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HUNTERS POINT SHIPYARD
RESTORATION ADVISORY BOARD

REPORTER'S TRANSCRIPT OF MEETING

March 25, 2004

Dago Mary's Restaurant
Hunters Point Shipyard, Building 916
Donahue Street at Hudson Avenue
San Francisco, California

Reported by Christine M. Niccoli, RPR, C.S.R. No. 4569

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NICCOLI REPORTING

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P A R T I C I P A N T S

FACILITATOR: MARSHA PENDERGRASS - Pendergrass &
Associates
CO-CHAIRS: KEITH FORMAN - United States Navy SWDIV
LYNNE BROWN - Communities for a Better
Environment (CBE), Community
First Coalition (CFC)

RAB MEMBERS

LANI ASHER - Communities for a Better Environment (CBE),
Community First Coalition (CFC)
AMY BROWNELL - San Francisco Department of Public Health
BARBARA BUSHNELL - Residents of the Southeast Sector
(R.O.S.E.S.), Silverview Terrace Homeowners
Association, resident
MAURICE CAMPBELL - Business Development, Inc. (BDI);
Citizens Advisory Committee, Community First Coalition
(CFC); New California Media; NEW BAYVIEW NEWSPAPER
CHARLES L. DACUS, SR. - Hunters Point resident,
Residents of the Southeast Sector (R.O.S.E.S.)
MITSUYO HASEGAWA - JRM Associates

///

1 RAB MEMBERS [Cont.]:
2
3 TOM LANPHAR - California Department of Toxic Substances
4 Control (DTSC)
5 LEA LOIZOS - Arc Ecology
6 KEVYN D. LUTTON - Resident
7 J. R. MANUEL - JRM Associates, India Basin resident
8 ALLEN NUNLEY JR. - Business owner, resident
9 GEORGIA OLIVA - Communities for a Better Environment
10 (CBE), CCA member
11 KAREN G. PIERCE - Bayview Advocates, Bayview-Hunters
12 Point Democratic Club, BVHP Health & Environmental
13 Assessment Program, HEAP
14 JAMES D. PONTON - San Francisco Bay Regional Water
15 Quality Control Board
16 MELITA RINES - India Basin Neighborhood Association
17 AHIMSA PORTER SUMCHAI - Bayview-Hunters Point Health &
18 Environmental Resource Center (HERC)
19 MICHAEL WORK - U.S. Environmental Protection Agency (EPA)
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OTHER ATTENDEES

- ARVIND ACHARYA - Innovative Technical Solutions, Inc.
(I.T.S.I.)
- MICHAEL E. BOYD - CARE
- ANDREW L. BOZEMAN - Southeast Sector Community
Development Corporation
- ROSS BRAVER
- PATRICK BROOKS - United States Navy
- PATRICIA BROWN - Shipyard artist
- A. DON CAPOBRES - San Francisco Redevelopment Agency
- LINDA CARLSEN - Bayview-Hunters Point
- FRANCISCO DA COSTA - Environmental Justice Advocacy
- BENJAMIN FEICK - Waste Solutions Group (WSG)
- MIGUEL GALARZA - Yerba Buena Engineering & Construction,
Inc.
- CHRIS HANIF - Young Community Developers (YCD)
- CAROLYN HUNTER - Tetra Tech EM Inc.
- RONALD WM. KEICHLINE - Innovative Technical Solutions,
Inc. (I.T.S.I.)
- DENNIS KELLY - Tetra Tech EM Inc.
- LAU KITIONA
- FIRDDY LAU - M.A.I.T.
- FREDDY LIU - ETA
- QUIJUAN MALOOF - Pendergrass & Associates

1 OTHER ATTENDEES [Cont.]:

2

3 DEBRA MOORE - Innovative Technical Solutions, Inc.

4 (I.T.S.I.)

5 JAMES MORRISON - Environmental Technology

6 SHERLINA NAGEER - Literacy for Environmental Justice

7 (LEJ)

8 ALBERT PATTERSON

9 JOSE PAYNE - United States Navy (guest speaker)

10 DENNIS M. ROBINSON - Shaw Environmental &

11 Infrastructure, Inc.

12 LEE H. SAUNDERS - United States Navy

13 MATTHEW L. SHAPS, ESQ. - Paul Hastings LLP for Lennar

14 CLIFTON J. SMITH - C.J. Smith & Associates, Eagle

15 Environmental Construction

16 SUE ELLEN SMITH - Morgan Heights Homeowners Association

17 GLENN STARR - Tetra Tech FW, Inc.

18 PETER STROGANOFF - United States Navy ROICC Office

19 DAVID TERZIAN - The Point

20 WINNIE TRAN

21 ALLISON TURNER - Katz & Associates

22 STACIE WISSLER - CDM/Kleinfelder

23 STEFANIE YOW - Office of Congresswoman Nancy Pelosi

24 ---oOo---

1 SAN FRANCISCO, CALIFORNIA, THURSDAY, MARCH 25, 2004

2 6:04 P.M.

3 ---oOo---

4 MS. PENDERGRASS: Let's start the meeting.

5 Okay. The RAB meeting is now in order. This
6 is the Hunters Point Shipyard Restoration Advisory Board
7 meeting agenda and meeting for Thursday, the 25th of
8 March.

9 MR. FORMAN: We have got to quiet --

10 Thank you, Ron.

11 MS. PENDERGRASS: Thank you.

12 MR. FORMAN: Yeah, we've got to quiet the
13 restaurant down.

14 MS. PENDERGRASS: All right.

15 MR. FORMAN: A little boisterous.

16 MS. PENDERGRASS: We're starting a little late
17 tonight. Let the minutes reflect that our co-chair --
18 community co-chair is not present, and we have a
19 fill-in.

20 MR. FORMAN: Fill-in?

21 MS. PENDERGRASS: Volunteer fill-in.

22 So we're going to get started. First, as we
23 always do, is our custom, is get everybody who's at the
24 table.

25 And speak very loudly, speak slowly, speak

1 clearly so that our reporter can capture your name and
2 your affiliation for the record.

3 So let's start with Ron over there.

4 MR. KEICHLINE: Ronald Keichline, I.T.S.I.,
5 community relations.

6 MR. MALOOF: Quijuan Maloof, Pendergrass &
7 Associates.

8 MS. RINES: Melita Rines, India Basin
9 Neighborhood Association.

10 MS. BUSHNELL: Barbara Bushnell, Silverview
11 Terrace Homeowners Association, R.O.S.E.S.

12 MR. DACUS: Charles L. Dacus, Sr., R.O.S.E.S.

13 MR. NUNLEY: Allen Nunley, business owner,
14 resident.

15 MS. PENDERGRASS: I'm sorry. Can you say that
16 again?

17 MR. NUNLEY: Allen Nunley.

18 MS. PENDERGRASS: Thank you, sir.

19 MR. LANPHAR: Tom Lanphar, Department of Toxic
20 Substances Control.

21 MS. PENDERGRASS: Welcome.

22 MR. PONTON: I'm Jim Ponton. I'm with Regional
23 Water Quality Control Board. I'll be your new Water
24 Board project manager for the site. Thank you.

25 MS. PENDERGRASS: Thank you.

1 MR. WORK: Michael Work, U.S. EPA.

2 MS. PENDERGRASS: Thank you.

3 MR. BROOKS: Pat Brooks, Navy Lead Remedial
4 Project Manager.

5 MR. FORMAN: Keith Forman, BRAC Environmental
6 Coordinator and the Navy community -- or Navy co-chair
7 for the RAB.

8 MS. OLIVA: Georgia Oliva, Shipyard artist.

9 MR. CAMPBELL: Maurice Campbell, Community
10 First Coali- -- Coalition and the Citizens Advisory
11 Committee.

12 MS. PIERCE: Karen Pierce, Bayview-Hunters
13 Point Democratic Club --

14 MS. MOORE: Debra --

15 MS. PIERCE: -- and HEAP.

16 MS. MOORE: Debra Moore, community relations
17 coordinator.

18 MS. PENDERGRASS: Okay. Thank you.

19 So do we have a quorum?

20 MR. KEICHLINE: We do.

21 MS. PENDERGRASS: We do. All right. Very
22 good. Then we'll move forward with introducing the
23 audience at this time.

24 Let's start right over here.

25 MR. ROBINSON: Dennis Robinson, Shaw

1 Environmental.

2 MS. TURNER: Allison Turner, Katz & Associates.

3 MR. STARR: Glenn Starr, Tetra Tech FW.

4 MR. PAYNE: Jose Payne, Navy RPM.

5 MR. SMITH: Clifton Smith, Eagle Environmental.

6 THE REPORTER: I'm sorry. I didn't hear you.

7 MR. SMITH: Clifton Smith, Eagle Environmental.

8 MS. LOIZOS: Hi. Lea Loizos, Arc Ecology.

9 MS. PENDERGRASS: Yes, sir.

10 MR. GALARZA: Miguel Galarza, Yerba Buena

11 Engineering.

12 MS. PENDERGRASS: All right. Thank you.

13 Ma'am?

14 MS. WISSLER: Stacie Wissler, Kleinfelder.

15 MS. PENDERGRASS: Can you say that again?

16 MS. WISSLER: Stacie Wissler, Kleinfelder.

17 MS. PENDERGRASS: Thank you.

18 MR. KELLY: Dennis Kelly, Tetra Tech.

19 MR. STROGANOFF: Peter Stroganoff, Navy ROICC

20 Office.

21 MS. PENDERGRASS: Peter Stroganoff?

22 MR. STROGANOFF: Yes.

23 MR. HANIF: Chris Hanif, Young Community

24 Developers.

25 MS. PENDERGRASS: Chris --

1 MR. HANIF: -- Hanif.

2 MS. PENDERGRASS: Yes, ma'am.

3 DR. SUMCHAI: Ahimsa Sumchai, RAB.

4 MS. PENDERGRASS: All right. Very good. Let's
5 move right along, then. Anybody got problems with
6 today's agenda? Speak now or forever hold your peace.

