to
20 research. And I would think that with a tape recording
21 it's going to be a lot more difficult and involve a lot
22 more time on our part. So I see a real value to
23 verbatim minutes.
24 MR. BOYER: Can Tetra Tech run an index of the
25 minutes?

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1 MS. CANEPA: I would imagine so.
 2 MR. BOYER: I think Word does that. So, we
 3 could solve that part by doing that.
 4 MS. CANEPA: Yeah, I don't -- it wouldn't be
 5 the same as, obviously, the transcript. It wouldn't
 6 capture every word. So if that's what's being looked
 7 for, it wouldn't serve that function.
 8 MR. O'BRIEN: I would like to point out again
 9 this is being filtered through Tetra Tech. It's not the
 10 actual transcript.
 11 MS. WALLERSTEIN: Is there any more discussion?
 12 Are we ready to vote?
 13 All those in favor, Aye.
 14 BOARD MEMBERS: Aye.
 15 MS. WALLERSTEIN: Opposed?
 16 MR. O'BRIEN: (Raises hand.)
 17 MS. WALLERSTEIN: Motion carried. Okay.
 18 That --
 19 Well, the next item on the agenda is break, but
 20 it's very early, so we should continue with the
 21 committee reports and announcements.
 22 Do we have anything on the RAB report?
 23 MS. WILLIAMS: I don't have anything.
 24 MS. WALLERSTEIN: That brings us to the
 25 remedial project managers' update. So you guys get lots

1 know, announce -- let them know what we've been working
 2 on here for this month and what kind of issues we've
 3 been dealing with.
 4 We started this month with -- about three days
 5 were spent with -- we had Libby --
 6 MS. WALLERSTEIN: Levy.
 7 MR. RAMSEY: -- Levy with the -- she mentioned
 8 her agency, Agency for Toxic Diseases and Registry,
 9 ATSDR. We were with her about three days the first full
 10 week in January. We had meetings with the Navy and EPA.
 11 the State was there, to inform the Navy of all the
 12 health issues for Concord.
 13 And we had a site tour on the 6th, and then
 14 there was a debriefing that happened on the 7th. So we
 15 spent, you know, a fair part of that week traveling
 16 around the site and having some interactions with this
 17 Agency for Toxic Substances and Disease Registry.
 18 And we had an RPM meeting on the 14th. EPA
 19 issued a letter to the Navy on the 13th that was
 20 invoking informal dispute on Site 22, which is now --
 21 Folks can look on the map. Site 22 is right
 22 down on the border of -- the Concord Dana Estates
 23 neighborhood border. You can see a small Site 22. This
 24 site has now expanded into approximately 500 acres and
 25 encompasses the main Magazine Area of the Inland Area

1 of time tonight.
 2 MR. RAMSEY: What happened to Site 1 ROD
 3 comments?
 4 MS. WALLERSTEIN: That's -- that's next.
 5 Site 1 ROD discussion is last on the agenda.
 6 MR. RAMSEY: Is this the old one?
 7 MS. CANEPA: Yeah.
 8 MR. RAMSEY: Okay. That would help.
 9 Excuse me. Do you want EPA to report first?
 10 MS. WALLERSTEIN: Sure.
 11 MR. RAMSEY: You're looking at me, so. . . .
 12 Well, I was actually planning to be brief this
 13 evening, and I'm sorry that evidently now there's all
 14 this time to talk, and, gee, I don't have any song or
 15 dance or anything organized for anybody.
 16 Real fast, this month, I was looking back at my
 17 calendar --
 18 Are you going to go through Steve's, Margaret,
 19 on his update or --
 20 I typically follow the Navy to really explain
 21 things, but I could elaborate. And I guess folks have
 22 gotten Steve's written RPM report for everybody.
 23 MS. WALLERSTEIN: Yeah.
 24 MR. RAMSEY: Just real quick, for this month --
 25 I mean, what I typically do for people, you

1 where we are looking at a number of issues.
 2 One is the effects of the Navy possibly
 3 pesticide applications that we see an elevated arsenic
 4 concentration in the soil. So we have been reviewing a
 5 draft final sampling plan that we received in December
 6 per the FFA for U.S. EPA. We have a draft final
 7 document. If we have a problem with it, we have a
 8 dispute mechanism, and so U.S. EPA invoked that dispute
 9 mechanism.
 10 And what this letter does, that we had written
 11 to Steve and to the Navy on the 13th, extends the
 12 informal dispute process. We're allowed to talk more
 13 about what the aspects or the concerns we had with that
 14 sampling plan.
 15 And we did have a meeting with the Navy on the
 16 21st of January. And I believe we're still waiting --
 17 I'm not sure if the Navy has sent us something, but
 18 we'll be expecting something soon from them to see if
 19 they --
 20 In general the meeting was actually very
 21 productive. We thought we had reached resolution on the
 22 issues that concern EPA, and I believe the State also
 23 had with the sampling plans. So now we're waiting for
 24 the Navy to put their documentation -- you know, put
 25 their response back in writing to us, and we'll take a

1 look at that.
2 But generally the meeting was very productive,
3 and we think the Navy got the concerns we had. So we're
4 hoping to -- for a favorable response from the Navy on
5 the work that needs to be done.
6 And perhaps -- I don't know how -- it would be
7 nice if we can brief the RAB on what those decisions --
8 what the sampling plan will be, but I guess that's
9 actually what we just talked about for June now is a
10 more elaborate discussion on what the sampling plan is
11 going to be for Site 22.
12 And then toward the end of the month the Navy
13 is doing some fieldwork in the Solid Waste Management
14 Units. These are right near the base entrance, you can
15 see, between the Tidal Area and the Inland Area.
16 Real fast here, excuse me, folks. The SWMUS
17 sites are -- these are all -- the core of the facility
18 is here, the administration, there is maintenance
19 buildings here. This is where the SWMUS sites are,
20 again, Solid Waste Management Units. It's an RCRA term,
21 Resource Conservation Recovery Act of existing hazardous
22 waste or solid waste sites. It's an RCRA term.
23 But these maintenance facilities -- the Navy is
24 doing some additional soil gas work. And so they were
25 out there the 26th. The 27th we went out to see some of

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1 the soil gas sampling being done and to have a little
2 input on some confirmation samplings that are being
3 done.
4 And there was also a lot of discussions.
5 EPA -- just to conclude on the -- kind of the segue to
6 the Site 1 ROD, EPA has had some discussions with both
7 the Navy and we've been having internal discussions on
8 the final modifications to the Site 1 Landfill -- Tidal
9 Area Landfill Record of Decision.
10 And so we have had some discussions with the
11 Navy and, again, we've been having discussions internal
12 and all the way up to EPA headquarters on this, some
13 changes the Navy is proposing on the Record of Decision.
14 And that about does it for EPA for January.
15 Thank you.
16 MS. WALLERSTEIN: Thank you.
17 Laurent.
18 MR. MEILLIER: Okay. I guess to add to what
19 Phillip just stated, the Board met with the Navy as well
20 as with regulators on January 14th, and the Board stated
21 during that meeting that they recommended that the Navy
22 sample for arsenic in the creek and at Site 22 in the
23 groundwater to see if there is any potential
24 contamination of arsenic in the creek emanating from the
25 general area of Site 22. And, also, the Board

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1 recommended that emergent chemicals be sampled in the
2 groundwater as well.
3 And on that same meeting the Board was -- Board
4 staff was pleased to learn that the Navy decided to
5 include two new statements in their -- in the Site 1
6 ROD, one of them being that they are -- they will be
7 characterizing the hydroconductivity of the native
8 geologic material, and the second being that they are
9 going to include gas monitoring and gas venting wells.
10 And then during that same meeting the Board
11 also recommended that the Navy sample groundwater at
12 Site 29 for TPH, BTEX, PCB, and chlordane.
13 I guess to add a little bit more about what the
14 Board -- what kind of meetings the Board has attended,
15 the Board staff attended a UST RPM meeting on
16 January 23rd, 2004 where the Board requested that Jerry
17 Fee, which is a consultant for the Navy on nondissimilar
18 USTs, draft a schedule for his work and their work on
19 UST sites.
20 And Board staff also discussed geomagnetic
21 characterization of the UST sites -- potential UST sites
22 at Site TT-20, and we also discussed products -- TPH
23 product removal from the pipeline, that being a former
24 UST aboveground storage tank, to a facility that was
25 providing heat in terms of steam heat.

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1 And then in terms of correspondence, Board
2 staff reviewed UST meeting minutes and then Navy
3 response to comments on four reports that the Navy had
4 forwarded to the Board, and Board staff also reviewed
5 the proposed changes to the ROD, and reviewed the
6 responses to comments on the proposed monitoring plan
7 for the Litigation Area.
8 That's about it.
9 MS. WALLERSTEIN: Okay. Well, I guess both
10 of -- of you have hit all of the highlights. And there
11 are a few other items about the Navy issuing some
12 letters that are on the list that I'm sure all of you
13 can read.
14 Well, that brings us to 7:00 o'clock. I was
15 going to suggest that we go ahead and have a break.
16 Did you have a question?
17 MS. WILLIAMS: Well, I was just trying to -- so
18 that the reporter has a break, you know, at about the
19 hour time. So I thought as long we're running ahead of
20 schedule, we could do the executive session now. We can
21 go out in the hallway, because there is fewer of us than
22 everybody else, and we can take care of that, and that
23 will give her a break. And then we'll be back -- we'll
24 be back long before 7:30. Then we won't be too far off
25 the agenda time.

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1 MS. WALLERSTEIN: Okay.
 2 MS. WILLIAMS: Is that okay?
 3 MR. O'BRIEN: Sure.
 4 MS. WALLERSTEIN: Okay. So we're adjourning to
 5 executive session now. We do have an application from a
 6 member of the public to become a member of the RAB, and
 7 we'll be adjourning to executive session to review the
 8 application.
 9 MR. SMITH: Could we give a general time when
 10 you think we'll be reconvening, for the folks in the
 11 audience?
 12 MS. WALLERSTEIN: Well, I don't think it should
 13 take more than a few minutes.
 14 MR. O'BRIEN: So we'll have time for a break?
 15 MS. WALLERSTEIN: Yeah, we'll come back, have
 16 the break, and then do the Site 1 discussion.
 17 MR. O'BRIEN: Okay. What time?
 18 MS. WALLERSTEIN: If we take, let's say, 10
 19 minutes for executive session and we're back here at
 20 7:15, 7:20, we'll just go ahead and take the break at
 21 that point and then do the Site 1 ROD.
 22 MR. COOPER: Around 7:30, then?
 23 MS. WALLERSTEIN: Yes, we'll reconvene about
 24 7:30.
 25 MR. COOPER: Okay.

