

**DRAFT MEETING MINUTES
RESTORATION ADVISORY BOARD MEETING
NAVAL WEAPONS STATION SEAL BEACH, DETACHMENT CONCORD,
CONCORD, CALIFORNIA
MAY 10, 2004**

These minutes reflect general issues raised, agreements reached, and action items identified at the Restoration Advisory Board (RAB) meeting for Naval Weapons Station (NWS) Seal Beach Detachment (SBD) Concord, California. The meeting was held from 6:30 p.m. to 8:45 p.m. on May 10, 2004, at the Permit Center Building D of the City of Concord Offices in Concord, California. Agreements and action items are described by topic under Sections I through V and are summarized in Section VI. A list of participants and their affiliations is included as Attachment A, and the meeting agenda is included as Attachment B.

I. WELCOME, INTRODUCTIONS, AND PUBLIC COMMENT

Welcome and Introductions

RAB Community Co-chair Mary Lou Williams (Concord resident) called the May 10, 2004, RAB meeting to order and initiated a round of introductions for participants.

Margaret Wallerstein, Ph.D. (RAB Navy co-chair) reviewed the meeting agenda and asked whether there were any comments or additions. The RAB approved the May 2004 agenda.

Public Comments

Ms. Williams opened the floor to public comment. Mary Malko and her associate, Lisa Anich, both from Friends of Mount Diablo Creek, distributed the organization's summer 2004 newsletter. Ms. Marlko noted that Friends of Mount Diablo Creek is a newly found group that is sponsoring two events in May and invited those present at the meeting to attend both events.

The Friends of Mount Diablo Creek summer 2004 newsletter is included as Attachment F.

June 2004 RAB Agenda Approval

Ms. Wallerstein reviewed the proposed June 2004 RAB meeting agenda. Ms. Wallerstein proposed that the content of the draft agenda remain the same, with the order and duration of the topics adjusted. Specifically, Ms. Wallerstein felt that the presentation on the Site 22 sampling and analysis plan (SAP) did not require 50 minutes and could be shortened. More time, then, could be given to the Remedial Project Manager update regarding the Litigation Area.

Mr. Ray O'Brien (Bay Point resident) requested that, as a related but additional agenda item, consultant Patrick Lynch be allotted 45 minutes on the June agenda to present information on the Navy's feasibility study and monitoring plan for the Litigation Area. Ms. Wallerstein asked whether the board members could obtain Mr. Lynch's written material ahead of time and Mr. O'Brien agreed.

It was noted that comments for the draft monitoring plan for Litigation Area sites are due on June 29, 2004. After some discussion, it was decided that the key focus of the June 2004 RAB meeting will be the Litigation Area sites to assist the RAB in preparing comments on the draft monitoring plan. Mr. Steve Tyahla (Navy) agreed to shorten his presentation on the Site 22 SAP to 15 minutes to accommodate a

schedule that will allow discussion of the Litigation Area sites.

Ms. Williams noted that the June agenda is full and asked RAB members to be on time and to be willing to stay late to complete agenda items if necessary. Mr. Igor Skaredoff (Martinez resident) said that obtaining written materials from all presenters ahead of time would help the board members prepare and keep the meeting on schedule.

Mr. Phillip Ramsey (U.S. Environmental Protection Agency [EPA]) expressed concern regarding a lack of actual or planned discussion of the Tidal Area sites. Ms. Wallerstein agreed to add a discussion of Tidal Area Sites 2, 9, and 11, during the July 2004 RAB meeting.

Mr. Skaredoff made a motion to approve the June 4, 2004, RAB agenda with the noted changes. Mr. Gregory Glaser (Concord resident) seconded the motion. The RAB voted to approve the agenda.

II. APRIL RAB MEETING MINUTES APPROVAL

Ms. Williams asked for comments on the RAB meeting minutes for April 5, 2004. There were no comments, so Ms. Williams moved to approve the meeting minutes, and Mr. Glaser seconded the motion. The meeting minutes were approved.

Action Item

- The Navy will distribute the final RAB meeting minutes for April 5, 2004.

III. COMMITTEE REPORTS AND ANNOUNCEMENTS

RAB Update

Ms. Williams stated that she wanted to introduce two orders of business for community RAB members. The first is the need to define an "excused absence" with regard to RAB meetings. The second is a need to sign the RAB Charter and Bylaws, as those were accepted by the group but have not been signed.