7 We have an agenda for tonight. Very good.

8 Let's talk about the approval of the minutes.
9 Has everybody had a chance to review these minutes? I
10 want you all to look at these carefully. They are all
11 printed on white paper, black words, very nicely done.
12 Has everybody seen these? Anybody have any question
13 about these? any comments?

14 All right. I guess what we need now is a -- is
15 a motion to approve the minutes.

16 MS. OLIVA: Like to present a motion to approve
17 the minutes.

18 MS. PIERCE: Second.

19 MS. PENDERGRASS: We have a second on that.
20 All in favor of approving the minutes from the 26th of
21 February, 2004, RAB meeting, please say, "Aye."

22 THE BOARD: Aye.

23 MS. PENDERGRASS: Those opposed?

24 (No verbal response elicited.)

25 MS. PENDERGRASS: Any abstentions?

1 MS. BUSHNELL: I abstain because I wasn't here.

2 MS. PENDERGRASS: All right. We have one
3 abstention. So the ayes carry, and we have approved the
4 minutes. Thank you very much.

5 All right. And let's talk about a little
6 loose-end items that we have just hanging around. Where
7 are those little goodies? Ah. Action items. We had
8 carry-over items. They carried over to today.

9 The first, Navy was to provide information to
10 Jesse Mason regarding additional bonding/radioactive
11 waste-hauling certifications, if any.

12 MR. CAMPBELL: We -- we covered some of those
13 items in the Economic Committee meeting, and there's
14 going to be some future discussion that's going to be at
15 the Economic Committee meeting report.

16 MS. PENDERGRASS: Okay. So can we move this
17 carry-over item to your subcommittee --

18 MR. CAMPBELL: Sure.

19 MS. PENDERGRASS: -- and off of the Action Item
20 list?

21 MR. CAMPBELL: Sure.

22 MS. PENDERGRASS: Thank you so much. That's
23 stricken and completed.

24 Okay. We have a new item. "Expected
25 availability of data from the most recent sampling done

1 on Parcel F to be provided to Lea."

2 MR. FORMAN: Yeah. Yes.

3 And we discussed that at the BRAC cleanup team
4 meeting briefly, and the date for that will be June 1st,
5 2004. And the document will be Draft Final Validation
6 Study, and all the new data will be in a separate
7 appendix at the back of the document.

8 MS. LOIZOS: Thanks.

9 MS. PENDERGRASS: Lea, does that satisfy that
10 action item?

11 MS. LOIZOS: Yeah. Thank you.

12 MS. PENDERGRASS: Thank you very much. That
13 was completed as well.

14 New Item No. 2: Mr. Campbell asked for an
15 update on the resolution of Building 815, which is a
16 F.U.D.S. site.

17 Who was handling that, Mr. Campbell?

18 MR. CAMPBELL: Who's what?

19 MS. PENDERGRASS: Who was handling that? It
20 says the person that -- that was supposed to do it was
21 the Navy, but who -- did you all talk about that?

22 MR. CAMPBELL: No, we didn't. There's been no
23 discussion since that took place.

24 We wanted to find out actually on the --

25 MS. PENDERGRASS: In the minutes, I wasn't

1 clear --

2 MR. CAMPBELL: Yeah.

3 MS. PENDERGRASS: -- exactly --

4 MR. CAMPBELL: Well --

5 MS. PENDERGRASS: -- who was supposed to do
6 that.

7 MR. CAMPBELL: There's some FUDS sites
8 turnover, and I guess part of that's going to be
9 addressed in the HRA. But we specifically wanted to
10 find out about 815 because there was some questions
11 since 2000 --

12 MS. PENDERGRASS: Who did you -- who did you
13 envision that information come from?

14 MR. CAMPBELL: Well, it would have to come from
15 the Navy, one. Two, it would have to come --

16 MS. PENDERGRASS: Who from the Navy?

17 MR. CAMPBELL: Probably RASO, Radiological
18 Affairs Support Office.

19 MS. PENDERGRASS: So at this point, then, what
20 we need to do is let's be a little bit more specific
21 with that.

22 Do you understand what he's asking, Mr. Forman?

23 MR. FORMAN: Yes.

24 What I -- what I recommend, if it's okay with
25 you, Maurice, is to have that -- normally the FUDS sites

1 with Jerry Vincent is handled in Dr. Sumchai's
2 Radiological Subcommittee.

3 MR. CAMPBELL: Okay.

4 MR. FORMAN: And Dr. Sumchai, did you want to
5 have that for your next meeting? We could -- We can
6 invite Jerry Vincent there and have a FUDS sites
7 discussion.

8 DR. SUMCHAI: Sure.

9 MR. FORMAN: Would you like to do that in your
10 next subcommittee?

11 DR. SUMCHAI: Sure.

12 MS. PENDERGRASS: And as I understand it, they
13 really want specifics on Building 815.

14 MR. FORMAN: Sure. We can help provide that
15 progress. I think what you're looking at is the
16 progress that Jerry Vincent is making in Building 815 as
17 a FUDS site.

18 MR. CAMPBELL: Yeah. Some time ago the Navy
19 said they would like to join with the Army Corps of
20 Engineers and revisit that building. And you're right,
21 it should be under Dr. Sumchai's committee.

22 MR. FORMAN: Okay. So --

23 MR. CAMPBELL: Thank you.

24 MS. PENDERGRASS: So does that satisfy that
25 particular item?

1 MR. CAMPBELL: Yes.

2 MS. PENDERGRASS: Okay. Very well.

3 So we don't have any more action items. We
4 have disposed of those at this time.

5 Moving along with the agenda, the next thing on
6 the agenda is for our Navy co-chair, Mr. Forman, to make
7 his announcements.

8 Anything you have to say?

9 MR. FORMAN: Yes, I do.

10 First of all, I want to thank everybody who
11 came out last Saturday to the HRA, the Historical
12 Radiological Assessment Information Day. We held it
13 from 11:00 to 3:00 at the E. P. Mills facility. We had
14 14 members of the community show up, and I want to thank
15 everybody who made the time to come out there and to
16 question us and to learn more about the document. We
17 really appreciate that.

18 Unfortunately for the HRA Information Day,
19 Laurie Lowman from RASO, Radiological Affairs Support
20 Office, was not able to make it. That was because Dick
21 Lowman, her husband, is not really feeling well at all.
22 And recently he's had a down -- a further downturn in
23 his health, and she needed to be there with him.

24 She wanted to send her apologies for that and
25 to tell you that she will be back when things are

1 better, and she'll be here to help support the Navy and
2 the community with the HRA and the rest of the
3 radiological program as it proceeds. It's just, you
4 know, her attention must turn to her husband at this
5 time.

6 In addition to that, she wanted to say that
7 Dick Lowman was very moved and touched by the wonderful
8 piece of art that was presented to him by the members of
9 the Restoration Advisory Board.

10 For those of you who saw it, Dave Terzian and
11 the artists out at The Point did a very wonderful modern
12 rendition of Hunters Point -- the Hunters Point symbol
13 of the crane, and it was matted in such a way that it
14 was just a really wonderful gift for him. And he just
15 wanted to say he was very touched and moved by that, and
16 he thanks all of you for that and for the support.

17 One more item: This next Saturday, this
18 upcoming Saturday, Saturday, the 27th of March, for
19 anyone who's interested in this -- and I understand that
20 this is kind of a special item.

21 But again at the E. P. Mills facility, I will
22 be there and others from the Navy team from 10:30 to
23 3:30 on this Saturday, and we're going to have a Hunters
24 Point Business Expo, business opportunities fair.

25 And at E. P. Mills, we're going to have our

1 prime contractors there; and we're also going to have a
2 lot of information from Small Business Administration
3 and others, like our contract specialists who work on
4 the project, to come and interface with any local
5 businesses and business people or anyone else interested
6 in the process of Navy contracting as it applies to
7 Hunters Point and environmental cleanup.

8 MS. PENDERGRASS: What day is that again?

9 MR. FORMAN: And that is Saturday, the 27th of
10 March, this Saturday, coming up Saturday, from 10:30 to
11 3:30 at E. P. Mills facility.

12 And this is a continuing part -- I want to
13 thank again Jesse Mason and Maurice Campbell for helping
14 out with us. They have been helping us at subcommittee
15 meetings to help set this up, and I think this is just
16 another example of where we're really trying to put our
17 best foot forward and do more community outreach, in
18 this case community outreach for small local businesses
19 and those businesses that are going to hire local people
20 in the ZIP Code surrounding Bayview-Hunters Point.

21 MS. PENDERGRASS: You say E. P. Mills facility.
22 Do you have an address for those people who don't know
23 where it is?

24 MR. CAMPBELL: 100 Whitney Young Circle.

25 MS. PENDERGRASS: Thank you. 100 Whitney Young

1 Circle.

2 MR. CAMPBELL: Yes.

3 MS. PENDERGRASS: Thank you.

4 MR. FORMAN: Thank you.

5 MS. PENDERGRASS: 10:30 to --

6 MR. FORMAN: -- 3:30.

7 MS. PENDERGRASS: 3:30.

8 MR. FORMAN: Thank you, Quijuan.

9 MS. PENDERGRASS: Thank you.

10 MR. FORMAN: Okay. Let's see. Anything else
11 that I have.

12 One other thing I just want to mention, if you
13 don't -- some of you didn't have time to go to the back
14 and sign in, but please do; and when you do want the
15 handouts that I want to make sure you get because we
16 have put a lot of work into this, the Navy team and the
17 RASO team, this is Fact Sheet No. 6 -- it's hard to
18 believe we're up to 6 -- Historical Radiological
19 Assessment.

20 This Fact Sheet No. 6 is another fact sheet on
21 activities at Hunters Point as they apply to the
22 radiological program. Right now in this one, we're
23 talking about the metal reef and the metal slag area.
24 And please take one of these fact sheets and then
25 listen. We have a presentation to tha- -- on that

1 tonight about this action, where it is, what it is, what
2 we're going to do about it.