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1 copies in the back.
 2 MR. SKAREDOFF: At which point in this would I
 3 make my presentation, Margaret?
 4 MS. WALLERSTEIN: Okay. Well, what I'd like to
 5 do is have -- we weren't going to do a big presentation
 6 but a short introduction by Tamara, I think you met her,
 7 from Tetra Tech. I was going to ask Joanna to introduce
 8 her.
 9 MR. O'BRIEN: Before we continue, I would like
 10 the LRA consultant to make some formal comments on the
 11 subject regarding this.
 12 MS. WALLERSTEIN: Okay. Would you like to
 13 start with your comments and then have Tamara follow up,
 14 and then perhaps she can answer your comments?
 15 MR. SKAREDOFF: Okay. Works for me.
 16 MS. WALLERSTEIN: That's fine.
 17 MR. SKAREDOFF: Technology is our friend after
 18 all.
 19 All right. Last time we had a little meeting
 20 we had a little discussion about this, and I was trying
 21 to get a point across about what I'd like to have the
 22 goal of this step in the process to -- to have
 23 incorporated as part of its purpose. And so, it wasn't
 24 really happening, and, evidently, my verbal
 25 communications weren't quite getting across, so I made

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1 (Recess from 7:02 p.m. to 7:26 p.m.)
 2 MS. WILLIAMS: Okay. We're back in session.
 3 I'll make the announcement that the applicant
 4 for a community RAB position was unanimously approved.
 5 And his name is Gregory Glaser, and he will be at the
 6 next meeting.
 7 MR. MENESINI: He's in France now enjoying his
 8 honeymoon.
 9 MS. WALLERSTEIN: Yes. Yes, he just got
 10 married.
 11 And I guess while we're on personal
 12 announcements, we're eagerly awaiting the birth of Steve
 13 Tyahla's first child, whose arrival is overdue and
 14 imminent, we hope.
 15 Okay. So the final thing on the agenda is the
 16 Site 1 ROD discussion. And as you all recall, a little
 17 review, at the last meeting some questions came up about
 18 the design of the landfill cap. And we had a rather
 19 lengthy discussion about it, and there were some public
 20 concerns raised. So we had requested that anybody who
 21 had comments would E-mail them to me, and we would
 22 respond to those comments in writing and have a final
 23 discussion on those comments at this meeting. So --
 24 Well, I did E-mail out the response to comments
 25 to everyone, but if you don't have them, there are

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1 this little written thing here.
 2 And just for all of us, so we're clear on where
 3 we are, this is the sinuous CERCLA process where you
 4 start out with figuring out where you got a problem, and
 5 where you got it solved over here. And where we are is
 6 right here (indicating). We're at the point of the
 7 Record of Decision -- making the Record of Decision.
 8 We're trying to decide what the problem is and in
 9 general what we're going to do, what the solution ought
 10 to be, and then from that the next step would be to
 11 actually design the solution.
 12 So we don't really have -- at this point
 13 understand all of the details about exactly what the
 14 solution is, but we do have to be clear on what we
 15 intend to accomplish by having the solution. So, that
 16 was my --
 17 Here's my real complicated diagram here, okay,
 18 where you've got whatever it is underneath there, and
 19 you've got groundwater, and you've got Bay mud. And on
 20 top of that you plunk an inch of surface water there,
 21 because this was a wetland initially, and then you put a
 22 landfill on top of that. The landfill deforms the Bay
 23 mud a little bit, so it has a little bit of an
 24 indentation down below it. And -- okay.
 25 And the landfill's got stuff in it. Some of

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1 it's good, some of it's not so good. We don't really
2 know what's in there, and we don't really intend to try
3 to -- to go to a lot of effort to try to figure it out
4 for a number of reasons.

5 One of them is it's considered heterogenous.
6 So if you sink some wells down in there, you might get
7 something and think you got a whole bunch of something
8 or you've got a little bit. You might miss something
9 that's critical and might mislead yourself that way.

10 And the other thing would be if you were to dig
11 it up, since we don't know what's in there, we might
12 expose people to something that we don't want to expose
13 them to. So we have a variety of things. We're not
14 sure exactly what they are.

15 Well, one of the things that happens is that it
16 rains, and then the vertical arrows here show the rain
17 coming down and penetrating through the landfill, and
18 they come down into the surface water. And so, that's
19 what we have at present with the un- -- unremediated
20 landfill. So we got infiltration going on.

21 The other thing we also have is we've got --
22 since it's sitting in water and the water sometimes
23 comes up, sometimes goes down, the water can come in
24 from the sides and then could recede from the sides, so
25 it can leach stuff off the side as well.

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1 So here's kind of what I just tried to say. So
2 I guess the idea was that -- also, excavation and
3 removal of this was not considered to be the best choice
4 because digging stuff up might risk exposure that
5 otherwise wouldn't happen. And so the direction of the
6 Record of Decision of choice is going to encapsulate the
7 landfill.

8 Okay. So put a cap on it and put several
9 layers of different kinds of materials on there so that
10 the thing has a cap on, it and so then you don't have
11 any more -- if the water comes down from the top, it
12 just runs off the sides and goes off like this
13 (indicating).

14 Well, my concern was that since it's sitting in
15 water, I wanted to have some sort of mechanism in place
16 to keep this sideways motion from happening. So, what I
17 would like to see is a lateral barrier put in of some
18 sort so that we don't have this lateral movement
19 anymore.

20 So now we have -- the whole thing is contained
21 and it sits there where it's sealed against the Bay
22 muds, which is, I understand, pretty impervious. You've
23 still got a pocket of water that's preexisting in there.
24 I don't know whether we really think we ought to pump
25 that out or not or whether just leaving it sit there is

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1 okay. I don't have a lot of heartburn response about it
2 too much one way or the other. So we have something
3 like that in place, I'm okay with that.

4 So these are the objectives: protect against
5 leaching of the unknown but suspected contents, and then
6 to protect against lateral inundation, and some kind of
7 protection that if the system fails, that we have
8 something in place so that -- prevent it from failing or
9 to let us know that it has failed.

10 While I was at Mare Island for the Fly-Away
11 Festival, I had a conversation with a RAB member from
12 Mare Island, and they pointed me to this document here.
13 This is the Mare Island Groundwater Containment Barrier
14 and Extraction Trench Investigation of Area H-1 Interim
15 Remedial Action Plan. Basically it's their landfill
16 issue.

17 Now, their landfill is different from ours.
18 They've got known quantities of waste oil there, much
19 bigger and so on, but there is also some similarities in
20 that it's sitting in the landfill -- I mean, in a
21 wetland. So here's another page from that.

22 What they're planning to do is they're planning
23 to put a -- what you call slurry filled trench around
24 the boundary of it. And so the trench -- they make the
25 trench, and then they make a slurry out of Bentonite

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1 clay. It makes a fairly impervious barrier to keep
2 stuff from moving back and forth.

3 I'm not advocating we have to have a trench;
4 I'm just saying, you know, protection against -- lateral
5 movement is a known thing that occurs. This is what
6 they're planning to do there. They're going to have
7 this Bentonite clay trench, and inboard of it they're
8 going to have another trench where they're going to
9 extract the water from there and remove it.

10 And, again, you know, they've got a different
11 situation. I'm not necessarily saying we have to do
12 that, but I think it should not necessarily be ruled out
13 as an option. So, that's a little close-up of what
14 they're doing over there.

15 See, they've got this pocket of water in
16 groundwater level, so they're going to be pumping it out
17 to remove the stuff. Now, theirs is only an interim
18 landfill. They say they've got a real serious problem.
19 They don't want to be waiting around until a final
20 decision gets made and have all this bad stuff still
21 going on, so they're going to do this first. And then
22 while this is in place, kind of holding things in
23 position so it doesn't deteriorate, they're going to try
24 to find out what the final solution should be.

25 And I guess I took some meaning from that that

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1 we have a potentially similar situation here. We're to
2 the point where -- maybe get to an impasse on what the
3 final solution ought to be. At least we ought to be
4 able to reach an agreement on what kind of interim
5 holding -- holding position just to keep things from
6 continuing.

7 This is straight out of their thing -- their
8 fact sheet, "The objective of this interim remedial
9 action is to contain these potential sources of
10 groundwater contamination and to prevent the lateral
11 migration of contaminants into the adjacent tidal
12 marshes and wetlands."

13 And basically if we have that kind of a
14 statement in our Record of Decision, I'm okay with that,
15 to leave the rest of how we actually do that to the next
16 step when we actually -- when we're doing the design.

17 So, that's what I would like to recommend for
18 us to do.

19 Thank you.

20 MR. MENESINI: I would like to once again point
21 to our landfill just adjacent to Martinez up the highway
22 that was closed and is -- also has a cap over it. And
23 there are many acres of land there. And they have a
24 trench at the base of that cap, and it is like that moat
25 that Igor just described, and there is no water

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1 interfacing from the Bay into that landfill. So I think
2 it's a good job. We ought to take a look at it.

3 MS. WILLIAMS: Igor, when they pump the water
4 out, where does that go?

5 MR. SKAREDOFF: Well, the main thing they're
6 trying to remove in that particular case is oil. And so
7 they skim the oil off, and then they -- I think they
8 also adjust the acidity or base acidity of the water
9 because I think there is batteries buried out there as
10 well. So they neutralize it, and then I think they do
11 some testing before -- just like any other kind of a
12 point-source release has to make sure it's still
13 suitable, and then they release it out to the Bay.

14 No. No, they don't. They put it to their
15 affluent treatment facility.

16 MS. WILLIAMS: Then it goes to Mario, huh?

17 MR. MENESINI: Yeah; we do that, incidentally.

18 MR. SKAREDOFF: It's a Mare Island affluent
19 treatment plant, so they don't take it to Mario.

20 MS. WILLIAMS: Rats.

21 MR. MELLIER: In terms of the water there,
22 like -- for like metal and the other constituents and
23 motor oil, do they like --

24 MR. SKAREDOFF: I don't know. I don't think
25 they specify it in their fact sheet. I guess whatever

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1 their treatment facilities had to meet as criteria, I
2 guess, is the class.

3 MS. WALLERSTEIN: Okay. Do you want to have
4 Patrick address it and then we'll follow up with Tetra
5 Tech?

6 MR. LYNCH: Igor's comments, I think, are very
7 good and the solutions --

8 MS. WALLERSTEIN: Can you introduce him for
9 people so they know who he is?

10 MR. O'BRIEN: We have a group that has a TAG
11 Grant from the Environmental Protection Agency, and
12 we've been able to hire Patrick Lynch as our independent
13 consultant. And he has provided some comments to the
14 Navy, and they have responded back to him, and now he's
15 going to make some further comments on those responses.

16 MR. LYNCH: Again, the installation of cutoff
17 walls and extraction trenches at the Tidal Area
18 Landfill, my concern with installing the cut-off wall is
19 that the Bay mud provides a very poor foundation. And
20 so, it's usually -- you're required to excavate the wall
21 deeper than you would have to do to simply protect the
22 groundwater because you've got to get down into some
23 soils that can actually support the weight.

24 The last time I was involved in a -- a project
25 building a soil Bentonite slurry wall was the San Jose

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1 Arena. And at that time the slurry wall costed about
2 \$80 per square foot. And if we apply that number to the
3 landfill here, we're going to come up with a cost for
4 installing a slurry wall of about 7- to \$8 million.

5 And so, again, we're -- we're looking again at
6 excavation and off-site disposal being a more
7 cost-effective alternative.

8 The other issue is the extraction of
9 groundwater. One, it requires the installation of a
10 trench, which is going to produce all the soil that's
11 excavated to install it, but the second problem is -- is
12 actually the treatment of -- of the groundwater. It
13 contains metals that exceed the limits for discharge
14 into the Bay, and it contains 30,000 parts per million
15 of dissolved solvents.