Ms. Williams explained that the RAB bylaws currently state that a RAB member who has three consecutive unexcused absences may be dismissed from the RAB. However, there is no definition for an unexcused absence. Mr. O'Brien said that this definition may not need to be addressed unless it becomes an issue. Ms. Williams noted, however, that it has been an issue in the past. Mr. Skaredoff suggested evaluating who is absent at each meeting and determining at that time whether the absence is excused or unexcused. Mr. Glaser indicated that there should be great leniency in granting excused absences and suggested that this issue could be discussed over e-mail, as Ms. Williams had initially mentioned. Ms. Williams asked community RAB members to send her an e-mail with their thoughts about what constitutes an excused absence, and suggested that the board members can discuss it further over e-mail.

Regarding the second item, Ms. Williams noted that the RAB Charter and Bylaws were never signed by board members, and must be for them to be valid. Ms. Williams will follow up and ensure the Charter and Bylaws are signed.

Ms. Williams also made a note on the venue for the May 2004 meeting. This is the first time that the

Board has convened at the Permit Center Building D; she noted that it is a nice room and a convenient location, but is cramped for the number of attendees. David Cooper (EPA) noted that there were posters in the room that members in the back cannot see, people in the back were cramped, and the room layout may not accommodate everyone. The posters were rearranged so that members in the back could see them. Ms. Wallerstein suggested that the two half-round tables at the front and back of the tables be removed for the June meeting to allow more space for the audience. Mr. Skaredoff noted that his action item from the last meeting was to check into meeting space at the Shell Hall in Martinez. He noted that space may be available, but a current Shell employee must sponsor the group, and offered to check in to see whether he could identify a Shell employee who would act as a sponsor. Ms. Wallerstein suggested that the Board hold the June RAB meeting at the Permit Center Building D to allow Mr. Skaredoff more time to look into space at the Shell Hall.

Action Items

- RAB members will send Ms. Williams e-mails with suggestions regarding the definition of an excused absence.
- The June 2004 RAB meeting will be held at the Permit Center Building D in Concord. The room will be rearranged to allow more audience seating at the back of the room.
- Mr. Skaredoff will attempt to find a Shell employee to sponsor the RAB for use of the Shell Hall venue for the July 2004 RAB meeting.

IV. REMEDIAL PROJECT MANAGERS (RPM) UPDATE

Navy Update

Mr. Tyahla reviewed the two-page RPM monthly update that was distributed during the RAB meeting (Attachment C). Mr. Tyahla said that his updates cover events from the last meeting up to the present. Mr. Tyahla noted one item that was not on his update, which was his receipt of training on ecological risk assessment during the first week of May. Mr. Tyahla then reviewed the tracking sheet for upcoming documents planned to be available for review during the next 3 months (see Attachment D). He explained that some document due dates are listed as “to be determined (TBD)” and noted various reasons. Those “TBD” items include the following:

- The final Site 1 record of decision (ROD) has not yet been submitted because it has yet to be signed by the agencies.
- The draft remedial design for the Site 1 landfill is still in progress, pending final signature of the ROD. However, Mr. Tyahla noted that while the design may be delayed, the Navy hopes to accelerate the construction schedule for the landfill.
- The submittal date for the draft Site 1 Sampling and Analysis Plan (SAP) for further investigating groundwater was delayed after discussion with the agencies. Originally, the Navy had grouped together Site 1 with Tidal Area Sites 2, 9, and 11 in the SAP. Based on the discussions with the agencies, the Navy agreed to change its approach for the SAP to solely

focus upon Site 1. The current plan is for the Navy is to submit an outline of the proposed SAP with a focus on Site 1 to the agencies for review prior to submission of the full draft SAP.

Mr. Tyahla highlighted two of the items on the RPM update handout, as follows:

- On April 28, 2004, the Navy submitted a letter to the EPA regarding the draft final SAP for Sites 22, 27, and 29. The Navy will provide a brief overview of that sampling plan (which is now final) at the June 2004 RAB meeting.
- On April 29, 2004, the Navy distributed the draft monitoring plan for the Litigation Area sites. Mr. Tyahla noted that a presentation on that report is scheduled for the latter half of this meeting, and he stressed the fact that it is a draft document that has only recently been submitted to the agencies for review.

A community member asked whether a map is available on the Internet that shows the location of the Installation Restoration Sites. Tommie Jean Damrel (TtEMI) provided him with a handout that has a link to the map (<http://www.sbeach.navy.mil>).

San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) Update

Laurent Meillier provided an update on SFBRWQCB activities that occurred during April 2004.