3 MS. PENDERGRASS: Very good.

4 MR. FORMAN: Okay. Thank you.

5 MS. PENDERGRASS: Thank you.

6 Mr. Brown isn't here. Does anybody know if
7 he's going to join us tonight?

8 MR. CAMPBELL: Yes, he is. As a matter of
9 fact, there's a critical meeting that's taking place;
10 and unfortunately, what we've seen is San Francisco
11 Department of the Environment schedule their critical
12 meetings on the fourth Thursday of the month.

13 MS. PENDERGRASS: I see.

14 MR. CAMPBELL: And there's some critical people
15 that are here that needs to be there also.

16 MS. PENDERGRASS: I see. All right. Well,
17 then, if we think that he's going to make it before the
18 meeting end --

19 MR. CAMPBELL: Yes.

20 MS. PENDERGRASS: -- why don't we move his
21 comments and announcements section later in the
22 meeting --

23 MR. CAMPBELL: Yes.

24 MS. PENDERGRASS: -- so that we can capture
25 that when does arrive? Is that all right?

1 MR. FORMAN: Sure.

2 MS. PENDERGRASS: All right. Very good. All
3 right. Then we could move into our subcommittee
4 reports, and we're back to doing our subcommittee
5 reports a little earlier now in the agenda.

6 So shall we start with the Economic Development
7 Committee this week?

8 MR. CAMPBELL: Surely.

9 We had our meeting on -- on March -- we had our
10 meeting on March 9th. And as Keith really -- well, very
11 accurately reflected, very accurately reflected, we were
12 setting up for the March 27th meeting at 100 Whitney
13 Young Circle on -- on Earl P. Mills Center.

14 It's critical that if people are looking at
15 doing business with the Navy in the future, that they --
16 that they be there. If they have not already signed up
17 as a contractor, there will be people there to help them
18 to sign up as a contractor.

19 We are also -- we -- we're also expecting some
20 of our congressional delegation possibly and because
21 it's my understanding that Feinstein, Pelosi, and Boxer
22 were invited along with our local supervisor, and we
23 understand some of the other -- some of the other
24 congressional candidates will be coming up to support
25 the community.

1 Thank you.

2 MS. PENDERGRASS: Did you have any action items
3 for tonight?

4 MR. CAMPBELL: The only action items that we
5 have is basically trying to get the community to that
6 meeting. We have done a fair amount of outreach. I did
7 broadcast it on the radio show. We did have a -- They
8 did put it in a number of newspapers, and a bunch of
9 people gave out handouts all over the place.

10 MS. PENDERGRASS: Okay. Very good. Thank you.
11 Radiological issues. Who's handling that? Is
12 that Dr. Sumchai?

13 DR. SUMCHAI: Yeah.

14 MS. PENDERGRASS: All right. Thank you.

15 DR. SUMCHAI: Well, the committee met --

16 MS. PENDERGRASS: Doctor, can you wait just a
17 moment till we give you the mike? Thank you.

18 DR. SUMCHAI: The committee met briefly on
19 March the 20th as part of the Historical Radiological
20 Assessment Information Day, and the attendance at the --
21 the meeting and at the information day was -- was not
22 optimum, but it was a valuable event and, you know, what
23 its intent was in presenting the HRA to the community
24 and providing a forum for public comment and input.

25 Essentially the information day was set up as a

1 series of stations which focused on specific sites as
2 well as, you know, pertinent radiological findings, and,
3 you know, there was a circuit; and regulators -- many of
4 the regulators participated and were -- were there to
5 provide feedback.

6 With regard to the meeting, there was
7 discussion about the findings of the HRA, and some of
8 the concerns were based on conclusions that were reached
9 in the conclusion section of the document, overall
10 conclusions that weren't fully supported by, you know,
11 the information in the main body of the 800-volume [sic]
12 HRA.

13 Specifically Lea Loizos was concerned that
14 there were some outstanding surveys that hadn't been --
15 that the information from those surveys weren't
16 contained in the document, and yet there were
17 conclusions that were extrapolated from those surveys.

18 I -- I had some specific concerns about some
19 incongruities in the overall conclusions. I was just
20 briefly eyeballing this booklet that you have put out on
21 the HRA. And, you know, one of the concerns that I have
22 is that I think that it is not accurate to say that, you
23 know, there has not been evidence of potential airborne
24 contamination or evidence of potential pathways for
25 contamination outside of the Shipyard.

1 It's known that radioactive spent sandblast
2 from Operation Crossroads was dumped into the bay. The
3 burning of contaminated fuel oil was a potential release
4 of petroleum products contaminated by fission -- fission
5 products and strontium-90 into the environment.

6 There's also evidence in the HRA's main body
7 that radon gas was detected at the bay fill. We know
8 that there has been evidence of tritium gas around
9 Building 815 in the past.

10 So I think that some of the broad-sweeping
11 conclusions in the HRA are not fully substantiated.

12 And certainly, there was concern by people,
13 other than myself, about the Navy's decision to revise
14 the boundaries of Parcel A to exclude two
15 radiation-contaminated buildings and the impact of that
16 decision on adjacency issues and the proposed transfer.

17 So my -- my recommendation is that at the next
18 meeting of the Radiological Subcommittee on April the
19 21st from 3 to 5 p.m. at the Greenhouse, that we revisit
20 some of the issues in the HRA that need to be addressed
21 in the public comment section.

22 I intend to, you know, spend a great deal of
23 time documenting my concerns for public comment before
24 the deadline of submission of those comments. I believe
25 that deadline is April the 27th. So I wanted to reserve

1 the bulk of the subcommittee meeting on the 21st for
2 hoping to formulate those comments; and if people could
3 attend, it would help. That would, you know, be very,
4 very valuable.

5 MS. PENDERGRASS: Dr. Sumchai, thank you so
6 much for that report. And I just want to make sure I
7 got it that your next meeting is April 21st --

8 DR. SUMCHAI: Right.

9 MS. PENDERGRASS: -- at the Greenhouse --

10 DR. SUMCHAI: 3 to 5 p.m.

11 MS. PENDERGRASS: -- 3 to 5 p.m. And are you
12 requesting that the Navy be at that meeting as well?

13 DR. SUMCHAI: Yeah. I think it would be good

14 to have the -- you know, the Navy at the meeting. I
15 didn't think that the Navy's presence is -- you know, is
16 mandatory.

17 I -- I would ideally like to have as much
18 community input and input from other RAB members with
19 regard to the specific issues that need to be addressed
20 in the comments that need to go into the -- you know,
21 into the HRA before its deadline on the 27th.

22 MS. PENDERGRASS: Okay. All right.

23 MR. FORMAN: Dr. Sum- -- Dr. Sumchai, can I
24 make a request?

25 DR. SUMCHAI: Sure.

1 MR. FORMAN: The Navy and the regulators have
2 their BRAC cleanup team meeting on Wednesday,
3 April 21st, and then that will adjourn around 4 o'clock.
4 Can we --? I mean, I think that I could make it so that
5 we could compress the meeting a little bit, but could
6 you change the time from 3:00 to 5:00 to maybe 4:00 to
7 6:00?

8 DR. SUMCHAI: I have evening appointments that
9 start at 6:00, and it's a impact on me financially when
10 I have to schedule out of appointments.

11 MS. PENDERGRASS: Well, I have a proposal on
12 that. Why don't you guys still meet at 3:00 to 5:00 --
13 3:00 to 5:00, and you have -- conduct the first part of
14 the hour --

15 DR. SUMCHAI: Sure.

16 MS. PENDERGRASS: -- of the things that you can
17 do and save just the question period so you can get
18 there in an hour.

19 MR. FORMAN: Okay. So --

20 MS. PENDERGRASS: Would that be agreeable?

21 MR. FORMAN: So we'll arrive later at the
22 meeting.

23 DR. SUMCHAI: Okay.

24 MR. FORMAN: Is that okay with you?

25 DR. SUMCHAI: Yeah.

1 MR. FORMAN: Okay.

2 MS. PENDERGRASS: All right. So continue on
3 the meeting.

4 MR. FORMAN: All right.

5 MS. PENDERGRASS: So we will have the same
6 time.

7 And I'm sorry. I lost my manners here. And
8 Mr. Campbell, could you tell us the date of your next
9 meeting, please?

10 MR. CAMPBELL: Yes. It's going to be April 6th
11 at 2:30 at the Anna Walden [sic] Library.

12 MS. PENDERGRASS: April 6th, 2000, Anna Walden
13 Library. And you have no special requests for your
14 meeting at this point?

15 MR. CAMPBELL: No.

16 MS. PENDERGRASS: Okay. Very fine.

17 MR. FORMAN: Do you want --? I thought you'd
18 be requesting Mark Gelsinger and myself there.

19 MR. CAMPBELL: Well, Mark, I believe, is
20 hosting it in his quarterly report.

21 MR. FORMAN: So you are requesting us to be
22 there?

23 MR. CAMPBELL: Yes.

24 MR. FORMAN: Okay. That's good.

25 MS. PENDERGRASS: I'm just trying to make sure

1 I get it clear if you want any help, you all need to get

2 there. All right.

3 MR. FORMAN: So we'll be there, Maurice.

4 MR. CAMPBELL: All right.

5 MS. PENDERGRASS: And Dr. Sumchai, at this
6 point, you don't have any motions or anything for the
7 RAB to vote on at this point?

8 DR. SUMCHAI: No.

9 MS. PENDERGRASS: Just want to make sure.

10 All right. Then the Technical Review and Risk
11 Review and Health. Lea, are you reporting on that one?
12 Are you reporting on both?

13 MS. LOIZOS: Sure.

14 MS. PENDERGRASS: Okay.

15 MS. LOIZOS: There is no report, as far as I
16 know, from the Risk -- Health Risk Committee.

17 MS. PENDERGRASS: Okay.

18 MS. LOIZOS: But we did -- or that committee
19 did receive an e-mail from Ahimsa asking if we could
20 review some aspects of the HRA, which we're more than
21 happy to do. So --

22 I'm saying we. I don't really think it's my
23 committee yet. But -- but Karen Pierce has asked that
24 we do joint subcommittee review of those items.

25 So there will be two tech and -- well, two

1 meetings this month. The joint Tech and Health Risk
2 Review Subcommittees will meet on Tuesday, the 20th, at
3 5:30 at the Community Window on the Shipyard.