16 So those dissolved solvents compete with the
17 metals. So every time you go try to remove these metals
18 to low enough levels to discharge into the Bay, you end
19 up having to remove a substantial quantity of the
20 dissolved solvents. The treatment costs are -- are
21 extremely high, and you end up with a -- a waste stream
22 that requires some other method of disposal.

23 And my experience in trying to treat a site
24 very similar to the Tidal Area Landfill that had a
25 cut-off wall installed around it and the traction

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1 trenches, we couldn't get someone to accept that water
2 because the sanitary sewer district had -- reclaimed the
3 water for irrigation uses, and the dissolved solvents
4 was -- was a problem for them because it made it more
5 difficult for them to market the reclaimed water.

6 So, again, there are good ideas. We
7 definitely -- you know, if we're going to contain -- if
8 we're going to use a containment remedy for the
9 landfill, that is what would need to be done. But I
10 think if we, you know, again, look at that as an
11 alternative, we're going to find out that the costs are,
12 you know, more than they would be if we simply just
13 excavated the landfill content and disposed of them
14 off-site.

15 After my presentation, or I guess it was
16 actually the responsiveness to comments on the Record of
17 Decision, I've gone through and looked at some of the
18 responses to the concerns that I raised and that were
19 part of my presentation in November.

20 One of them is the Navy contends that the
21 California Toxics Rule is not an ARAR for the landfill.
22 And the California Toxics Rule contains a specific
23 provision about wetlands in Suisun Bay. And that was
24 the provision, I think, that is applicable to the
25 wetlands adjacent, and it's something that seems to

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1 require that tidal flow restrictors be removed because
2 the Navy has documented an increase in soil salinity in
3 the area.

4 A large portion of the wetlands is devoid of
5 plants. And so, it appears that this is a case where
6 the water quality in that particular Site 2, the
7 wetlands adjacent to the landfill, doesn't meet the
8 criteria of the California Toxics Rule. And -- and,
9 again, removing those tidal gates will change the
10 limited understanding already of surface water and
11 groundwater interactions around the Tidal Area Landfill.

12 MR. SKAREDOFF: Pat, just to make sure I'm
13 clear, Site 2 is adjacent to -- to Site 1?

14 MR. LYNCH: It's the wetlands area.

15 MR. SKAREDOFF: And it's blocked off from tidal
16 influence?

17 MR. LYNCH: I mean, obviously water gets in,
18 but there is a -- a tidal flow restrictor. So, it's not
19 completely natural tidal flow.

20 MR. SKAREDOFF: So I guess what I'm hearing you
21 say is because of that the salts are built up there
22 through evaporation or --

23 MR. LYNCH: You know, again, I don't know if
24 that's what's causing it, but there is a document that
25 was prepared as part of the -- the investigations in the

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1 wetlands area where they actually did some radioisotopes
2 of oxygen and hydrogen, and using the different
3 proportions of those isotopes they concluded that water
4 is infiltrating -- you know, salt water is infiltrating
5 into the soil. And that was one of the conditions in
6 the -- in the Cal Fed, or California Toxics Rule, that
7 an increase in salinity -- soil salinity should be
8 prevented.

9 MR. SKAREDOFF: Okay. So if you were to open
10 the restriction, the movement would go back and forth.
11 Would that prevent this from happening?

12 MR. LYNCH: It very well may.

13 MR. SKAREDOFF: I see.

14 MR. LYNCH: The other issue, too, with the
15 containment diagram that was presented is -- is what's
16 happening on the bottom of the landfill. Currently the
17 Municipal Landfill Standards require that not more than
18 one foot of leachate be allowed -- or one foot of liquid
19 be allowed on the bottom of a landfill. And commonly
20 landfills are -- plastic liner beneath them, and it's
21 contoured with collection pipes and drain pipes to
22 remove liquid to prevent that more than one foot of
23 liquid from building up.

24 What is unclear, again, the site I worked on in
25 San Rafael, Bay mud, slurry wall, it was a field site on

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1 an old wetlands. When we dewatered the site, we -- most
2 of the flow was -- that we removed -- it was a ten-acre
3 site, and basically once we dewatered it, we had to
4 remove about five gallons per minute to maintain
5 dewatering.

6 And most of the leachate was not actually water
7 that was coming up through the cutoff walls; it was
8 actually water that was coming up through the Bay mud.

9 And so depending upon what the groundwater elevation is
10 above that Bay mud, it's determining whether water is
11 essentially leaching down or basically the deeper water
12 is moving up.

13 The measurements in the nested well pairs where
14 we have a deeper well and shallow well compare the water
15 elevations to determine whether it was -- is going up or
16 down. All of the measurements that have been taken in
17 the Tidal Area Landfill show that water is going down.

18 One of the things I pointed out in my comments
19 was that one of the calculations presented in -- I guess
20 it was the Technical Memorandum about the groundwater in
21 the Tidal Area, that the calculation's done incorrectly.

22 The response I got from the Navy was they
23 double-checked it, and it was done correctly. It is not
24 done correctly. They used water level measurements from
25 the wrong well. And if you use the water level

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1 measurements from the correct well, you'll see that the
2 water is actually infiltrating.
3 The other issue was that --
4 MR. SKAREDOFF: I'm sorry. I'm still --
5 When you're talking about the other one you did
6 in San Rafael --
7 MR. LYNCH: Right.
8 MR. SKAREDOFF: -- where you found there was
9 actually water upwelling as you were pumping it out, I
10 guess what I'm trying to make sure I hear right is that
11 the Arca 1 here, or Site 1, the well data that you're
12 referring to shows that the water is not upwelling, but
13 it's actually going down?
14 MR. LYNCH: Going down, correct.
15 MR. SKAREDOFF: If that was to be pumped out,
16 what would happen then?
17 MR. LYNCH: If you were to actually --
18 You know, if you lower the groundwater table,
19 for instance, if you were to extract groundwater from
20 actually within the footprint of the landfill, and you
21 actually reduced the groundwater elevation by several
22 feet, then you're going to end up reversed, where water
23 would flow back up.
24 MR. SKAREDOFF: Would water still be in contact
25 with the contents of the landfill?

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1 MR. LYNCH: Correct.
2 And the other issue -- and this was in response
3 to comments you and Ray submitted, one of the purposes,
4 they said, of basically keying the cap into the marsh
5 surface was to prevent exfiltration of water. So, that
6 what you were describing that would -- would basically
7 contain the landfill caps. The water has to go
8 somewhere. And the way that the landfill was currently
9 set up, you actually have one elevation that's about ten
10 feet high where there is a roadway, and then you have
11 the other portion of the wetlands down here. So, it's
12 got to be very -- you won't be able to key the cap in on
13 the other side. You'll still have lateral movement over
14 a large portion of the landfill.
15 You know, one of the things I think that was in
16 response to your comments that was also pointed out is
17 that a substantial portion of the waste will be
18 excavated to re-create the landfill. Right now it's
19 basically -- it has a flat slope, and its final design
20 will have a slope somewhere around three percent. And
21 so at some point in the landfill the height is actually
22 going to increase by about six feet from where it's at
23 presently, and some of that material will come from the
24 removal around the edge of the landfill to obtain that
25 -- that grade. So, there will be a lot of material -- a

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1 lot of waste material that's excavated.
2 I estimate it's about four acres of the
3 landfill that will be disturbed, and most of it will be
4 disturbed around the edges. So immediately adjacent to
5 the wetlands, immediately adjacent to the roadway.
6 MR. SKAREDOFF: What portion of the total area
7 is that?
8 MR. LYNCH: It's about one-third.
9 The other issues were I pointed out some pH
10 data from the wetlands where the pH was measured at
11 less -- less than 4, I think the actual measurements are
12 1.6, 2.5.
13 The Navy said they were not able to find that
14 data anywhere. Well, it is on page 517 of the Site
15 Investigation Report, and it was taken at Tidal Landfill
16 surface water location No. 1. So, there is some
17 evidence of an impact in the wetlands that appears
18 related to the landfill.
19 The other concern was about the disposal of
20 Otto fuel. The Navy provided an explanation of how this
21 fuel was managed after the landfill was closed. My
22 concern is how that waste was handled when the landfill
23 was operating.
24 And we do have a component of -- a degradation
25 component of Otto fuel that's detected in two of the

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1 Site 1 monitoring wells. It's also found in groundwater
2 in the Site 2 as well as sediment and surface water.
3 So, there is some evidence of that military specific
4 waste that's supposed to be given special consideration.
5 MR. MEILLIER: What is the name of the
6 degradation product?
7 MR. LYNCH: It's very similar to the component,
8 it's N-nitrodiphenylamine. And the actual component
9 is -- of the Otto fuel is 2-nitrodiphenylamine.
10 So, again, that's really what my concerns are,
11 are that there are data that are part of the
12 administrative record that seem to contradict the
13 responses I got to some of the concerns I raised.
14 And, you know, again, I think that the -- that
15 if you look at these issues a little more carefully, and
16 if you take the big picture, that installing a cap is
17 not in any means going to solve the site, that there is
18 going to be a groundwater alternative.
19 And I think it's better to consider those two
20 alternatives together because, again, if cutoff walls
21 are determined to be installed, then you can actually
22 take the material that's excavated in construction of
23 the cutoff walls and incorporate it into the landfill as
24 foundation material. Extraction trenches, the same way.
25 However, if you're going to wait until the cap

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1 is already completed, then you basically have nowhere to
2 dispose of any of that material that gets excavated.
3 And I think, you know, there are some --
4 certain reasons that I think it would be prudent to do a
5 better job of analyzing off-site disposal rather than
6 simply size -- size or volume as being impractical
7 because, again, I think the cost of, you know, the
8 construction of some of these alternatives to contain it
9 and alternatives to address groundwater contamination
10 may really far exceed the cost of simply excavating the
11 entire landfill contents.

12 Yes, Dean.
13 MR. MCLEOD: How does the non-technical person
14 who's a resident come to any conclusion about what it
15 would cost, what --

16 You know, who's right here? The Navy says it's
17 a lot cheaper to put the cap on, and you're saying no,
18 those things are wrong, that it's cheaper to haul the
19 material away. How do we -- how do we reconcile the
20 math?

21 MR. LYNCH: Well, I mean, one of the problems
22 with being able to do that is they cut the site into two
23 pieces and are addressing groundwater separately.
24 Unless there -- there is some idea of what the cost
25 to -- to actually perform groundwater remediation is,

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1 then it's very difficult to -- to make an argument.
2 I mean, right now it seems -- what I see is
3 it's -- from a cost perspective it's -- they're
4 essentially going to probably end up costing about the
5 same order of magnitude, you know, same -- same amount
6 once -- the cap and the groundwater remediation are
7 going to probably cost as much as just doing off-site
8 disposal.

9 So I don't think cost is the issue. I think
10 you really need to, you know, look at what's --
11 what's -- what are some of the environmental impacts of
12 basically excavating the material. We've heard that
13 people don't want to see all of these trucks go through
14 their neighborhood, but you also have to -- you know,
15 people don't want to see this -- this landfill scarring
16 the landscape for the next 200, 400, 500 years.
17 So. . . .

18 MR. MCLEOD: Well, I've been living there for a
19 while, and a lot of people have been living there, and
20 they've been running trucks through the neighborhood for
21 50 years, and generally it's a lot worse than the
22 landfill.