- SFBRWQCB attended a meeting with the Navy on April 26, 2004, to discuss the underground storage tank (UST) sites.
- SFBRWQCB requested that a portion of Remedial Action Subsite (RASS) 3 in the Litigation Area be classified as a new UST site. The agency's specific concern is possible contamination by total petroleum hydrocarbons (TPH) from the former Getty Oil Company. At the request of the Navy, SFBRWQCB issued a letter describing its rationale to the Navy for classifying RASS 3 as a new UST Site.
- SFBRWQCB met with the Navy on April 20, 2004 and expressed concern about a broken tide gate leading to a slough. SFBRWQCB requested that the Navy repair the gate.
- The SFBRWQCB issued comments to the Navy on the draft feasibility study for the Litigation Area sites.

EPA Update

Mr. Ramsey reviewed the following actions by the EPA since the last RAB meeting.

- EPA sent the Navy a letter regarding the ROD for Site 17, asking for a time extension for their review. The Navy extended the due date for review to May 14, 2004. Mr. Ramsey believes that EPA comments on the document will be primarily administrative and editorial.
- Attorneys for the EPA are currently reviewing the ROD for Site 1, and working through the final issues, so the ROD may be signed soon.
- EPA is reviewing a draft feasibility study for the Litigation Area sites and expects to complete

that review as requested on May 18, 2004. Mr. Ramsey noted that this site is the highest priority. So far, the EPA has some major issues with the document and is disappointed with the Navy's proposal. Specific issues will be noted in written comments.

- EPA expected a draft SAP for Site 1 groundwater on May 14, 2004. Instead, the Navy recently submitted an outline for the SAP. Mr. Ramsey stated that the agency had comments on the proposal for sampling and recommended that the tide gate at Otter Sluice be repaired.
- On May 1, 2004, DOW Chemical and the Concord Sanitation Department held a joint community outreach meeting and tour. Mr. Ramsey attended the meeting and distributed fact sheets about NWS SBD Concord. He also met representatives from Friends of Mount Diablo Creek and invited them to attend the May RAB meeting. (Two members from the group were present at the May 2004 meeting.) Ms. Wallerstein noted that the Navy could not attend this year because of a scheduling conflict, but would like to attend in the future. As a means of community outreach, Ms. Wallerstein noted that Mr. Tyahla will present an overview of the Concord IR Program to the Bay Point Community Advisory Panel during their next meeting which is to be held at the Ambrose Community Center on May 24, 2004.
- Mr. Ramsey mentioned briefly some other projects that are lower priority than the projects he mentioned at the beginning of his update. These projects include the Site 13 SAP; Mr. Ramsey is waiting for a response to comments he submitted to the Navy. In addition, EPA is currently reviewing the Supplemental Remedial Investigation Report for Site 30. Finally, based on work for an environmental baseline survey, the Navy should be releasing a Finding of Suitability to Lease (FOSL) for portions of the Inland Area soon.

Action Items

- The Navy will plan to attend the 2005 the DOW Chemical and Sanitation Department meeting and tour.
- Mr. Tyahla will make an IR Program presentation at the next Bay Point Community Advisory Panel meeting to be held at the Ambrose Community Center on May 24, 2004.

DTSC Update

Mr. Jim Pinasco provided an update on Department of Toxic Substances Control (DTSC) activities that occurred during April 2004. He said that DTSC is awaiting the signature page for the Site 1 ROD. DTSC will sign the ROD after it is received from EPA. In addition, Mr. Pinasco introduced the new community involvement coordinator for DTSC, Ms. Michelle Trotter.

V. DRAFT MONITORING PLAN LITIGATION AREA SITES PRESENTATION

Cindi Rose (TtEMI) presented an overview of the Navy's draft monitoring plan for Litigation Area Sites. The draft monitoring plan was submitted to the RAB and the agencies on April 30, 2004. Comments are due on June 29, 2004. The draft monitoring plan for Litigation Area sites presentation is provided as Attachment E. Comments and questions on the presentation are presented below.

Mr. O'Brien asked Ms. Rose to clarify the areas where contamination was left in place, as noted on slide 10, and the reason. Ms. Rose responded that those areas are inaccessible by road and are tidally influenced marsh. In addition, she said, at the time of the original ROD it was felt that more harm than benefit would be caused by trying to remove any soil.

Mr. Skaredoff asked how the Navy could compare soil data over the next 5 years if samples are collected only once every five years. It was explained by Mr. Tyahla that the sample grids proposed for sampling in the monitoring plan are identical to those sampled during the last 5 years of monitoring. New monitoring data will be compared with the existing data set.