4 MS. PENDERGRASS: Do you have an address for
5 that?

6 MS. LOIZOS: Yeah. 4634 Third Street.

7 MS. PENDERGRASS: 4634 Third Street.

8 MR. BROWN: That's --

9 MS. LOIZOS: It's in between McKinnon and
10 Newcomb.

11 MR. FORMAN: I --

12 MS. PENDERGRASS: You said April 20th?

13 MS. LOIZOS: Yeah.

14 MS. PENDERGRASS: Very good.

15 MS. LOIZOS: Don't worry, Keith. This is
16 something separate. I'm sorry.

17 MR. FORMAN: Oh.

18 MS. LOIZOS: I understand the confusion.

19 Then there will be a separate purely Technical
20 Review Subcommittee meeting on -- let me see -- the
21 thir- --

22 MS. PENDERGRASS: So the April 20th meeting is
23 just for the document review?

24 MS. LOIZOS: Exactly.

25 MS. PENDERGRASS: Okay. And then you're having

1 your regular Technical Review Committee meeting --

2 MS. LOIZOS: Right.

3 MS. PENDERGRASS: -- on --

4 MS. LOIZOS: On Tuesday, the 13th.

5 MS. PENDERGRASS: Tuesday, April 13th?

6 MS. LOIZOS: Yes, from 6:00 to 8:00.

7 MS. PENDERGRASS: 6:00 to 8:00.

8 MS. LOIZOS: Also at the Community Window. And
9 that's going to be a pretty important meeting. I do
10 hope that a lot of people can come.

11 The Navy is going to be there, and it's going
12 to be an opportunity for them to explain in more detail
13 why they feel Parcel A is ready to transfer and for
14 people to get out all of their issues and hopefully
15 everybody to get all of their issues addressed. And
16 they will also be there to present on the landfill gas
17 and the most update -- with most updated information
18 from the landfill gas removal action so that -- because
19 I know people have adjacency issue concerns with that.

20 So I do hope everybody can come. It will be a
21 good opportunity to talk to the Navy.

22 MR. BROWN: Lea?

23 MS. LOIZOS: Yes.

24 MR. BROWN: That's --

25 MS. ATTENDEE: What time is that meeting again?

1 MS. LOIZOS: That's at 6:00.

2 DR. SUMCHAI: And what day is that?

3 MS. LOIZOS: Tuesday, the thirt- -- Tuesday,
4 the 13th.

5 MS. PENDERGRASS: Can I also --? This is a
6 point of process. No content. Just a process. That
7 is, is that at your subcommittee meetings when you have
8 the Navy there, you have -- you're dissecting a
9 particular piece of information so that you can
10 understand it better.

11 The next step is to bring that understanding
12 and consensus from the subcommittee in a brief kind of
13 overview and then a motion that a recommendation be made
14 from the RAB.

15 And particularly around some of these transfer
16 issues, readiness issues, whatever type of clean -- you
17 know, it would help if -- if on record there's something
18 from the subcommittee saying -- and from the full RAB
19 saying that we agree that this is what you need to be
20 doing, or we -- we concur with whatever is your
21 approach.

22 I mean, for a point of process, that's really
23 how that should go, and we kind of keep leaving out that
24 step. And I know it's happening in the subcommittee and
25 you all are talking, which is terrific, but it's not

1 actually coming forth to the full RAB to be part of the
2 record.

3 MS. LOIZOS: Right. That's a good point. Part
4 of the problem is with something like that in terms of
5 bringing -- I mean, the comments, I believe, for the
6 FOST are going to be due before the next RAB meeting.
7 So we won't have an opportunity to bring it forward to
8 the committee -- to the full committee for review, you
9 know, in time, unfortunately; but I did do that this
10 month. I --

11 MS. PENDERGRASS: Maybe I should just make sure
12 I understand. I'm not suggesting that you have to bring
13 it to review. You all are doing the review.

14 MS. LOIZOS: You're saying just whatever we
15 come up with.

16 MS. PENDERGRASS: And if you have a consensus
17 and you make a recommendation --

18 MS. LOIZOS: Okay.

19 MS. PENDERGRASS: -- and you vote on that this
20 is -- this issue -- we -- we're recommending it, so now
21 let's vote that we all --

22 MS. LOIZOS: Right.

23 MS. PENDERGRASS: -- put it on record as
24 recommending it. So you don't have to have another
25 review.

1 MS. LOIZOS: Okay.

2 MS. PENDERGRASS: That's the point. Okay.

3 MS. LOIZOS: Well, so from the last
4 subcommittee meeting, we reviewed the -- we went over
5 the Action Memorandum for the time-critical removal
6 action that's planned for some -- for some of the soils
7 at Parcel D. And I won't go through my whole letter
8 here, but we came up with just a few of our concerns
9 that we have written in a letter. And I have a copy
10 here for Keith, and I brought a copy for everybody else.

11 But just to summarize, in general, the
12 subcommittee didn't really feel that a convincing case
13 has been made for a time-critical removal action at
14 these sites, basically, in that by reviewing a lot of
15 the previous Parcel D documents, most of the areas that
16 are now being addressed were found previously to have no
17 further action needed, and there just wasn't a very good
18 explanation within the document as to why it's now
19 warranting a time-critical removal action.

20 And there are concerns as usual with all -- you
21 know, now that this will be the ninth removal action on
22 Parcel D, but it's very difficult when the feasibility
23 study does finally come out to review, you know, that
24 document when it's been broken up in a very piecemeal
25 fashion.

1 The risks that are posed from these sites
2 haven't been very clearly identified in the -- in an
3 easy-to-understand format for -- for our sake anyway.
4 So we're asking that that's better explained and that --
5 that air monitoring be done during -- be conducted
6 during the removal actions.

7 They did mention that there will be rigorous
8 dust control measures, but we're hoping that maybe some
9 air quality monitoring can be done to ensure that those
10 are effective.

11 And the rest are all in here. I'll pass out
12 copies for everybody. That's all we have.

13 MS. LUTTON: Wait. Can I --?

14 MS. LOIZOS: Oh, yes.

15 MS. LUTTON: Can I ask --?

16 MS. LOIZOS: Oh, yes. I'm sorry. Kevyn also
17 has two cents, please.

18 MS. PENDERGRASS: I'll give her a full nickel.
19 Come on.

20 MS. LUTTON: Hi, everybody. I'm sorry I'm
21 late.

22 I -- I had -- I -- I wrote a -- a formal
23 response to that workshop, and I have problems with the
24 process, which is that the time-critical removal action
25 actually began 15 days before the deadline of -- for

1 submitting our comments, and I feel like that just tells
2 us that it doesn't matter what the hell we think. The
3 Navy's going to do what they want. And I have a problem
4 with that.

5 MS. PENDERGRASS: That was just a comment.

6 MS. LUTTON: It is, but I -- I -- I want my --
7 my responses on the record, which is different than
8 Lea's.

9 MS. PENDERGRASS: Okay.

10 MS. LUTTON: So it's just separate.

11 MS. PENDERGRASS: All right.

12 MS. LUTTON: That means that Keith has it.

13 MS. PENDERGRASS: Okay. Great. And then if
14 you give it to Ron, he'll make sure that they will
15 distribute it to the full RAB.

16 MS. ATTENDEE: Yeah.

17 MS. LUTTON: Okey-doke.

18 MS. PENDERGRASS: Mr. Keichline? I just
19 assigned you something. I just want to make sure you
20 got it.

21 MR. KEICHLINE: Yes, ma'am.

22 MS. PENDERGRASS: I -- We have a comment from
23 one of the RAB members. She wants to make sure it gets
24 out to the full RAB. So it's -- she does have copies,
25 so pass them later.

1 MS. LUTTON: I have a few copies.

2 MS. PENDERGRASS: Sure. All right.

3 Do you have an E copy of that?

4 MR. FORMAN: I think I got the original one.

5 MS. LUTTON: Yes.

6 MS. PENDERGRASS: Do you have an E copy of

7 that? If you can send that to Mr. Keichline, he can

8 make sure that it gets out. Okay. All right. All

9 right.

10 MS. LOIZOS: Can we get just some quick

11 clarification on that, because I think Kevyn -- the

12 concern that Kevyn is expressing is that the work is

13 being done before the comment period ends.

14 MS. PENDERGRASS: Is completed?

15 MS. LOIZOS: And we had this similar concern

16 that was brought up at the base cleanup team meeting

17 yesterday. I think it would be better explained then.

18 The work isn't being conducted, correct,

19 before --? The only work that was conducted before the

20 end of the ti- -- of the comment period was the stuff

21 that directly affected the burrowing owl, correct? The

22 rest of the work is being -- is halted until comments

23 are received; is that true?

24 MR. FORMAN: The excavations are not being done

25 until then. We were removing stockpiles in all the

1 areas around, whether they are in the burrowing owl or
2 out from that. We're doing all of that.

3 MS. LOIZOS: But the excavations are not
4 being --?

5 MR. FORMAN: Correct.

6 MS. PENDERGRASS: So I would suggest that -- I
7 mean, here again, we're talking about process. But I
8 would suggest that, Miss Lutton, if you are making a
9 request for some kind of response, that that be part of
10 the action items if that's what you're looking for.

11 MR. FORMAN: It's in the letter.

12 MS. LUTTON: Well --

13 MS. PENDERGRASS: I mean, your summary's in the
14 letter.

15 MS. LUTTON: Yeah.

16 MS. PENDERGRASS: But as RAB member, are you
17 requesting an action be taken in terms of a response
18 from the Navy to the RAB? Is that what you're asking?
19 And if that's true, then we can either put that as an
20 action item to be followed up, or you can keep it in
21 committee and -- and subcommittee and deal with it. I'm
22 just asking, where do you want that to reside?

23 MS. LUTTON: What I want -- I don't want this
24 to happen, basically.

25 MS. PENDERGRASS: Okay. I got that. We're

1 talking process now. We're just talking process.