23 MR. LYNCH: And, you know, they're going to
24 have to import a considerable volume of soil too. I
25 think the latest estimate was 60,000 cubic yards, which

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1 is about a half a landfill content. So you've still --
2 you've got half the trucks, even if you're installing a
3 cap.

4 ATTENDEE: Where does this contaminated soil
5 go?

6 MR. LYNCH: The samples that have been taken
7 from -- from -- of the actual landfill contents, most of
8 that material could go to a -- a class II landfill. So,
9 it doesn't have to go to a hazardous waste landfill. It
10 can go to -- what is it? I'm not sure what the Contra
11 Costa County landfill -- something Canyon, I believe.

12 MR. O'BRIEN: Keller.

13 MR. LYNCH: Keller Canyon. They probably
14 already accept material -- contaminated material from
15 gas stations and may very well be able to accept this
16 material.

17 And you also have the opportunity that when you
18 do the excavation to use some on-site field instruments
19 and be able to screen the material. And so if you do
20 find something that is apparently heavily contaminated,
21 you can segregate it and actually dispose of that at a
22 more secure landfill.

23 MR. BOYER: Question for Phillip or Laurent.
24 The California Toxics Rules, does EPA or the Board have
25 any view on whether that applies here or not, and have

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1 you guys reviewed that? Do you believe it applies?
2 Suisun Bay goes over quite a ways. Does the
3 California Toxics Rule apply here?

4 MR. MEILLIER: It's a very good question,
5 actually.

6 You want to answer it, Phillip? You want to
7 give your opinion; I'll give mine?

8 MR. RAMSEY: Well, I would be happy to, I
9 guess, give you my two cents anyways, kind of
10 off-the-cuff response.

11 Right now we're looking at -- I mean, it's a
12 terrestrial habitat, so there's issues about salinity
13 underneath it. What's really at issue is not Site 1 for
14 this increased salinity, it's the adjacent site, Site 2,
15 which is the R Area disposal site.

16 So, that may apply to this site, but I think
17 the Navy has a response to the issues as far as opening
18 the tidal flows to Site 2. We've actually had
19 discussions with the RAB. I had a personal discussion
20 with the former late cochair of this group a year or two
21 ago about that issue. It involves an endangered species
22 out there, which I think is going to complete the --
23 this restoration concept.

24 Again, Site 1, it's a salinity issue where
25 we're dealing with a terrestrial landfill there. We're

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1 supporting the Navy's proposal to comply with the
 2 closure laws, capping the soil.
 3 MR. LYNCH: And in bringing that up, it was
 4 that --
 5 MR. BOYER: This is the first time I've heard
 6 of it. That's why I asked.
 7 MR. LYNCH: I'm just saying that if they
 8 changed the way that the surface water flows in that
 9 Site 2, it will affect the flow in and out of there.
 10 So, what they're -- what the Navy's understanding is
 11 right now of the -- the surface water and groundwater
 12 flow directions would change, you know, you change the
 13 flow.
 14 But, you know, that's something else too. I
 15 was kind of disappointed when I got a copy of the Tidal
 16 Arca groundwater sampling that was recently done that
 17 they did not take the opportunity to go and measure the
 18 vertical gradient between -- they have two sets of
 19 nested wells, and they didn't take the opportunity to go
 20 out and measure the groundwater elevations in both of
 21 them so they can again reestimate that vertical
 22 gradient. So, that was a disappointment.
 23 MR. MEILLIER: And then just to give the
 24 Board's position on that -- sorry.
 25 I mean, actually, there's been a discussion

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1 that's been ongoing between me and my supervisors.
 2 There hasn't been really a strong consensus on that
 3 response. One -- one interpretation -- one strong
 4 interpretation, in order for us to be able to apply the
 5 CTR, we need to prove that there is discharge of
 6 groundwater into surface water.
 7 And, you know, it's probably pretty physical
 8 for -- for the case because there is probably strong
 9 interaction between the two. And so, therefore, you
 10 know, if -- but at the same time it would kind of -- so
 11 that's why we -- you know, if we applied it this way,
 12 would be applicable.
 13 At the same time there is also a conflicting
 14 issue, which is we never really applied it in that type
 15 of environment or that type of case. We apply usually
 16 for permitting or things like that.
 17 And then the third issue is the fact that we
 18 need to -- we haven't yet decided what kind of criteria
 19 that would be applied to -- to leachate -- contaminant
 20 of concern that are found in the leachate of Site 1
 21 landfill.
 22 And one criteria that comes up to mind would be
 23 basically the criteria that would be protective of
 24 ecological health there. And for us to do that we would
 25 need to have an ERA done basically on the landfill to

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1 make sure that the contaminants that are found within
 2 the leachate meet -- you know, meet those criteria and
 3 that the animals are not detrimentally affected by the
 4 leachate.
 5 But we don't have that data. We only have an
 6 ERA on Sites 2, 9, and 11 so -- so, therefore, it's --
 7 you know, that's another avenue which would be -- and
 8 this is -- you know, these are very premature
 9 discussions, but which would be making sure that any
 10 contaminants that are found in the leachate have been
 11 integrated with -- integrated within the ERA of
 12 Sites 2, 9, 11 and that we have a good understanding out
 13 there.
 14 MR. BOYER: Okay.
 15 MS. WILLIAMS: Does anybody else have any
 16 questions based on the report we got from the comments
 17 that were submitted by RAB members, or any other
 18 questions?
 19 MR. SMITH: Mary Lou, Dean does.
 20 MR. McLEOD: Okay. We've discussed this, and
 21 we've gone around, and it looks like it's still not
 22 resolved. So, what's the next step in this? Is the
 23 Record of Decision going to be published and we're going
 24 to move ahead anyway, or are we going to continue
 25 discussing it?

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1 MR. SMITH: Well, first, don't we have a person
 2 that's going to respond to these questions?
 3 MS. WALLERSTEIN: Yeah.
 4 MR. O'BRIEN: I think we have a question on the
 5 table about where this thing goes. So, can you give us
 6 an answer about that?
 7 MS. WALLERSTEIN: We are moving towards signing
 8 the ROD. It's -- it's in final review by NAVFAC
 9 headquarters, and we're looking at having the ROD signed
 10 here in the near term.
 11 MR. O'BRIEN: Well, it sounds like, Laurent,
 12 you've -- you've got some major concerns here.
 13 MR. MEILLIER: I don't know if I would -- you
 14 know, I mean, "major concerns" makes it a little bit
 15 more, you know, polemic and, therefore, I would not -- I
 16 would not use that word.
 17 MR. O'BRIEN: Well, let me ask you this, are
 18 you all right with this being signed right now?
 19 MR. MEILLIER: Once again, this is another very
 20 good question. And I've talked about this with my
 21 manager, and basically what -- what we are looking into
 22 is -- is the fact that we -- and it hasn't been yet
 23 decided, so, you know, this is just information -- for
 24 inform- -- for informational purposes only. It looks
 25 like we -- the Board -- Board staff will probably not

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1 sign the document and that we would draft and create a
2 letter that would agree to disagree on -- on two -- two
3 areas for which we haven't seen any -- any progress or
4 any -- where -- where the Navy hasn't agreed to comply
5 to -- which the Navy hasn't agreed to comply.

6 Those two topics are -- the first one is the
7 applicability of the San Francisco Bay Basin Plan as an
8 ARAR, and then the second one is the fact that the
9 concentration of the contaminants of concern in the
10 leachate needs to meet federal and state criteria, and
11 those haven't been defined, as I stated, before they
12 leave the Site 1 footprint.

13 So, therefore, that letter would state that,
14 and we would not sign the document, and it would
15 basically, you know, legally protect the Regional Water
16 Quality Board from the decision that the Navy has taken.

17 And we understand that the Navy, you know,
18 is -- has also made some, you know, great progress
19 with -- you know, to the fact that two -- two areas of
20 concern to us have been agreed with with the Navy.

21 So my purpose is definitely not to stall the
22 signature and not to prevent a remedy for which we
23 agree. We agree on the remedy as a containment system,
24 and we don't want to stall that, so, therefore, we will
25 not impede the signature of that document, but we would

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1 not sign it. So, that's basically the position, you
2 know.

3 And we are -- we are -- right now I'm actually
4 legally working on that, and I'm getting -- it looks
5 like the Region 5, which is the Central Valley Regional
6 Water Quality Control Board, has drafted such a letter
7 for another Record of Decision, and I would use this
8 letter as a template. And I would also actually ask the
9 Navy to state in the ROD Site 1 cap that those two --
10 those two areas where we agree to disagree, and that in
11 the table of ARARS, the ARAR of the San Francisco Basin
12 Plan, and how the Board agreed to disagree with the
13 Navy.

14 For us to be able to state that we agree to
15 disagree we need to agree at least on the containment,
16 and we do because otherwise we would not be able to do
17 that. I would not be able to state this
18 we-agree-to-disagree language.

19 Does that answer that question?

20 MR. O'BRIEN: Thank you.

21 MS. WALLERSTEIN: Okay. What I would like to
22 do is move ahead with --

23 MR. O'BRIEN: Well, excuse me, Margaret. I
24 would like to hear now what the outstanding concerns are
25 from the EPA.

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1 MS. WALLERSTEIN: Well, I think, you know,
2 we -- we're moving into the discussion phase. What I
3 would like to do is -- you know, we heard Igor express
4 his concerns and the LRA consultant, and I would like to
5 have Tetra Tech's consultant give a response, and we can
6 continue the discussion.

7 MR. O'BRIEN: Igor was allowed to ask
8 questions. Now a member of the audience is asking a
9 question, but we don't want to give a full answer to
10 him. Are we going to postpone that, then? When are we
11 going to give Dean McLeod an answer?

12 MS. WALLERSTEIN: Well, I'd like to -- I'd like
13 to have the final presentation and then we -- you know,
14 we've had some discussion and some questions here. I
15 would like to continue with the final presentation, and
16 then we can continue the discussion.

17 MR. O'BRIEN: Well, I think you're being very
18 selective about what we're going to entertain for
19 discussion here.

20 MS. WILLIAMS: Dean, as a member of the public,
21 will be given his time after the official people have
22 had their say.

23 MR. O'BRIEN: Go ahead.

24 MS. WALLERSTEIN: Joanna, do you want to
25 introduce Tamara?

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1 MS. CANEPA: I sure will.

2 This is Tamara Zielinski. She does work for
3 Tetra Tech. And she has about 20 years working on
4 landfills and spent ten years with the Integrated Waste
5 Management Board, which is a California state agency
6 that permits landfills.

7 So she has helped prepare these responses that
8 you guys all got a copy of and will hopefully address
9 questions that were raised tonight. And we can continue
10 the discussion and be open to other questions as
11 necessary.

12 So with that, I'll hand it over to Tamara.

13 She's an engineer by trade.

14 MS. ZIELINSKI: What I'd like to do is present
15 some of the main issues and hopefully answer some
16 questions with regards to the response to comments for
17 the landfill Site 1 ROD.

18 Several issues came up tonight, and we've been
19 thinking about them and preparing a presentation that
20 hopefully will give an answer to some of the issues.

21 First we started with the landfill
22 investigation. We've looked at -- first what we did is
23 we looked and -- did a landfill investigation and looked
24 at areas of the landfill that may be an environmental
25 concern.