Michael Bryant (community member) asked Ms. Rose why the Navy was not doing a trend analysis of vegetation to examine the concentrations of metals in plants. Ms. Rose clarified that the information generated may not be useful for future management decisions at the site. Joanna Canepa (TtEMI) noted that plant tissue samples were collected during the initial monitoring phase. She said that the concentrations of metals in soils and sediments has been relatively stable over time, so changes in the plant tissue concentrations would not be expected. Ms. Rose clarified for the group that the metals of concern at the site are arsenic, cadmium, lead, copper, zinc, and selenium.

Mr. David Griffith (City of Concord) asked why samples would not be collected at slack tide. He suggested that slack tide would be the best, as it is neutral. Ms. Rose said that ebb tide is typically the only time when conditions are neutral. Ms. Rose said that the Navy would review its sample collection times in light of his comment.

Mr. Meillier asked why the Navy is not proposing to collect samples in standing water on the marsh surface, and is proposing that surface water sampling be focused in the sloughs. Ms. Rose responded that the rationale for the sampling locations in the slough is to identify substances that may be moving off site to Suisun Bay. Mr. Meillier inquired about surface water run-off. Ms. Rose noted that the main channel for water runoff is the slough, which is proposed for surface water sampling.

Mr. Skaredoff asked Ms. Rose to clarify the use of data quality objectives (DQO) and provide examples of the "if /then" process. Ms. Rose provided the following example: if the results of water quality samples are less than the ambient water quality criteria (AWQC) in several rounds of sampling, then the Navy will not propose collection of additional samples. Furthermore, if the results of water samples exceed the AWQC, then additional sampling would be conducted. Mr. Skaredoff asked whether a section listed the specific DQOs for the monitoring plan. Ms. Rose said that there was no specific document that included DQOs in the monitoring plan. The results of the proposed sampling associated with this monitoring plan will help the Navy make future site management decisions.

Mr. Skaredoff expressed concern about the possibility of continuous monitoring rather than acting to clean up a site. Mr. Ramsey noted that EPA would ask the Navy to take action rather than continued monitoring if EPA feels that the Navy is not being protective of human health and the environment.

Mr. O'Brien asked whether EPA would offer specific comments on the Litigation Sites monitoring plan at the next RAB meeting. Ms. Wallerstein noted that the comment period will not be over at that time and EPA may still be compiling comments. However, she also noted that this is a draft monitoring plan and the draft final will be issued next. That document will contain responses to all comments submitted, including by EPA.

VI. NEXT MEETING AND ACTION ITEMS

The next RAB meeting will occur on June 7, 2004, from 6:30 to 8:30 p.m. at the Permit Center Building D in Concord, California.

The following action items and agreements were generated during the April 5, 2004, RAB meeting:

#	Action Item	Target Date for Completion	Completion Date (or Status)
1	The Navy will distribute the final RAB meeting minutes for April 5, 2004	5/19/04	
2	RAB members will send Ms. Williams an e-mail regarding the definition of an excused absence.	6/5/04	
3	The June 2004 RAB meeting will be held at the Permit Center Building D in Concord. The room will be rearranged to allow more audience seating at the back of the room.	6/5/04	
4	Mr. Skaredoff will attempt to find a Shell employee to sponsor the RAB for the Shell Hall venue for the July 2004 RAB meeting.	6/5/04	
5	The Navy will plan to attend the 2005 the DOW Chemical and Sanitation Department meeting and tour.	2005	2005
6	Mr. Tyahla will attend the Bay Point Community Advisory Panel, held at the Ambrose Community Center and present and overview of the NWS SBD Concord IR Program.	5/24/04	Completed

ATTACHMENT A
ATTENDEES AND AFFILIATIONS
RESTORATION ADVISORY BOARD MEETING
NAVAL WEAPONS STATION SEAL BEACH DETACHMENT CONCORD, CALIFORNIA

MAY 10, 2004

(One Page)

**ATTENDEES AND AFFILIATIONS
RESTORATION ADVISORY BOARD MEETING
NAVAL WEAPONS STATION SEAL BEACH DETACHMENT CONCORD, CALIFORNIA**