2 So what do you want from your --? From your
3 comment, what kind of response do you want? So are you
4 saying you want a response from the Navy about your
5 letter in open -- for the next RAB meeting, so we'll
6 follow up and make sure that happens at the --

7 MS. LUTTON: That sounds right --

8 MS. PENDERGRASS: -- at the next RAB meeting --

9 MS. LUTTON: -- yeah.

10 MS. PENDERGRASS: -- or we can ta- -- you can
11 leave it in committee and talk about it? I'm just
12 trying --

13 MS. LUTTON: Actually, I'd rather have a
14 response from the Navy.

15 MS. PENDERGRASS: All right. So at this point,
16 then, we have that as an action item for the next RAB
17 meeting in terms of responding to Miss Lutton's letter
18 around timeliness, you know, actions and responses.
19 Okay? Does that make sense, Mr. Keichline? Did you
20 understand that?

21 MR. KEICHLINE: I'll get it from the
22 transcript.

23 MS. PENDERGRASS: That may not be clear either,
24 but okay. All right. We got that.

25 Did I --? Am I clear on that? Is everybody

1 clear on that? I want to make sure I got that right.

2 You feeling okay about that, Kevyn? Okay.

3 MS. LUTTON: Yes.

4 MS. PENDERGRASS: All right. Good.

5 All right. Next subcommittee report. We still
6 have --

7 I'm sorry, Lea, are you finished at this point?

8 MS. LOIZOS: Well, sure.

9 MS. PENDERGRASS: You've given us the Risk
10 Review and Health next and -- I mean, if you've got the
11 Document Review and then the Technical Review.

12 MS. LOIZOS: Yeah. I --

13 MS. PENDERGRASS: So we're done?

14 MS. LOIZOS: I am done. I just am sorry. I
15 realized that I -- there is some confusion 'cause I --
16 Keith did respond to one of my action items.

17 But the o- -- one of the other things that I
18 had asked -- and maybe I didn't ask it properly at the
19 last meeting -- was whether or not sampling had been
20 done at the -- that building on Parcel E whose number is
21 still -- I don't know if it's 819, the one that's the
22 pump station where -- that over- -- that overflows
23 often?

24 MR. FORMAN: Yes.

25 MS. LOIZOS: So you said that yes, sampling had

1 been done, but where -- where can -- where are the
2 results of the sampling from that area?

3 MR. FORMAN: They haven't been released yet.

4 MS. LOIZOS: Okay.

5 MR. FORMAN: I believe that the contractor is
6 getting results back and then passes them to Laurie
7 Lowman at RASO, and she validates them.

8 MS. LOIZOS: So that's radiological.

9 MR. FORMAN: Yes.

10 MS. LOIZOS: The people, I think, were also
11 concerned about contamination -- other chemical
12 contamination.

13 MR. FORMAN: No. This is -- Yeah, but the
14 soil samples there are -- are --

15 MS. LOIZOS: -- are purely radiological. Okay.
16 Thanks.

17 MS. PENDERGRASS: Very good.

18 All right, then. Last, but not least,
19 Membership and Bylaws. Melita?

20 MS. RINES: Okay. We met and the -- okay. Not
21 working.

22 All right. We met on the 10th, and basically
23 the biggest thing is, we are bringing a motion forward
24 to accept Chris Hanif from YCD as a full RAB member.

25 MS. PENDERGRASS: What's Chris's last name

1 again?

2 MS. RINES: Hanif, H-a-n-i-f.

3 MS. PENDERGRASS: All right. Very fine.

4 MS. RINES: So that's the one motion that I
5 need to bring in front of the full RAB.

6 MS. PENDERGRASS: Well, let's hear it. Let's
7 hear it.

8 MS. RINES: I'm bringing a motion to accept --

9 MS. PENDERGRASS: Say it. "I bring a
10 motion --"

11 MS. RINES: I motion that Chris Hanif be
12 accepted as a full RAB member.

13 MR. DACUS: Second.

14 MS. PENDERGRASS: Okay. We got a second. We
15 have a motion. Do we have discussion on the floor
16 before the -- before I call the question?

17 MS. BUSHNELL: What --? Would it be --? Just
18 to let us know something about this young man.

19 MS. RINES: He's with YCD and basically wants
20 to work with the community.

21 MS. PENDERGRASS: Any other questions?

22 MS. BUSHNELL: It was formerly in the past
23 another person was here and introduced himself. It's
24 just a nice gesture so we know who he was.

25 MS. PENDERGRASS: Person is here. So we'll

1 have that in just a minute.

2 MR. FORMAN: In fact, that was my
3 recommendation. I think you should ask the person to
4 stand up and say 25 words about themselves so that the
5 rest of the RAB members know what to vote on.

6 MS. PENDERGRASS: Okay. Very fine.

7 MS. RINES: Okay. Chris?

8 MS. PENDERGRASS: Stand on up.

9 MR. HANIF: My name's Chris Hanif. I've been
10 working with YCD and working specifically in
11 coordination with the Shipyard for the last three years,
12 coordinate a number of environmental programs to get
13 people trained in order to maximize local community
14 hiring on the Shipyard; and this would be my way of
15 interacting to help continue that and be a support to
16 any other changes that might be of benefit to the
17 community in that area. That's about it.

18 MS. PENDERGRASS: And you've been coming to RAB
19 meetings off and on.

20 MR. HANIF: Pretty much.

21 MS. PENDERGRASS: All rightie.

22 Anything else? Any other questions? Comments?
23 Concerns?

24 MR. CAMPBELL: Sure. Let me ask Chris.

25 Chris, you -- you've been the person that's

1 been coordinating the people coming into the Shipyard
2 from YCD?

3 MR. HANIF: Yes, sir.

4 MR. CAMPBELL: Okay.

5 MR. HANIF: Yes. That would be me.

6 MS. PENDERGRASS: All right. I'm going to
7 close the discussion on that question and call it. All
8 in favor of -- of --

9 MS. RINES: Chris Hanif.

10 MS. PENDERGRASS: -- Chris --

11 MS. RINES: Hanif.

12 MS. PENDERGRASS: -- Hanif -- I'm sorry --
13 joining us as a RAB member, full-fledged RAB member, all
14 in favor, say, "Aye."

15 THE BOARD: Aye.

16 MS. PENDERGRASS: Any opposed? Any
17 abstentions?

18 (No verbal response elicited.)

19 MS. PENDERGRASS: The ayes have it.

20 Welcome. Grab a seat at the table.

21 (Applause.)

22 MS. PENDERGRASS: Very good.

23 MS. RINES: Okay. Also, the other point I need
24 to make is that Marie . . . yuh-yuh-yuh-yuh-yuh-yuh-yuh.

25 MR. KEICHLINE: Franklin.

1 MS. RINES: Marie Franklin -- sorry. I can't
2 find it.

3 Marie Franklin has missed four meetings, and
4 she's going to be removed from the RAB as of this
5 meeting. Again, we have been having large issues with
6 this, with people missing meetings. James Morrison had
7 missed last -- he resubmitted his application today.

8 But part of what you guys got was a copy of the
9 bylaws. I need everyone to reread this and look for
10 things.

11 James Morrison picked up a point of a number of
12 meetings that can be missed. The bylaws state four in a
13 calendar year. But the spirit that we were looking for
14 when we came up with that was that we only have
15 11 meetings a year. So if you miss four, that's way too
16 many.

17 And we have a problem with how do we determine?
18 Is it four back to back? Is it four in a calendar year?
19 We looked at it as when the month starts, Ron looks at
20 the attendance list and goes backwards a year. So it
21 changes every month. It's prob-- Technically that's
22 not a calendar year as everyone understands it. But we
23 cannot change the bylaws until August.

24 So this is an issue that needs to be resolved.
25 We need everybody's input on it. You don't show up to

1 the meetings; we can't solve this, okay.

2 So we need everybody to look over the bylaws,
3 and please give us suggestions about this. Okay?

4 We're waiting for Don Capobres to come back and
5 talk about the term sheet for SFPD. He still hasn't
6 gotten back.

7 MR. BROWN: He's here.

8 MS. RINES: We're working on it.

9 MR. BROWN: He's here.

10 MR. ATTENDEE: He's right here.

11 MS. RINES: Hi, Don. Do you have any info for
12 me?

13 MS. PENDERGRASS: Melita, was that -- was that
14 a subcommittee request to Mr. Capobres, and should that
15 be dealt at subcommittee level?

16 MS. RINES: Well, it was -- it was -- if he has
17 it, it was going to be in front of the full RAB and
18 fully discussed in subcommittee.

19 MS. PENDERGRASS: Okay.

20 MS. RINES: I just need to know it's not -- he
21 doesn't have to discuss it. If he has something now, I
22 would like to put it on the agenda so he could do it.
23 If not, it's simple.

24 MS. PENDERGRASS: Well, what we can do at this
25 point is add it to the end of the agenda. If there's

1 time, we can take it. If not --

2 MS. RINES: I understand that.

3 MS. PENDERGRASS: -- it would have to --

4 MS. RINES: He doesn't have anything anyway, so

5 it doesn't matter. Moot point.

6 MR. ATTENDEE: Okay.

7 MS. RINES: Okay?

8 Our next meeting is April 14th, 6:30, Anna

9 Waden Library.

10 MS. PENDERGRASS: Okay. All right.

11 MS. RINES: That's it.

12 MS. PENDERGRASS: All right. Now, so you have

13 a request that should be noted that Mr. Capobres speak

14 at the subcommittee meeting? Is that --?

15 MS. RINES: If he has --

16 MS. PENDERGRASS: Did I hear that?

17 MS. RINES: If he has the -- no. He didn't,

18 really.

19 MS. PENDERGRASS: Okay. So is this a follow-up

20 item --

21 MS. RINES: Correct.

22 MS. PENDERGRASS: -- that needs --

23 MS. RINES: Correct.

24 MS. PENDERGRASS: -- that needs to happen?

25 Okay.

1 MS. RINES: Correct.

2 MS. PENDERGRASS: I just want to make sure --

3 so for the next RAB meeting, we're asking that --

4 MS. RINES: No.

5 MS. PENDERGRASS: You have something that --

6 MS. RINES: Okay. Let me tell you.

7 MS. PENDERGRASS: Okay. I'm trying to get --

8 MS. RINES: Okay. Don has been working with us

9 about the term sheet for SFPD and the Shipyard lease.