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1 We looked at the cover material and found that
2 it needed additional cover, so we're going to take
3 action there. We looked at the landfill gas. The
4 landfill is generating some gas, so we'll be taking
5 action there. We looked at drainage issues around the
6 landfill. That needs action. We'll be taking action
7 there. Erosion, same thing, needs action. Security,
8 needs action there.

9 MR. BOYER: I'm sorry. When you say "action,"
10 you mean action in the design? These will be built
11 into -- these actions will be built into the design to
12 remediate these issues? Is that what you're saying?

13 MS. ZIELINSKI: Let me get into the next one,
14 and that kind of addresses that issue there.

15 The key issue here is that there is still a
16 question about groundwater and what type of action or if
17 we should take action there. So, what we need to do, as
18 EPA was saying, is do additional study on that to
19 determine what action would be appropriate.

20 Right now we need to have additional
21 information, such as ecological concerns, et cetera, so
22 we can make a -- a good decision on what needs to be
23 done with the groundwater. But we know right now there
24 is certain actions we can take.

25 This -- I do appreciate this flow chart here.

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1 That's what it does feel like sometimes. But what I
2 tried to do here is outline the process and identify
3 where things will be addressed. It's not that they're
4 not being addressed, but they're being addressed under
5 certain mechanisms.

6 Right now we're traveling along this process
7 with a remedial investigation, feasibility study, the
8 proposed plan, and now we're at the landfill ROD stage.
9 But what we've seen is that items I mentioned before
10 obviously need action, and EPA's developed a presumptive
11 remedy for landfill that identifies containment as that
12 action.

13 EPA didn't make that decision lightly. They
14 went through several RODs and evaluated them, and the
15 alternative continually came up with containment or
16 capping as the remedy. There were a few sites in the
17 RODs that they evaluated that were -- where excavation
18 and off-site disposal was identified, but that volume
19 was minimal, under 3000 cubic yards.

20 So, there was -- there was a big difference.
21 We're estimating somewhere around 130,000 cubic yards.
22 So, there was a big difference in the size that's being
23 excavated. It was only 3000 cubic yards versus
24 somewhere around over a hundred thousand cubic yards.

25 MR. O'BRIEN: Can I ask why there is such a

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1 discrepancy in the volume? It's over 400 percent.

2 MS. ZIELINSKI: You know, we've excavated over
3 a million cubic yards, and what we can do is use our
4 best technology to identify the area of the landfill and
5 try and estimate the volume. And we use our best
6 practices that we have now. But even then, after we
7 excavated some of them we found that -- we estimated
8 200,000 cubic yards, and it's 250,000 cubic yards. We
9 estimated 700,000 cubic yards, it's 950,000 cubic yards.
10 So we're using the best technology right now.

11 But there is a lot of ways you can interpret
12 that and identify discrepancies in it. But when we
13 actually construct the landfill, we will be excavating
14 back and identifying the edge of the landfill to ensure
15 that we are containing the entire landfill.

16 MR. RAMSEY: I actually have a real simple
17 answer for you to the question, Mr. O'Brien. The waste
18 estimate that was presented before, the 30,000 cubic
19 yards or tons, that's actually an estimate of the mass
20 of what they think over the decades was operating. The
21 Navy came up with a volume estimate. They think so many
22 tons of garbage and waste went into the landfill.
23 That's where we get the original 30,000. It came from a
24 1983 initial assessment report on the first, kind of,
25 preliminary assessment for the facilities.

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1 So, what's happened, of course, is that 30,000
2 was done like a truckload at a time with all these other
3 refuse and -- and debris, things like that, so you end
4 up with 30,000 cubic yards or 30,000 tons mixed in a
5 13-acre site. The Navy can't magically come in and pull
6 out that 30,000 tons or cubic yards because there is a
7 slight difference in the conversion of those numbers.
8 But it's all mixed up in there. And that's the trouble
9 is you have to start making swiss cheese of that to try
10 to figure out what's where exactly.

11 MS. ZIELINSKI: We were talking about
12 addressing issues in the remedial design. What we know
13 as far as the presumptive remedy for containment will
14 be -- and landfill cover will be addressed in the
15 remedial design, but there is still a big question with
16 regards to what's required for groundwater.

17 So instead of just continuing on into the
18 remedial design with that question, we're going to be
19 going back and doing a remedial investigation,
20 feasibility study, proposed plan, and ROD for the
21 groundwater investigation to determine what would be
22 necessary for groundwater. It's not something we're
23 just pushing aside, but there's a whole process that
24 we're going to go through to come up with the
25 information that's necessary to make the right decision

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1 on what's needed for groundwater.
2 ATTENDEE: What's the time frame for that
3 course of action?
4 MS. CANEPA: The draft groundwater study is
5 planned for this spring -- the draft work plan for it.
6 So first you develop a work plan and that gets reviewed
7 by the agencies and the public. So getting into the
8 field would probably be, you know, late fall or winter.
9 MR. O'BRIEN: But you're still going to sign
10 the landfill ROD before you do the groundwater
11 investigation?
12 MS. ZIELINSKI: There is some groundwater
13 investigation that has been done. We're going to
14 continue with that, but the things we know we have to do
15 are install the cap on there. It's a general
16 requirement for landfill closures.
17 I think the question that was raised is will it
18 be consistent with the final remedy. Are we doing
19 something that, you know, wouldn't be consistent with
20 containment or that would cost -- you know, if we
21 excavated it, off-site disposed of it, would it cost
22 less if there was a groundwater problem?
23 Well, if there was a groundwater problem and we
24 excavated out the waste, we would still have to put a
25 cap on it. According to the regulations you would have

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1 to achieve clean closure to be able not to do anything.
2 And clean closure is defined as removal of the waste and
3 waste residuals. So if you still have some residuals in
4 groundwater, then you would have to close the site as a
5 landfill still.
6 So you could excavate all of that out, have a
7 water quality issue, and then have to put a cap on top
8 of it anyway and that's -- you know, without doing that
9 you could see that that would be a more expensive
10 alternative because you would have to cap it anyway.
11 Okay. This is a flow chart that I just
12 provided. There is a couple of them. One's big and one
13 small. You can see the bigger one. It just illustrates
14 that there is two mechanisms, one for human health for
15 closure of landfill and one for water quality. There is
16 two considerations there. And the human health ones are
17 normally dealt with with the California Integrated Waste
18 Management Board, and water quality is dealt with with
19 the Regional Water Quality Control Board.
20 There is several items, as we discussed
21 earlier. If you have exposed waste, you have final
22 cover. If you have a drainage issue, you have
23 requirements for drainage. If you have erosion control,
24 you have requirements for erosion. Slope stability
25 requirements also. If you have leachate seeps, you need

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1 to make sure you don't have contact with leachate. If
2 you have landfill gas, you have to have landfill gas
3 monitoring. You need to restrict access. There is site
4 security requirements. And if there is new
5 development -- development on the landfill, then there
6 needs to be a new post-closure plan for that landfill.
7 Right now we're looking at open space.
8 I think there was a comment earlier about
9 buildup of water on the liner. And you can't have a
10 foot of water on top of your liner. That requirement --
11 we dealt with that at -- at Mather Air Force Base.
12 And what we're meaning by leachate seeps and
13 contact is on the surface of the site. If there is
14 water underneath, it doesn't mean that we have to go in
15 and install a system to deal with that. That is not
16 being done in the regulations. And they documented that
17 and made the ROD. So these are all items that are
18 considered just from exposure to human health.
19 Then there is water quality items that you
20 address for threat to water quality. So right here we
21 can see we need to take some action. However, as you go
22 through the water quality part of it, you get
23 detections. If there's a threat to water quality, you
24 do protection monitoring to detect if anything is
25 leaving the landfill site. If you have a significant

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1 release, then you go on to evaluation monitoring to see
2 how extensive it is and do a feasibility and corrective
3 action plan.
4 And what you'd end up doing is taking a source
5 control measure. Capping is considered a source control
6 measure. And you'd also look -- do we need to do any
7 additional measures for the landfill for water quality.
8 So, that's that second process line that I showed you
9 before right down here (indicating). So, that all will
10 be evaluated, and this part will be evaluated.
11 From evaluating this part we see that we need
12 to take action. We need to cover the waste. The cap
13 that will be built on there is going to be built to the
14 State prescriptive standards. So, it will have a
15 barrier layer in there for protection of water quality
16 to limit infiltration. So even if you did have a
17 groundwater problem that required source control, it's
18 the same cap that goes on there. So they're not --
19 there wouldn't have to be additional action of putting
20 on a cap that would protect water quality also.
21 The issue that was brought up about lateral
22 migration, which I'll get to a little bit later, which
23 was a concern there.
24 I think these are some of the issues. What I
25 tried to look at is -- I know there is a lot of talk

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1 about why excavate, why not, and I think I touched on
2 some of these issues already with the EPA presumptive
3 remedy. They evaluated several -- you know, over 50
4 landfills and looked at what the regular remedy was. So
5 they went through the RI, the FS, the proposed plan, and
6 ROD and kept coming up with the same conclusion for the
7 landfills.

8 One item, too, is that the waste board put
9 out -- California Integrated Waste Management Board put
10 out some guidance for landfill such as these, and it
11 talks about excavation. And their recommended level for
12 excavation is under 10,000 cubic yards. So, once again,
13 it's like an order of magnitude over.

14 I think we talked earlier -- they mentioned
15 physical hazards, possible transport through the
16 community. I think we talked about how capping is still
17 required if we have a groundwater problem, and,
18 obviously, there is the cost issue.

19 Why containment? Like I was saying, once
20 again, that it was EPA's presumptive remedy. It was
21 selected over and over again as an approved remedy for
22 landfills. The size of the landfill, like I was saying,
23 is over 10,000 cubic yards. There is the cost. Land
24 use, it's going to be open-space area. And there is --
25 this meets the California state standards for landfills.

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1 Generally those landfills are closed off and capped.
2 Okay. Right here, this is similar, but it's
3 not as animated, to Igor's (indicating).

4 MR. SKAREDOFF: I didn't put music in.

5 MS. ZIELINSKI: I'll have to remember that.

6 What we have right now is there is existing
7 waste material on the surface and underneath the level
8 of the Bay mud. So you have Bay mud across here, and
9 then you have existing waste through here, and then you
10 have waste that's under the level of the existing ground
11 (indicating). That's the situation we have now.

12 With the cap that we have on there, here's what
13 we're looking at doing. We'll be excavating that waste
14 back, pulling it back 50 feet, and then putting the
15 cover, and extending the landfill cap 50 feet beyond the
16 edge of the waste material and tying it into the Bay
17 mud. So we'll have that tie that you were talking about
18 earlier covering it completely and then tying into the
19 Bay mud.

20 This is a little different. Usually there is a
21 tie-in that stops right there, but there is being an
22 extra measure taken to extend the landfill out 50 feet.
23 That's to deal with and to help with the issue of
24 lateral migration.

25 So the cap will help stop the vertical

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1 infiltration, which would drive lateral migration. But
2 also, with this extended area out here, it would have to
3 travel a lot further to get out. So, that's an extra
4 measure that we're taking to help with the lateral
5 migration issue.

6 But that's not the end of the road there. With
7 the water quality investigation that we'll be doing,
8 we'll also be making sure -- monitoring to make sure
9 nothing's leaving there. So we'll have monitoring
10 systems there to see if we detect anything. Like I was
11 talking about, detection monitoring and making sure that
12 nothing's come out of the landfill and that it's
13 contained in there. If something is, then it will be
14 addressed as part of that groundwater Record of
15 Decision.