APRIL 5, 2004

<u>Name</u>	<u>Affiliation</u>	<u>Telephone</u>
Lisa Anich	Friends of Mt. Diablo Creek	(925) 689-2942
Michael Bryant	Community Member	(925) 521-1962
Joanna Canepa	TtEMI	(415) 222-8362
David Cooper	EPA	(415) 972-3237
Kevin Cornish	RAB member	(925) 229-5540
Tommie Jean Damrel	TtEMI	(415) 222-8232
Elaine Gehringer-Sherman	Community member	(925) 754-2476
Gregory Glaser	RAB member	(925) 363-5570
David Griffith	City of Concord	(925) 671-3427
Libby Levy	ATSDR	(415) 947-4319
Mary Malko	Friends of Mt. Diablo Creek	(925) 639-5159
Ed McGee	Martinez Resident	(925) 372-7043
Dean McLeod	Bay Point Resident	None provided
Laurent Meillier	SFBRWQCB	(510) 622-2440
Ray O'Brien	RAB member	(415) 385-9220
Jim Pinasco	DTSC	(916) 255-3719
Phillip Ramsey	EPA	(415) 972-3006
Bill Schaal	Shaw E&I	(925) 288-2324
Melanie Schlosser	U.S. Navy, EFA West	(650) 745-7465
Robert Sherman	Community member	(925) 754-2476
Igor Skaredoff	RAB member	(925) 229-1371
Michelle Trotter	DTSC	(916) 255-6441
Steve Tyahla	U.S. Navy, EFA West	(650) 746-7451
Margaret Wallerstein	U.S. Navy, Seal Beach	(565) 626-7838
Mary Lou Williams	RAB Community Co-chair	(925) 685-1415

Notes:

EFA West	Naval Facilities Engineering Command, Engineering Field Activity West
EPA	U.S. Environmental Protection Agency
RAB	Restoration Advisory Board
SFBRWQCB	San Francisco Bay Regional Water Quality Control Board
TtEMI	Tetra Tech EM Inc.

ATTACHMENT B

**AGENDA
RESTORATION ADVISORY BOARD MEETING
NAVAL WEAPONS STATION SEAL BEACH DETACHMENT CONCORD, CALIFORNIA**

MAY 10, 2004

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AGENDA

NAVAL WEAPONS STATION SEAL BEACH DETACHMENT CONCORD RESTORATION ADVISORY BOARD MEETING

Monday, May 10, 2004

6:30 p.m. – 8:30 p.m.

Permit Center Building D
1950 Parkside Drive
Concord, CA 94519

- 6:30 – 6:40 Call to Order
- Welcome
 - Introductions
 - Public Comments
 - June Agenda Approval
- Lead: Community Co-chair
- 6:40 – 6:50 Approval of April 5, 2004 Meeting Minutes
Review Unresolved Business
Lead: Navy Co-chair
- 6:50 - 7:30 Committee Reports/Announcements
- RAB Report
 - Remedial Project Managers' Update (Navy/EPA/DTSC/RWQCB)
 - Site 1 Remedial Design Update
- 7:30 – 7:40 Break
- 7:40 – 8:30 Litigation Area Draft Post-Remedial Action Monitoring Plan
- 8:30 Adjourn

ATTACHMENT C

**NAVY REMEDIAL PROJECT MANAGER'S UPDATE
RESTORATION ADVISORY BOARD MEETING
NAVAL WEAPONS STATION SEAL BEACH DETACHMENT CONCORD, CALIFORNIA**

MAY 10, 2004

(One Page)

NAVY RPM UPDATE
(This will be inserted once the meeting minutes are final)

ATTACHMENT D

**SIMPLE DOCUMENT TRACKING SHEET
RESTORATION ADVISORY BOARD MEETING
NAVAL WEAPONS STATION SEAL BEACH DETACHMENT CONCORD, CALIFORNIA**

MAY 10, 2004

(One Page)

SIMPLE DOCUMENT TRACKING SHEET
(This will be inserted once the meeting minutes are final)

ATTACHMENT E

**DRAFT MONITORING PLAN LITIGATION AREA SITES PRESENTATION
RESTORATION ADVISORY BOARD MEETING
NAVAL WEAPONS STATION SEAL BEACH DETACHMENT CONCORD, CALIFORNIA**

MAY 10, 2004

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DRAFT MONITORING PLAN LITIGATION AREA SITES PRESENTATION

(Will be inserted once meeting minutes are final)

ATTACHMENT F

**FRIENDS OF MOUNT DIABLO CREEK SUMMER 2004 NEWSLETTER
RESTORATION ADVISORY BOARD MEETING
NAVAL WEAPONS STATION SEAL BEACH DETACHMENT CONCORD, CALIFORNIA**

MAY 10, 2004