10 MS. PENDERGRASS: Got it.

11 MS. RINES: He does not have that information

12 yet. There's no need for him to be at the RAB to

13 discuss it because he doesn't have it. He was going to

14 bring it to the subcommittee as soon as he gets it.

15 MS. PENDERGRASS: Got it. Got it. And you'll

16 report on it. I'm there. I'm there. We're doing fine.

17 MR. FORMAN: Okay.

18 MS. PENDERGRASS: All right. We have -- we

19 have had two motions. Any -- anything else before

20 subcommittee reports? I think we're there.

21 What I'd like to do is shift at this point

22 before we move on to the rest of the agenda and if

23 there's any announcement from our co-chair.

24 Mr. Brown?

25 MR. BROWN: No, I don't have any.

1 MS. PENDERGRASS: Very fine.

2 All right. Okay. Let's move right along here.

3 We're ready to update on the cleanup. So we

4 are now at the point of the update on cleanup projects

5 for Dry Dock 4 and Parcel E shoreline with Jose Payne.

6 Would --? Is it better for us to take a break

7 this minute, or can you do what you have to do in

8 fifteen minutes and then take a break? Who's making

9 this presentation?

10 MR. FORMAN: Jose Payne.

11 MR. BROWN: Jose.

12 MS. PENDERGRASS: Okay. You're making a

13 presentation. Can you do it in fifteen minutes, or we

14 can take a break, or would you like to --

15 MR. PAYNE: Sure.

16 MS. PENDERGRASS: -- we take a break now

17 and --?

18 MR. PAYNE: We can do -- we can do it in

19 fifteen minutes.

20 MS. PENDERGRASS: And then we can have

21 questions after the break?

22 MR. PAYNE: (Nodding.)

23 MS. PENDERGRASS: Okay. Very fine. Thank you.

24 MR. PAYNE: Yes. Good evening and welcome. My

25 name is Jose Payne. I'm a member of the Hunters Point

1 environmental team with the Navy.

2 Tonight my presentation is a two-part
3 presentation. We'll do the first part and we'll take a
4 break, and then we will take question and answers after
5 break.

6 MS. PENDERGRASS: Sounds good.

7 MR. PAYNE: The first part of the presentation
8 we will call restoration projects that we did at the Dry
9 Dock 4 and the Parcel E shoreline.

10 I'm going to apologize, because I have to put
11 this map way back here. I don't know if you can see it.

12 MS. BUSHNELL: Certainly can with that.

13 MR. PAYNE: You rather I put it here?

14 MS. PENDERGRASS: Can you put it right where
15 the subcommittee sign is?

16 MR. PAYNE: Can you move that, Pat?

17 (Pause.)

18 MR. PAYNE: Okay.

19 MS. PENDERGRASS: Mr. Payne, are you ready to
20 start?

21 MR. PAYNE: Yes, ma'am.

22 MS. PENDERGRASS: Okay. Go for it.

23 MR. PAYNE: The Dry Dock 4 is located in this
24 area of the base at Hunters Point, Parcel C. This is an
25 area where we did restoration. The restoration here we

1 completed in five months. The other part that we did
2 was restoration along the shoreline of Parcel E, and it
3 went all the way from here all the way down.

4 Most of you probably know what a dry dock is.
5 The Navy operated a dry dock from the '40s to -- up to
6 '60s where they did ship repair and maintenance.

7 The reason that we did these -- this work was
8 to remove the following from the dry dock and the
9 shoreline. We wanted to remove hazardous waste, such as
10 asbestos. We also removed nonhazardous waste, such as
11 tires, wood, and barges. We also did some recycling
12 materials. A lot of metal got recycled. During the
13 recycling process, we recycled \$20,000 worth of
14 material.

15 This is the surface area of the Dry Dock 4.
16 What you see here is a metal ship that we did recycle.
17 And all the material in here got disposed at a disposal
18 facility -- approved facility for what was in here. We
19 had paint, welding rods in here; and on this side, we
20 recycled all the metal that you see here.

21 Next.

22 On this slide, what you see is a boom, part of
23 a crane. It's a crane back here. And this went back to
24 the owner. It wasn't Navy property. It goes back to
25 the owner.

1 On this side, we had some gas cylinders.
2 Throughout the base, we had 180 cylinders. The
3 cylinders were labeled. So what we did, we consolidated
4 the cylinders and returned them to the -- to their
5 owners.

6 Another metal shed here. During the process of
7 cleanup, that also got recycled.

8 This just illustrates a border containing
9 asbestos. This is hazardous waste. What we did with
10 this was that we sampled the asbestos, and this got
11 bagged and got disposed at a approved facility.

12 Next.

13 After five months of cleanup, what you see here
14 is a substantial improvement on the Dry Dock 4, and the
15 only remaining things that you see here is couple cranes
16 that will be removed by the owners at some point. And
17 then this, what you see here, this already -- this has
18 been removed.

19 Again, this is a -- the area of the dry dock
20 after cleanup. We still have these cranes. They should
21 be removed in the next few months by the rightful
22 owners, because as you remember, we had -- the Navy
23 owned the property, but then it was leased to AMC, and
24 the Navy does not own the cranes.

25 Some of the things that we also consolidated on

1 the base were these -- they call it keel blocks. And
2 what they -- The purpose of these was, they would sit
3 these in the dry dock and then sit the ships on them so
4 they could do maintenance on the ships. They keel off
5 the dry dock, and then you do maintenance.

6 These -- They comprise of concrete and wood,
7 and they weigh anywhere between 2,000 and 2500 pounds
8 each. We consolidated approximately 150 of these and
9 staged them at Building 336 by the dry dock. They are
10 not hazardous waste, so they are gonna stay there when
11 the property is transferred.

12 This takes us to the Parcel E shoreline. And
13 again, we did -- the Parcel E shoreline is this entire
14 area right here. We started here and we went all the
15 way down.

16 The entire shoreline has such things as what
17 you see here. They had metal debris, wood, concrete;
18 there was a whole lot of tires. These are barges right
19 here. There's many barges. They were all -- This was
20 recycled metal, and these [indicating] were all disposed
21 of.

22 You can see the shoreline in the process of the
23 cleanup, and it started to change as we removed all the
24 debris and all of the waste.

25 Next one.

1 Again, this is another area of the shoreline,
2 and it just shows the improvement as it continues
3 through the cleanup.

4 This gives you a good view of what the beach of
5 Parcel E looks like now since all that debris has been
6 removed and all the barges.

7 During the restoration project, we employed the
8 Young Community Developers brothers, and they
9 participated in the cleanup. We also employed Circosta
10 Metals who recycled the scrap metals.

11 And again, the recycling -- the money that we
12 got from the recycling was \$20,000. That money went
13 back into the environmental cleanup fund.

14 We also used the local trucking company, Al
15 Curry, to remove the waste.

16 And we -- from the Dry Dock 4, we had
17 46 truckloads of waste and -- hazardous waste and
18 nonhazardous waste; and from the shoreline, we have
19 49 truckloads of material that left the property.

20 You want to take questions now?

21 MS. PENDERGRASS: Actually, we are going to
22 take a break.

23 MR. PAYNE: Okay.

24 MS. PENDERGRASS: And we will --

25 MS. OLIVA: Can I make a motion to --?

1 MS. PENDERGRASS: No. I -- We are going to
2 have to hold everything at this point because we have to
3 have a break. So we're breaking.

4 Thank you, Mr. Payne.

5 MR. PAYNE: Thank you.

6 MS. PENDERGRASS: Okay. We got ten minutes,
7 everybody.

8 (Recess 6:56 p.m. to 7:08 p.m.)

9 MS. PENDERGRASS: Let's bring this meeting to
10 order, please.

11 Mr. Payne, will you continue.

12 Do we have some questions about the
13 presentation that we just participated in?

14 Yes, ma'am.

15 MS. OLIVA: I do.

16 Jose?

17 MR. PAYNE: Yes. Yes, yes.

18 MS. OLIVA: Dry Dock 4.

19 MR. PAYNE: That's right.

20 MS. OLIVA: Lani and I are Shipyard artists.

21 We overlook Dry Dock 4. And I would like to know we
22 would ever -- My issue with Building 101 is the dust
23 that comes into our windows from any cleanup. Now, you
24 said that there was hazardous waste there.

25 Officer Mach, Commander Mach, who preceded

1 Keith, had gone in there probably four years ago and
2 taken out what was ever in tubes that go around it and
3 cemented it. And at that time, I asked him for a lab
4 report on that stuff, and we never received it.

5 Okay. I would like documentation on lab
6 reports on any radioactive hazardous waste that was
7 taken away from Dry Dock 4. Did you do any of that?

8 MR. PAYNE: We didn't take any of it. Matter
9 of fact, what we did along the shoreline from
10 Parcel E --

11 MS. OLIVA: Now, I'm not talking about --

12 MR. PAYNE: No. I'm just saying --

13 MS. OLIVA: -- Parcel E.

14 MR. PAYNE: -- for the rest- --

15 MS. OLIVA: I'm talking about Dry Dock 4, the
16 front of it by the two cranes that we are so close to.

17 MR. PAYNE: What we did this restoration that
18 we just addressed --

19 MS. PENDERGRASS: Louder, please.

20 MR. PAYNE: We did a scan for radioactive
21 material, but there wa- --

22 MS. OLIVA: Scanned with what?

23 MR. PAYNE: My contractor --

24 MS. OLIVA: Is he here?

25 MR. PAYNE: But we didn't -- there wasn't any

1 radioactive material on the Dry Dock 4.

2 MS. OLIVA: Well, that's where they washed down
3 the ships from Operation Crossroads.

4 MR. BROOKS: But Operation Cross- --

5 MR. PAYNE: All we did -- all -- all we did was
6 remove material. We didn't do anything with the dry
7 dock itself --

8 MS. OLIVA: No, because it --

9 MR. PAYNE: -- as far as doing this -- this
10 project.

11 MS. OLIVA: I saw you guys doing that stuff out
12 there, and nobody at the building was made aware of your
13 activity so we could either not be there or not open our
14 windows or not go outside where we -- our waste
15 disposals are out parallel to that dock.