16 There was a --

17 MR. SKAREDOFF: Before you leave that, could I
18 ask you a question?

19 MS. ZIELINSKI: Sure.

20 MR. SKAREDOFF: When you do the monitoring,
21 what will you actually be looking for? We're not sure
22 what's in there, so how do we know what to look for?

23 MS. ZIELINSKI: Yeah. There is -- like Laurent
24 was discussing, there is COCs that you determine first.
25 So, what you would be doing is -- looking for are COCs.

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1 MR. SKAREDOFF: Chemicals of concern?

2 MS. ZIELINSKI: Sorry. Stop me if I do that.

3 What we're looking for is chemicals of concern.
4 And that would be based on what we possibly think that
5 might have been disposed of in the landfill. So any
6 possibility we'd look and add that to the COC list, and
7 then for the COCs we'd evaluate and look for in the
8 protection monitor.

9 MR. SKAREDOFF: Is this expected to be --

10 Is there expected to be surface water present
11 after you've done this?

12 MS. ZIELINSKI: Yes. Yes.

13 MR. SKAREDOFF: What's to keep the surface
14 water from eroding this away?

15 MS. ZIELINSKI: That's what we'll be doing is
16 during the design we'll be developing a system that
17 meets the standard for erosion control. And there is
18 measures such as vegetation, et cetera, that can help
19 with the erosion and -- to stop that erosion. And this
20 site, once it's capped off, will be maintained to ensure
21 that there is no erosion.

22 MR. SKAREDOFF: Okay.

23 MR. GRIFFITH: The additional extension, is
24 that a standard thing to do, or is that a response to
25 additional concern?

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1 MS. ZIELINSKI: It's a response to additional
2 concern of lateral migration.
3 MR. GERSMAN: Bruce Gersman, Concord
4 Transcript.
5 Which comes first, the capping or the testing
6 of groundwater, just in terms of --
7 MS. ZIELINSKI: We're already testing
8 groundwater, but we need additional study on the
9 groundwater. And it takes -- you know, we do monitoring
10 periodically. That takes quite awhile. So we're doing
11 it right now. And we're going to cap those.
12 MR. GERSMAN: Okay. So the --
13 So once all the groundwater testing is done,
14 then a cap goes on or --
15 MS. ZIELINSKI: It's not just a single test.
16 It's monitoring to determine if, you know, you have
17 increasing or decreasing levels and to get a good
18 characterization. You take that information and -- in
19 here to determine if have you a significant release.
20 You need to do a statistical analysis. So you
21 have to have enough data to be able to do that. And
22 then also, like EPA was saying, you have to be able to
23 do the ecological evaluation and determine, you know,
24 what's out there that we need to protect.

25 MS. CANEPA: I guess I wanted to add a point,
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1 that once you place the cap it doesn't prevent you from
2 taking a future action to remedy anything that you might
3 see of concern in groundwater. If this monitoring is
4 ongoing and it turns out that, well, there is a
5 groundwater problem, the cap itself wouldn't prevent any
6 action from happening.
7 MS. IVERS: I know that adjacent to the
8 Martinez Bridge here they're doing some work. They're
9 putting in a new span there right at the former Rhone
10 Poulenc, Stauffer Chemical, near Rhodia. There was a
11 slag heap there that is sinking into this Bay mud. It's
12 the same Bay mud that extends up the river here. And it
13 was of great concern when they were beginning to build a
14 bridge because they didn't want to get down in there and
15 expose all this stuff all over again. And there was
16 some remedy to that.

17 My question is about this dump area that's on
18 this. It's going to continue to sink into the mud.

19 MS. ZIELINSKI: I don't believe we're seeing a
20 lot of that. You have a slag heap. You have something
21 that -- you know, the density of that slag metal
22 material is much heavier than the wood and paper and
23 plastic that you'd see in the waste.

24 MS. IVERS: But I thought we didn't know
25 totally what was in there.

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1 MS. ZIELINSKI: We don't. And there may be
2 some concrete, but we're not seeing a lot of sinking
3 going on right now.

4 The Redwood City landfill, they do have a
5 problem with that because it's so huge and there is so
6 much waste there. So, once again, you have a lot more
7 waste than we have here.

8 MS. IVERS: We're already dealing with a Bay
9 that has -- you know, can't eat the fish out of it and,
10 you know, selenium levels are high, dioxin levels are
11 high. There is that scrubbing action of the water. So
12 already we're dealing with a Bay that's -- that we can't
13 use.

14 So my question is, if there is even a concern
15 that there might be additional stuff going in, how are
16 we going to prevent that from happening?

17 MS. ZIELINSKI: It will be monitored to make
18 sure that's not happening. There is -- like I was
19 saying, there is a detection monitor to detect if
20 anything is leaving the landfill.

21 MS. IVERS: How quickly can we respond to that
22 if we find out there is something in the water?

23 MS. ZIELINSKI: There is -- under the CERCLA
24 process there is Time Critical Removal Actions for
25 within six months. So, there can be a quick response,

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1 if necessary. But this landfill's been here for quite a
2 while, so we're not seeing anything that's of the nature
3 that would require a quick response. So we are
4 taking -- you know, we're making sure that nothing's
5 leaving the site right now.

6 Does that answer your question?

7 MS. IVERS: It's an answer.

8 MS. ZIELINSKI: I mean, what we're going to be
9 doing is watching to make sure it's not, you know, going
10 down and driving contaminants out.

11 So, there'll be cap systems in there in place,
12 and there is -- there is a whole process, evaluation,
13 monitoring, and feasibility study for that. If you need
14 a quick-response action, that can be taken, but we're
15 not really seeing a quick-response action to be
16 necessary at this point.

17 MS. WILLIAMS: We need to take a break for a
18 few minutes for the court reporter. She'll tell us how
19 much time she needs.

20 THE REPORTER: Five minutes is fine.

21 MS. WILLIAMS: Are you sure five?

22 THE REPORTER: Yes.

23 MS. WILLIAMS: Okay. Five minutes. So, that
24 will be at 8:48 p.m.

25 (Recess from 8:42 p.m. to 8:52 p.m.)

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1 MS. WILLIAMS: Okay. We're back in session.
 2 MS. ZIELINSKI: Were there any more comments?
 3 MS. IVERS: Let me ask another question. It's
 4 like opening a floodgate.
 5 My question was about earthquakes and
 6 liquefaction through the soil. What if the big one
 7 comes, what -- what can you tell us about that?
 8 MS. ZIELINSKI: There is --
 9 Like I was saying before, there is issues about
 10 slope stability. We'll be looking at the landfill and
 11 making sure that it's stable. There is either maximum
 12 credible or maximum probable earthquake. For class II
 13 it's maximum credible, and for class III it's maximum
 14 probable earthquake. And maximum credible is the big
 15 one, and the maximum probable is the one that's probably
 16 going to happen.
 17 So, there is a whole section in the regulations
 18 that deals with slope stability to make sure that, you
 19 know, we don't have a liquefaction problem that's going
 20 to be a problem in the future. So, that's all evaluated
 21 as part of the design to make sure that we have a stable
 22 slope.
 23 MR. COOPER: There actually was another
 24 question over here before the break.
 25 ATTENDEE: Yeah. My question was if --

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1 monitoring pumps are found in the perimeter of the
 2 landfill. None of the monitoring pumps are found within
 3 waste mass.
 4 So I just want to make sure that the public
 5 understands that piece of information. It's essential
 6 to our understanding of water quality and the
 7 characterization thereof.
 8 MR. SKAREDOFF: Is that going to change with
 9 the proposed monitoring?
 10 MS. CANEPA: The plan hasn't been developed for
 11 the -- for the monitoring that is going to happen.
 12 MR. SKAREDOFF: So conceptually are we just
 13 going to stay around the edges, or are you going to try
 14 to sample inside?
 15 MS. CANEPA: Well, one of the main concerns and
 16 one of the major comments from the agencies have been
 17 that the wells that are there are offset about 50 feet
 18 from the toe of the landfill. So the Navy's agreed to
 19 put wells in at the very toe. But, again, the plan
 20 hasn't been written or developed yet.
 21 MR. SKAREDOFF: The toe would be where on this
 22 diagram here?
 23 MR. RAMSEY: Somewhere within that 50-foot cap.
 24 Somewhere within.
 25 MS. CANEPA: (Indicating.)

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1 It appears that you're going to do the -- you'd
 2 like to do the cap first, study the groundwater, and
 3 then remediate any issues that you found with
 4 groundwater. If that's the case, and the cap's been
 5 placed on top of the site, does that essentially rule
 6 out any excavation in the future just due to costs
 7 because you've got to excavate and then potentially
 8 recap all over again?
 9 MS. ZIELINSKI: I wouldn't say it would rule
 10 out something in the future. We've capped it off, we've
 11 contained it, and it's appropriately dealt with.
 12 Sometime in the future -- if, I mean, this place is
 13 always considered as a military base, can't really see
 14 that happening. There has been areas -- let's see.
 15 Down in San Diego they did transfer the base,
 16 and the Port worked with the Navy to be able to do an
 17 excavation of material down there. But here it's a Navy
 18 facility. It's continuing and planned to be a Navy
 19 facility. And what we're doing is just making sure that
 20 that contamination won't migrate anywhere.
 21 MR. MEILLIER: Okay. One essential piece of
 22 information that hasn't yet really been brought up is
 23 the fact that we only have an approximate of what the
 24 water quality is in groundwater at this site because of
 25 the location of those monitoring pumps. Those

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1 MR. SKAREDOFF: Not there. Well, I'm hearing
 2 several different things.
 3 MS. CANEPA: Again, the plan hasn't been
 4 developed.
 5 MR. SKAREDOFF: At the edge of the --
 6 MS. ZIELINSKI: Yeah, what you have there is
 7 that's where the waste was. And what the regulations
 8 require is that you put it at the end of the unit. And
 9 so we would be required to have vertical control right
 10 there at the edge of the unit.
 11 MR. SKAREDOFF: Well, in reading over these
 12 discussions leading up to the ROD, I think it was -- one
 13 of the main points that's made in there was that the
 14 bottom of this landfill is considered to be permanently
 15 inundated. I think that was a statement that was argued
 16 over, and finally it was said, yeah, it's permanently
 17 inundated. So, there is a bunch of water sitting
 18 underneath this thing out there. I guess presumably
 19 it's on top of the Bay mud and below the bulk of the
 20 landfill.
 21 Is there any -- going to be any attempt to
 22 identify what's in that water?
 23 MS. ZIELINSKI: What they'll do is --
 24 Okay. Now I forgot the question. Do you mind
 25 repeating?

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1 MR. SKAREDOFF: Yeah. Is there going to --
2 Are there any plans to identify or characterize
3 the water that's in the bottom of the landfill now?
4 MS. ZIELINSKI: It's not a requirement. What
5 you'll be looking for is any possible contaminants of
6 concern exiting out the landfill. So, what you want to
7 do is make sure there is nothing bad coming out of the
8 landfill. It's not a requirement to go in and -- and
9 drill through a landfill and take groundwater samples
10 out of there. You have problems associated with that.
11 You might be creating a conduit that could be a problem
12 in the future.
13 MR. SKAREDOFF: Are we assuming that it's not
14 going to penetrate on down into the native groundwater,
15 then?
16 MR. RAMSEY: Groundwater is groundwater.
17 MS. ZIELINSKI: We'll be monitoring for that.
18 MR. SKAREDOFF: Well, I mean, you got this
19 thing, you got the mud it's sitting on. Somewhere
20 underneath that there's some other groundwater.
21 MS. ZIELINSKI: Yeah, you have the -- the
22 schematic which you had up. There you had that
23 groundwater. That's what will be monitored to make sure
24 nothing's coming out of there.
25 MR. SKAREDOFF: Well, you're going to be

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1 monitoring off to the side. How do you know it's not
2 coming down here?
3 MS. ZIELINSKI: It will be monitored --
4 If there is anything migrating away from the
5 site, once again, the concept is to contain in that
6 area.
7 MR. SKAREDOFF: Okay. So the idea is to keep
8 it in the footprint. If the footprint goes to the
9 center of the earth, it's okay just as long as it stays
10 in there; right?
11 MS. ZIELINSKI: Yeah.
12 MR. MELLIER: Igor, was that kind of asking --
13 I mean, there is potentially another aquifer, a sandy
14 aquifer found below the Bay muds there. And there
15 hasn't been any wells drilled to that depth and,
16 therefore, characterized the quality of that water, and
17 that potentially -- potentially sand lenses that might
18 connect, you know, the -- the leachate that is produced
19 to this sandy aquifer found below it.
20 MS. ZIELINSKI: Yeah, there is a lot of issues
21 still associated with the groundwater. We'll be going
22 through the whole process and getting back to address
23 those.
24 MR. BOYER: There's Dean, then I've got a
25 couple questions.

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1 MS. ZIELINSKI: Sure.
2 MR. MCLEOD: The elephant that's in the room
3 that everyone doesn't want to talk about is what's in
4 the landfill. And until July 17th, 1944 it was -- the
5 largest home-front disaster of the war occurred a couple
6 of hundred yards from here, and three ammunition ships
7 exploded and the debris went for many miles. And the
8 Navy made an extensive inventory of every piece of that
9 debris.
10 Did they put that in the landfill?
11 MS. ZIELINSKI: I really couldn't tell you what
12 the Navy did with that.
13 MR. RAMSEY: I would say no.
14 MR. MCLEOD: Do we know that?
15 MR. RAMSEY: One example, give you an idea, one
16 thing we've been -- some light reading for the history
17 of the Weapons Station, two full boxcars during the '44
18 collision were knocked in the Bay. Those two full
19 boxcars were taken out, they believe, to one of the
20 offshore islands. I believe it's --
21 MR. BOYER: Yeah, and buried.
22 MR. RAMSEY: -- Ryer.
23 And the Navy did a fairly in-depth geophysical
24 looking -- using magnetometry, I think, in the air, and
25 did an extensive survey to try to identify where those

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1 two boxcars had been buried. And this all happened
2 right after this collision.
3 MR. MCLEOD: Well, they also did an extensive
4 inventory of every piece they found. And I've got a
5 copy of it. And there were pages and pages and pages of
6 every piece of metal.
7 Now, the question is, did they dump it in the
8 dump which was a couple of hundred yards from where the
9 explosion occurred?
10 MS. ZIELINSKI: I couldn't --
11 MR. BOYER: I guess you have to ask yourself --
12 Well, Dean, I'd ask myself, if it's pages and
13 pages and pages, how big would that dump really be if
14 they'd put all that stuff in there would be my next
15 question. That dump's probably not big enough to really
16 contain all that.
17 MR. MCLEOD: Well, it's 11 acres. Most of it
18 was disintegrated. The only big pieces were metal. So,
19 you know, if you talk about having trash in the dump, I
20 don't think that we're concerned about that.
21 MR. BOYER: Do we care if pieces of iron plate
22 are degrading in there? If they were lead plate --
23 MR. MCLEOD: It sounds like a very simple thing
24 to determine. It would answer all kinds of questions
25 about all of these remedies that we're talking about if

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1 we could investigate what's in there.
 2 MR. RAMSEY: EPA's -- we've had this
 3 uncertainty about what goes on. For the Navy's benefit,
 4 I mean, just to repeat the things I've heard, one thing
 5 came up with this Tritonal, which is a TNT/aluminum
 6 mixture. That's the only reference to any explosives
 7 being put into Site 1 is 700 pounds -- or 500 pounds of
 8 Tritonal filler, and so we figure out Tritonal is TNT.
 9 The Navy has indicated to the agencies that that is
 10 generally not their -- that's not their procedures for
 11 disposing of munitions.
 12 MR. McLEOD: In 1944?
 13 MR. RAMSEY: Well, I mean, they had a burn
 14 area. So we know some of this powder is from Site 13
 15 burn-off there. They had the open burn in the
 16 detonation areas. So we do know about -- those certain
 17 areas of those kind of demolition activities occurred.
 18 And the Navy had indicated that Site 1 they do not
 19 believe that's the case.
 20 The agencies have uncertainty about these
 21 things. We've expressed a lot of interest, and there is
 22 a willingness to be out there. We want to see when this
 23 pullback occurs and the cap is being constructed --
 24 that's going to be the best opportunity to actually see
 25 things as they're excavating.

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1 Now, myself and an Integrated Waste Board staff
 2 member, who now has been replaced by a new staff member
 3 because the State has some, obviously, budget problems,
 4 but I went out last year with Christopher Fong, I
 5 believe is his name. We walked a fair amount of the toe
 6 of the landfill, and there was nothing I saw with wings
 7 or fins on it.
 8 MR. McLEOD: Then it would be on the bottom.
 9 Since the dump's been being built since 1944, they
 10 wouldn't be on top.
 11 MR. RAMSEY: But the idea that actually
 12 waste -- and that's when you have to understand, from
 13 the EPA's standpoint and from at least from --
 14 establish -- my suggestion was let's carve out -- this
 15 is something we can salvage in the decision. Let's
 16 carve out the containment cap. That can be salvageable.
 17 We can deal with that. We're going to have to look at
 18 the groundwater a lot more carefully.
 19 We didn't see any screaming indications of any
 20 big groundwater plumes. We don't necessarily have a
 21 human health aspect associated with the groundwater.
 22 It's an ecological what happens as the surface -- from
 23 the surface water and, therefore, impacting on the
 24 Sacramento/San Joaquin Delta, you know.

25 MR. McLEOD: As long as you leave it as a dead

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1 zone.
 2 MR. RAMSEY: Well, this is an operating base.
 3 That's the other thing, it's an operating base.
 4 MS. ZIELINSKI: I mean, there is all these
 5 standards for human health protection. All of these.
 6 So they're doing a lot to protect human health. It's
 7 just going to be open space because it is a military
 8 facility. So they're doing a lot to contain the waste
 9 and protect human health.
 10 MR. BOYER: So I've got a question.
 11 Patrick, in the totality of the circumstances
 12 that you see here, if we put a cap on this tomorrow, is
 13 it going to make it worse?
 14 MR. LYNCH: No. I mean, the only thing the cap
 15 will do is make the cost of groundwater remediation
 16 higher.
 17 MR. BOYER: Okay. And EPA and the Board agree
 18 with that, you aren't going to make it worse tomorrow by
 19 putting a cap on it?
 20 MR. RAMSEY: Well, that's why, again, it was
 21 EPA -- it was my suggestion, Mr. Boyer, you know, a year
 22 and a half ago that this is what I had seen as the
 23 workable component of that Record of Decision.
 24 In the original ROD what the Navy was proposing
 25 was just to monitor the groundwater. And we said we

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1 don't want to accept a monitoring remedy at this point.
 2 We need to look at it carefully.
 3 There was questions about the adequacy of the
 4 monitoring well network. And that really does get into
 5 well design and locations. But we did have -- there is
 6 an existing data set. There was a team --
 7 I think I mentioned this before. There was a
 8 team of agency representatives. There was -- Water
 9 Board had representatives, EPA had representatives, and
 10 the group of people went through and agreed to it, and I
 11 generally believe the records describe that. So, there
 12 was some attempt to -- you know, from the agency
 13 standpoint to accept what would be generated.
 14 Of course, as time changes we have a new group
 15 of people. We're looking at things slightly different.
 16 We said we weren't completely prepared.
 17 Laurent and I came to the site about the same
 18 time, Regional Water Board, myself, and we just felt
 19 that that was one area we weren't as comfortable
 20 proceeding, but I felt that it was workable to salvage
 21 the containment cap since, again, that is a -- generally
 22 what happens with these kind of landfills when you get
 23 to this kind of size.
 24 I did want to emphasize, too, we've heard a lot
 25 tonight where the EPA presumptive remedy is mentioned.

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1 What I think people may not understand sometimes is it's
2 a guidance, and no one has ever added the word
3 "guidance" onto the end of this. Presumptive remedy
4 guidance.

5 And a guidance does contain -- you know, it has
6 a lower legal threshold. We can look at these things,
7 but it's not the law one must follow. And those
8 presumptive remedy guidances were being developed about
9 the same time that this landfill has been going through
10 the RI/FS and Record of Decision process.

11 MR. BOYER: So -- and this is an open question
12 to any expert out there. If we pull all of the stuff
13 out and we know that the bottom couple feet or bottom
14 foot is inundated totally, and we pull all of that out
15 and we throw in new, fresh landfill, considering Area 1
16 is totally within the R Area in Area 2, what's to
17 prevent it from being recontaminated by that groundwater
18 later on from Area 2, which has not been dealt with?

19 MS. ZIELINSKI: You're saying --
20 Are you saying cap, we're capping it off?

21 MR. BOYER: I'm saying instead of capping, you
22 say let's dig this thing out and remove -- and removal
23 is the answer, and you do remove down below the
24 groundwater, you place in new fill, and yet the
25 groundwater is still there that is still part of Area 2.

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1 horizontal movement if there was that much vertical
2 movement?

3 MR. BOYER: That would be my question, if you
4 see that much vertical, I'd expect that much horizontal.

5 MR. LYNCH: You're basically --
6 You have surface water, you have the fill, and
7 the fill is essentially -- when it's raining is -- is --
8 the water level in the fill is increasing. And that
9 will both increase the amount of that shallow
10 groundwater that moves laterally into the artery
11 wetlands, or the most recent measurement actually showed
12 groundwater flowing inland, the recent sampling they did
13 in the fall.

14 But, you know, that -- that gradient would also
15 increase the -- the vertical travel. So, I mean,
16 both -- both should be happening. Probably the lateral
17 one is more dominant simply because the soil --

18 MR. RAMSEY: That's the way they're laid down,
19 Patrick. I mean, that's the thing. I mean, that's
20 right. That's the way the soils are laid down. So you
21 basically always have that porosity higher in the
22 lateral direction than you do vertically.

23 MR. BOYER: Well, for me --

24 MR. RAMSEY: This is a very complicated, you
25 know, very detailed discussion of the groundwater and

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1 And --

2 And from what I'm hearing Patrick say is
3 that -- that he doesn't believe necessarily that the --
4 that the characterization of the water flow is correct
5 there, that you think it's still down flowing through
6 the Bay mud in that area, which to me would mean that
7 it's going to bring that groundwater from Area 2 back
8 into Area 1 and still drop in that area.