16 MR. PAYNE: I don't understand what your
17 question and your concern, though.

18 MS. OLIVA: The question -- My concern is your
19 reme- -- remedial removal actions, the danger to the
20 300 artists that are in Building 101, the dust factor
21 that when you were doing it and the fact that we were
22 not notified. There was no notification in our
23 buildings. I don't know if the master tenant, David
24 Terzian, was notified.

25 But this is really an imperative situation when

1 you're talking -- we're on a Superfund site. Nobody
2 should be on a Superfund site when you're dealing with
3 remedial removal actions, especially when the HRA just
4 came out. And I haven't checked the 800-page document
5 to find out if there were any sites there.

6 MR. PAYNE: This -- Can I an- -- just answer
7 your question for, please, so we don't spend the whole
8 night on this? And we'll note your comment.

9 But basically, what we did here was not a
10 removal, was a restoration activity. We picked up scrap
11 and disposed of it.

12 MS. OLIVA: But I saw backhoes out there
13 digging up stuff.

14 MR. PAYNE: They didn't dig -- well, they
15 didn't actually dig --

16 MS. OLIVA: All the way on the left side over
17 there, you got a whole series of those characters.

18 MR. PAYNE: I -- well --

19 MS. OLIVA: Were you on site when this
20 happened?

21 MR. PAYNE: We don't want to get into an
22 argument here, but there wasn't any digging.

23 MS. OLIVA: I'm not getting into an argument.

24 MS. PENDERGRASS: Excuse me. But I'm going
25 to -- just going to stop it at this point.

1 The question is -- I'm going to say it again.
2 The question is, what was removed from the site during
3 that action?
4 Mr. Payne, can you answer that question now, or
5 do you need time to --
6 MR. PAYNE: No. I can --
7 MS. PENDERGRASS: -- gather information?
8 MR. PAYNE: We -- From that site what was
9 removed was concrete, debris, batteries; and, like I
10 said, some tires, sheds, old sheds, and those type of
11 items were removed. Asbestos was removed --
12 MS. PENDERGRASS: Mr. Payne, do you have a list
13 of exactly what was removed --
14 MR. PAYNE: Oh, yes.
15 MS. PENDERGRASS: -- from the site?
16 Could you provide that?
17 MR. PAYNE: Not tonight, but we can --
18 MS. PENDERGRASS: Okay.
19 MR. PAYNE: -- sure.
20 MS. OLIVA: Can you provide it at the next RAB
21 meeting?
22 MR. PAYNE: We can get you a copy.
23 MS. PENDERGRASS: Okay. If you could get that
24 to Mr. Forman, and then he can make sure that it gets to
25 the RAB --

1 MR. PAYNE: Absolutely.

2 MS. PENDERGRASS: That would be fine.

3 MR. PAYNE: Right.

4 MS. OLIVA: May I make that an action item?

5 MS. PENDERGRASS: We put that as an action
6 item. All right?

7 MR. PAYNE: We can do that.

8 MS. PENDERGRASS: Very fine.

9 MS. OLIVA: The other thing is, the other two
10 cranes --

11 MR. PAYNE: Yes.

12 MS. OLIVA: -- that are flashing? What --?
13 Have they been scanned or scoped at all?

14 MR. PAYNE: Scanned for --

15 MS. OLIVA: -- radioactive materials, since
16 that's what -- what they were picking a lot of stuff off
17 those boats in the '50s.

18 MR. PAYNE: The -- I can answer that -- I
19 don't think we have done that at this point. It's
20 actually not our cranes. The crane's on the facility,
21 and right now the owners were supposed to be removing
22 them. But as far as scanning them, I don't think we
23 have.

24 MS. OLIVA: The owners are going to be removing
25 them?

1 MR. BROOKS: These are not cranes that were
2 involved in Operations [sic] Crossroads. The cranes are
3 not considered impacted. They have not been scanned,
4 and they will not be scanned because there's no reason
5 to.

6 MS. OLIVA: How can you say they weren't?

7 MR. BROOKS: They were not used in Operation
8 Crossroads. They don't even belong to the Navy.

9 MS. OLIVA: So the cranes that you've already
10 taken down were used in Operations [sic] Crossroads?

11 MR. PAYNE: We didn't take down any cranes.

12 THE REPORTER: I'm sorry. What?

13 MR. PAYNE: We did not take any -- We
14 didn't -- The lady asked about the cranes that we took
15 down. We did not take any cranes down.

16 These cranes were brought on the facility by
17 the private enterprise that came on the facility after
18 the Navy ceased operations. So they were not there.

19 MS. OLIVA: What about the red -- I believe you
20 said they were boilers that were -- were filled with
21 asbestos?

22 MR. PAYNE: Yes, ma'am.

23 The boiler was left behind by either AMC or
24 Triple A, one of the private contractors or companies
25 that were on the base. It wasn't a Navy thing. But we

1 did dispose of it.

2 MS. OLIVA: Well, what authority did you have
3 to dispose of them if they belonged to somebody else?

4 MR. PAYNE: Well, it's scrap, and they
5 abandoned it, so we have a responsibility to clean up
6 the facility, so we did.

7 MS. OLIVA: Have you checked with them about
8 abandoning their cranes?

9 MR. PAYNE: That's what -- That's why they're
10 coming back, to get the cranes.

11 MS. OLIVA: Okay.

12 MR. PAYNE: We have checked with them.

13 MS. OLIVA: All right. And you'll let us know
14 when that's going to happen? You will advise the people
15 in Building 101 when this is happening?

16 MR. PAYNE: That shouldn't be an issue, but I
17 know Mr. Forman will take care of that if that needs to
18 be --

19 MR. FORMAN: Yeah.

20 MR. PAYNE: -- 'cause he need to be --

21 MR. FORMAN: Perhaps there's some source of
22 confusion on this. These -- I believe the cranes
23 you're talking about are owned by Astoria Metals
24 Corporation, AMC.

25 MR. PAYNE: That's correct.

1 MR. FORMAN: Okay. So they were put there in
2 what decade? The 19 . . .

3 MS. BROWNELL: '90s.

4 MR. FORMAN: Pardon?

5 MS. BROWNELL: Early '90s.

6 MR. FORMAN: Okay.

7 MS. BROWNELL: That's when they moved --

8 MR. FORMAN: Right.

9 MS. BROWNELL: -- in there.

10 MR. FORMAN: So these have nothing to do with
11 anything with Operations [sic] Crossroads or even any
12 Navy operations, since they were there approximately
13 20 years after the Navy operations on the base ceased.

14 So AMC is going to come back in, hopefully --
15 we're hoping -- and take their property away, probably
16 disassemble it.

17 MS. OLIVA: Okay. When anything's happening
18 anymore on that dry dock, can you let our master tenant,
19 David Terzian, know when this activity's happening?

20 MR. FORMAN: Sure. We can give -- Sure. We
21 can give -- You want -- you want us to contact him
22 before we --?

23 MS. OLIVA: I would love that, so he can just
24 post it if there would be some --

25 MS. PENDERGRASS: Is your -- is your concern

1 that during the actual removal of those things the dust
2 and those sorts of things?

3 MS. OLIVA: Yeah.

4 MS. PENDERGRASS: Okay. So that's reasonable?
5 Can you make sure that that happens or --?

6 MR. FORMAN: Sure. Sure. We'll let
7 Mr. Terzian know before --

8 MS. PENDERGRASS: All right.

9 MR. FORMAN: Hopefully, we'll get a good
10 heads-up before Astoria Metals comes to reclaim their
11 cranes.

12 MS. OLIVA: Thank you.

13 MS. PENDERGRASS: The words like "hopefully"
14 and "maybe," that's not in our vocabulary. Can you --?
15 Can it be a little bit more specific, yes you will, or
16 you will talk --?

17 MR. FORMAN: I w- -- I will if I can.

18 MS. PENDERGRASS: Okay. And if you can't, you
19 will what?

20 MR. FORMAN: I won't.

21 MS. PENDERGRASS: This sounds so -- you know,
22 sounds kind of funny. But I'm -- I'm just trying to get
23 clarity around it so we don't have this issue of I
24 asked --

25 MR. FORMAN: Yes.

1 MS. PENDERGRASS: -- and it didn't happen, or
2 they needed it asked in writing and I didn't do it.

3 MR. FORMAN: Okay.

4 MS. PENDERGRASS: So --

5 MR. FORMAN: I will restate it to be more
6 definite.

7 MS. PENDERGRASS: Thank you.

8 MR. FORMAN: If the Navy has a heads-up, as
9 soon as I know -- because we are not doing this.

10 Another company is coming in --

11 MS. PENDERGRASS: I see.

12 MR. FORMAN: -- we will let Mr. Terzian know
13 and the caretaker site office on the base.

14 MS. PENDERGRASS: Okay. Very fine.

15 MR. FORMAN: Sure.

16 MS. PENDERGRASS: Mr. Campbell had a question,
17 and then we need one more question from the audience.
18 I'm sorry. We're not going to take any questions from
19 the audience until we've taken all the RAB member
20 questions, and we are running over.

21 So Mr. Campbell --

22 MR. DACUS: Dacus.

23 MS. PENDERGRASS: -- Mr. Dacus and --
24 Barbara, did you have --?

25 MR. CAMPBELL: Okay. On Parcel E, the little

1 panhandle area that you have there, that's south and
2 west.

3 MR. PAYNE: Yes, sir.

4 MR. CAMPBELL: South and west of -- in
5 IR-01/21?

6 MR. PAYNE: 01/21 and -- yes, 1 --

7 MR. CAMPBELL: So you can see the little
8 panhandle there, the non-Navy property. They removed
9 some radiological sites before, but there were some
10 radiological sites that were not removed because of
11 debris blocking the access. Were those sites
12 remediated?