9 Yes, no, sort of?

10 MR. LYNCH: Yeah, that's not --

11 When I'm speaking about vertical flow, I don't
12 see, you know, that having groundwater from the R Area
13 going into -- that is really a lateral flow.

14 And let me point out that I took a look at the
15 measurements that they have for gradients and the soil
16 conductivity. And if you -- if you take those
17 measurements from the site and you realized the age of
18 the landfill, leachate could have traveled to a depth of
19 between 20 feet and 450 feet depending upon the
20 different gradients that were measured.

21 So, again, from what I understand, the usable
22 aquifer is about 50 feet deep in this area. So, there
23 certainly is potential already that some leachate has
24 traveled through 50 feet of Bay mud and impacted.

25 MR. SMITH: Would you expect to see much

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1 maybe that just -- maybe it's --

2 MR. BOYER: For me this comes down to a
3 monitoring issue later on, the groundwater study
4 monitoring. The cap can go on. As long as we're not
5 going to make the problem worse, you might as well cap
6 it now. All you're doing is spending a little bit of my
7 taxpayer dollars if you're wrong because it comes down
8 to monitoring the groundwater survey later. And there's
9 nothing to say that if we're wrong they won't go back
10 and dig it out later and say we screwed up, sorry.

11 But I don't see anything here that says -- that
12 lends me to believe that a cap is not the right answer
13 at this point. The groundwater answer is going to be
14 separate, I think.

15 MS. ZIELINSKI: Any more questions?

16 MR. MENESINI: Well, I would tend to agree with
17 that.

18 Go ahead, Igor.

19 MR. SKAREDOFF: Go ahead, Mario. That's all
20 right.

21 MR. MENESINI: I would tend to agree with your
22 statement because, you know, landfills have been capped
23 ad infinitum. And I don't know when the last excavation
24 was done to remove billions of tons of cubic feet of
25 tons of --

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1 But, anyway, we've got good experience in
2 capping. I agree that monitoring and knowing what's
3 there -- I don't know how much we know about what's
4 there, and -- and I haven't really seen any good data on
5 that. But as far as I'm concerned, I don't see any
6 other remediation at this time that would be safe and
7 realistic in terms of economic practical value. That's
8 my perception at the moment.

9 MR. SKAREDOFF: Just to kind of cross-check my
10 own sort of understanding of what I've been hearing,
11 there's sort of -- sort of broad themes here, I think.

12 One idea is that we've had this thing here for
13 all these years, and it's not good. So let's kind of
14 quit messing around and do something that we think is
15 going to be helpful. So, what should that be? Should
16 that be trying to keep it in place or whether that
17 should be to remove it. One thing I've heard is if we
18 remove it, chances are we'll still have to put a cap on
19 it. Is that --

20 I just wanted to cross-check that with Patrick.
21 Does that sound like --

22 MR. LYNCH: You know, again, not only do I
23 think it would be highly impractical to do that in the
24 wetland, that is the way the laws are written, but
25 you -- you would only be required to do that if there is

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1 groundwater contamination. And then you ask yourself,
2 well, maybe the groundwater isn't contaminated right
3 now, but what if it becomes contaminated in another ten
4 years.

5 MR. SKAREDOFF: Okay. So the choice would be
6 to remove it, haul it off somewhere, or to encapsulate
7 it, basically. And then when you talk about
8 encapsulating it, I guess the whole groundwater issue
9 got so complex, I'm inferring that the decision was
10 made, let's go ahead and cap it and solve the
11 groundwater problem down the road just so we know -- so
12 we do what we know we can do and not delay applying some
13 kind of a remedy any longer.

14 Is that kind of the rationale behind this
15 splitting the processes out?

16 MR. RAMSEY: Well, except --

17 Generally, Igor, correct, but I would add that,
18 again, when we looked at the -- now we have this 1997
19 groundwater technical memo, and that has -- has just now
20 recently been supplemented with this little report. So
21 we have a draft report, I believe the RAB members got
22 also, on this little snapshot of groundwater sampling.
23 So prior to this result, this report we just received
24 this last week, all we were utilizing was the 1997, '98
25 technical memo, and that had a series of several years

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1 of groundwater sampling. So, that was the groundwater
2 RI, again.

3 And assuming that the acceptability of it --
4 I'm answering your question, Igor -- is the idea there
5 was -- we had that data for those wells that had a group
6 of people that said this is where we want these wells
7 and we're going to sample --

8 MR. SKAREDOFF: Okay. I'm not -- I'm not
9 disputing that. I'm just trying to understand sort of
10 in a broad sense the reason we took this split, this
11 fork in the road here, is because we felt we -- you
12 know, the feeling was that putting on a cap was going to
13 be something that would be good to do and that it would
14 not necessarily keep us from doing something later if we
15 decided something more had to be done.

16 MS. ZIELINSKI: Right.

17 MR. SKAREDOFF: We put on the cap, it keeps the
18 water from infiltrating down. If we do this thing this
19 way, it reduces the lateral movement, maybe even
20 prevents it, and in the meantime, then, we're going to
21 go ahead and study the groundwater and figure out what
22 to do next if something -- or maybe if something needs
23 to be done next.

24 Is that kind of in a broad sense where we are?

25 MR. RAMSEY: We have a lot more. Again, what

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1 the original ROD was proposing wasn't a no action, but
2 it was monitoring, which is like saying we're not going
3 to do anything --

4 MR. SKAREDOFF: Okay. I'm not trying to re- --
5 I'm trying to go forward from where we are
6 here.

7 MR. RAMSEY: Well, I'm trying to go back to
8 where this thing split at because I think everyone keeps
9 wanting to know where did this thing split. And I'm the
10 person who made the suggestion, and I'm here to answer
11 the question.

12 MR. SKAREDOFF: I've heard your answer. Okay.
13 Thank you. So, that's where we are now; right? Is
14 that -- is that sort of the sense of -- of where
15 we're -- where we are at this point?

16 MS. WALLERSTEIN: Yes. And we're proceeding
17 with the groundwater work that needs to be done.

18 MR. SKAREDOFF: Right. We're -- we're doing
19 this because it's sort of a do-no-harm kind of thing and
20 it could possibly do some good. And in the meantime
21 we're going to go look at -- see if there is -- anything
22 more needs to be done in connection with the
23 groundwater. And the reason we're doing this
24 intermediate thing now is because we don't want to wait
25 until the groundwater stuff is done and have more

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1 infiltration take place in the meantime.
2 Is that kind of the sense of where we are?
3 MR. RAMSEY: That and these Records of Decision
4 we have -- in addition to a community that's saying when
5 are you going to do these actions? The Navy and U.S.
6 EPA is responsible to our agency, we're responsible to
7 congress, we're responsible to taxpayers of this country
8 also, and because of that we're trying to proceed on
9 this.
10 MR. BOYER: Okay. At this point, you know, the
11 only thing that would tell me we have to dig this out is
12 if somebody says, hey, in this well we're finding this
13 chemical and it's at this point and we need to deal with
14 this, and the only way to deal with it is to pump this
15 crap out and dig it out.
16 We're not seeing that, are we, anywhere yet?
17 MR. RAMSEY: Yeah, there was no --
18 In the groundwater we didn't believe we had
19 these kind of screaming results that said there is some
20 imminent groundwater action that has to be done or we're
21 going to be wasting the salmon or something like that.
22 MR. BOYER: You've got salinity problems, you
23 may have some Otto fuel, biodegradation products, but
24 until the groundwater study itself goes forward in a
25 more detailed way, you aren't going to know for real
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1 what's there yet.
2 MR. RAMSEY: And we also go back and look real
3 carefully about, you know, where else could this -- kind
4 of looking at the data, it's like how acceptable were
5 those monitoring wells -- the network.
6 MR. BOYER: I say slap a cap and give me a
7 monitoring system.
8 MR. RAMSEY: There are actually a lot more
9 wells out there than have been presented that have been
10 sampled in this last snapshot. And so we will, when the
11 Navy finally gets the funding to start the work plan, to
12 do the groundwater study, submit a work plan, but they
13 will sit down with us and talk to us about the existing
14 data, then we can start looking real closely at the well
15 logs, you know, what's been done, where the wells are,
16 which we've actually been doing because, actually, that
17 exercise has already actually occurred when we looked at
18 the Tidal Area Sites 2, 9, 11 RI data last six months
19 ago.
20 MR. SKAREDOFF: One more question. When
21 Patrick was making his presentation, he was sort of
22 working out the scenario where if we do the cap and we
23 do the monitoring and we end up having to do some
24 disposal of things or water -- pumping out of water,
25 whatever, that can likely end up costing as much as
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1 digging the thing up in the first place.
2 I guess I would like to hear the Navy's
3 response to that.
4 MS. ZIELINSKI: He's saying that it would cost
5 as much --
6 Oh, I think I know what you're talking about.
7 MR. SKAREDOFF: If we put in the barrier and we
8 pumped out the water that's leaching out of there and
9 treated it and disposed of it, as that would be going on
10 the dollars would be chinking away in the meantime, and
11 doing that would cost in the same ballpark as it would
12 to dig it up and remove it in the first place. So cost
13 is really not the driving force here.
14 MS. ZIELINSKI: Yeah, the EPA criteria, as you
15 know, has a lot of variability in the cost estimate.
16 So, what they're looking at -- what they're looking at
17 is seeing, you know, with that variability they could be
18 relatively equal, so that takes cost pretty much out of
19 the decision.
20 There is nine evaluation criteria, and cost is
21 a balancing criteria, but compliance with ARARS and --
22 etcetera are the threshold criteria. So that what that
23 docs is it just says, okay, that's in the ballpark, same
24 area. So, it takes cost out of consideration for
25 balancing.
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1 MS. ZIELINSKI: Any more?
2 Okay. Thank you very much.
3 MS. WALLERSTEIN: Thank you very much, Tamara.
4 MR. BOYER: Patrick, thank you as well.
5 MR. MENESINI: I think that's Engineering 1-A,
6 1-B.
7 MR. SKAREDOFF: Feel like you've just been to
8 the groundwater gym?
9 MR. MENESINI: Good job.
10 MS. ZIELINSKI: Thanks.
11 MS. WALLERSTEIN: Okay. Well, that concludes
12 our last agenda item. And I would like to thank all of
13 our speakers, Igor, and Patrick, and Tamara, and I'd
14 like to thank everybody who contributed in the
15 conversation.
16 And do we have a motion to adjourn?
17 MR. MENESINI: I'll move it.
18 MR. BOYER: I'll second.
19 MS. WALLERSTEIN: Next month we're tentatively
20 slated for the Willow Pass Community Center. And I need
21 to talk to Chris Boyer about that afterwards. But for
22 right now we're at the Willow Pass Community Center.
23 But we'll get that nailed down within the next week, and
24 it will be mailed out with the agendas.
25 So we had a motion to adjourn and a second.
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1 All those in favor, Aye.
2 THE BOARD: Aye.
3 MS. WALLERSTEIN: Adjourned.
4 (Off record at 9:07 p.m., 2/2/04.)
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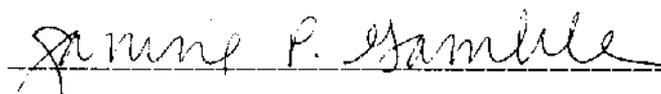
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CERTIFICATE OF REPORTER

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 18th day of February, 2004.



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