13 MR. PAYNE: (Inaudible.)

14 MR. CAMPBELL: So those sites are still there.

15 MR. FORMAN: Yes.

16 MR. PAYNE: The sites are still there.

17 MR. CAMPBELL: And -- and they are going to be
18 remediated later on?

19 MR. FORMAN: Well, part of that is his next
20 presentation.

21 MR. CAMPBELL: Okay. Thank you.

22 MS. PENDERGRASS: All right, Mr. Dacus.

23 MR. DACUS: Yes. I would like to ask you about
24 the removal of this asbestos. What method did you
25 utilize in removing the asbestos?

1 MR. PAYNE: My understanding, the asbestos was
2 tested, and we determined it was asbestos. It was then
3 contained. It was bagged. It was sealed and then
4 disposed of at a facility that was approved for that
5 particular material.

6 MR. DACUS: What procedure did you utilize to
7 remove it?

8 MR. PAYNE: Can you answer that question,
9 please?

10 MR. DACUS: To dispose of it, rather.

11 MR. STARR: Pardon me?

12 MR. PAYNE: He said -- The question is where
13 we disposed of the asbestos and the boilers.

14 MR. STARR: Boilers have been shipped off site.

15 THE REPORTER: I'm sorry. I don't know who you
16 are.

17 MR. STARR: I'm Glenn Starr with Tetra Tech FW.

18 MS. PENDERGRASS: And Mr. Davis's question
19 was --

20 MR. DACUS: Dacus.

21 MS. PENDERGRASS: -- not just -- his question
22 was how was it -- what was the method you used to remove
23 it to -- handle it to the --

24 MR. BROOKS: Maybe I -- maybe I can answer
25 this. Asbestos removal was done in accordance with all

1 the state and federal laws and was accomplished by a
2 licensed asbestos removal contractor. So everything
3 that was proper to do, all the -- all the measures, all
4 the safety measures, were adhered to.

5 Yes.

6 MS. PENDERGRASS: Mr. Dacus, does that answer
7 your question --

8 MR. DACUS: Yes.

9 MS. PENDERGRASS: -- before we go on?

10 MR. HANIF: I was going to say more
11 specifically based on a described method is actually
12 termed as encapsulation.

13 MS. PENDERGRASS: Very good.

14 So your question -- that has been answered,
15 sir?

16 MR. DACUS: Yes, it as.

17 MS. PENDERGRASS: Thank you.

18 And then just, Miss Lutton, did you have a
19 question?

20 MS. LUTTON: Yes. I -- I have a quick
21 question.

22 On page 5, the keel blocks.

23 MR. PAYNE: Yes, ma'am.

24 MS. LUTTON: Those keel blocks, were they used
25 on Opera- -- to deal with the ships that came back from

1 Operation Crossroads?

2 You said that they were not hazardous waste,
3 and I'm wondering if they were tested for radiological
4 residue.

5 MR. PAYNE: No, we did not test the keel blocks
6 for radiological residue.

7 MS. LUTTON: You said they were going to remain
8 there until the transfer, and --

9 MR. PAYNE: That's correct.

10 MS. LUTTON: -- then what?

11 MR. PAYNE: And then the City will probably use
12 it. I don't know what for, unless there's another dry
13 dock or such maybe for that same operation, but I don't
14 know.

15 MR. BROOKS: That's a good question, Kevyn. I
16 think we'll bring that up with Laurie. They are a part
17 of dry dock operation; and the dry docks and all the
18 rest of the infrastructure, like the drain systems and
19 stuff that were part of the dry docks, were considered
20 impacted.

21 So we'll bring this up with Laurie and --

22 MS. LUTTON: Thank you.

23 MR. BROOKS: -- see what she says.

24 MS. PENDERGRASS: We'll follow up on that.

25 MS. LUTTON: No problem.

1 MR. BROOKS: Thank you.

2 MS. PENDERGRASS: All right.

3 MS. RINES: I have one quick, quick question.

4 How many --? You said there were 46 truckloads that

5 were transporting it off site. That was from where?

6 MR. PAYNE: From the dry dock area.

7 MS. RINES: Dry dock, okay.

8 That's it.

9 MS. PENDERGRASS: Okay. We need to move on.

10 And I'm sorry, I can't take your question at

11 this point, but you can take it up at another time. Can

12 you hold it for that so we can move on? I'm sorry.

13 We're going to run out of time for the rest of the

14 presentations.

15 Okay, Mr. Payne, are you ready?

16 MR. PAYNE: Yes, ma'am.

17 Okay. We are going to move to the next

18 presentation. The next presentation is an upcoming

19 time-critical removal action at the metal debris reef

20 and the metal slag.

21 This poster board right here illustrates what

22 the metal debris reef looks like. It's melted metal or

23 molten metal with cables imbedded, and the metal slag is

24 this area right here. And on the map, the metal debris

25 reef is at this end, and the metal slag is at the

1 opposite end of the Parcel E.

2 First we'll do a site background of both of
3 those locations. Then we will talk about prior
4 investigations that were done at these sites, why we
5 think we need to do this removal action. We'll talk
6 about the steps, and we'll cover the schedule to get --
7 to accomplish this removal action.

8 During the '40s up to about the '60s, the Navy
9 operated a smelter at Building 408. That smelter's a
10 place where the metals are formed from raw material.
11 And then there was also a foundry in Building 241. Once
12 the metal was smelted at the smelter, then it went to a
13 foundry; and then there they made parts, metal parts,
14 for ships.

15 This illus- -- This is a picture of what the
16 Building 408 looks like at Hunters Point.

17 Next.

18 And this illustrates what Building 241, the
19 foundry, is on the base.

20 The metal slag area, this right here -- this is
21 a portion of it, not all of it -- contains the material
22 from the smelting and from the foundry; and it was
23 disposed along the shoreline, and I guess this was
24 common practice to dispose of waste along the shoreline.

25 This metal slag area is approximately

1 21,000 square feet, and it's about 5 feet in depth. So,
2 you know, it's about this much [indicating] depth.

3 There was also some radiolo- -- radiological
4 surveys that were done, and they identify that what you
5 had in here was some point sources, meaning you had some
6 radioactive devices in here, instruments, gauges, those
7 type of --

8 MR. BROWN: Dial?

9 MR. PAYNE: -- things.

10 MR. ATTENDEE: Radium dials.

11 MR. BROWN: Dials? Radium dials.

12 MR. PAYNE: Radium dials.

13 MR. BROWN: You're welcome.

14 MR. PAYNE: This here illustrates the metal
15 slag area at low tide, and what you see here is lot of
16 concrete but imbedded with metal. You -- The picture
17 doesn't illustrate it that well here. And this is
18 another section of the metal slag on this side.

19 And the formal background for the metal debris
20 reef, which is this area here, in this one you can see
21 with more clarity the metal because it's widespread.

22 The Navy operated a burn site at the metal
23 debris reef. If you look here, that little brown
24 circular -- look like a potato in here, that was a burn
25 site that the Navy operated; and it pretty close

1 proximity to the metal debris reef. The material from
2 this burn site went to this metal debris reef area.

3 We also have at the metal debris some of the
4 same material that you find here [indicating] from the
5 smelter. And, like, the metal slag area, they -- there
6 was previous surveys that were done that identify that.
7 We had here some radioactive material also in throughout
8 this metal slag.

9 This area, the metal debris is somewhat larger
10 than -- than this by -- maybe, like, by one third or so.

11 Next.

12 This slide right here shows what the metal
13 debris looked like at low tide, pretty much lot of
14 cables; and all this right here is all -- it's all

15 metal, just pure metal all across.

16 The investigations that w- -- The prime
17 investigations that were done was done in 1991 by
18 Harding Lawson & Associates, and they detected radiation
19 readings in the metal debris reef and the metal slag.
20 It was another study done in 2001 by New World
21 Technology, and they pretty much confirm this
22 investigation that was done in 1991.

23 The reason that the Navy is doing this removal
24 action is to eliminate any future potential risks due to
25 migration of the radioactive material that might be on

1 the surface or might come up to the surface of the metal
2 debris reef or the metal slag or migration or release of
3 this material, the radioactive material, into the San
4 Francisco Bay by erosion or runoff.

5 For this removal, we'll create a work plan
6 based on the Action Memorandum that was done by the Navy
7 that addresses all radi- -- radiological activities on
8 the -- on the base.

9 What we're going to do as far as steps --

10 MS. ASHER: Excuse me. Could you go back to
11 the other slide? I just got to write something down.

12 MR. PAYNE: Okay. The steps that we're going
13 to accom- -- The steps we're going to take in
14 accomplishing this removal is to better characterize the
15 site. We're going to do a site characterization to
16 better characterize the site to see -- to determine
17 exactly the volume of the metal debris reef and the --
18 and the slag. And for this we'll have a work plan,
19 which you will see and you'll be able to read and
20 comment on.

21 After -- after this time, then we'll excavate.
22 But before we excavate, we will have another work plan,
23 and we'll excavate both of these areas, the metal slag
24 and metal debris.

25 Once it's excavated, we want to basically

1 remove the dials or instruments that are imbedded in the
2 metal and separate them out so we can dispose of the
3 metals and the instruments, and they will go to two
4 different disposal facilities, and this will be disposed
5 off site.

6 The last thing that we'll do is to restore the
7 shoreline, and for this you'll also have another work
8 plan.

9 So the work plans that you will see in the near
10 future for this activity, first you'll see a site
11 characterization work plan after which -- and you'll
12 have 30 days to review and comment. Then we'll have a
13 removal action work plan to do the actual excavation and
14 disposal of the materials. And once that's completed,
15 then we'll do a shoreline restoration work plan that
16 you'll also see.

17 During this process, we coordinate with these
18 entities that you see that we have listed here from the
19 Army Corps of Engineers to the public that will also
20 participate and review and comment on -- on these
21 reports.

22 We talked about a schedule, and this will be
23 the schedule. We'll have the work plan for the site
24 characterization April 2004. We plan to do the
25 characterization between the month of June and August of

1 2004 after which time then we'll do the removal action
2 work plan in October of 2004, starting the cleanup in
3 June of 2 '05 [sic] to November of 2 '05 [sic]. We'll
4 then create a restoration work plan December 2005.

5 MS. PENDERGRASS: All right. We have
6 Mr. Campbell and Lani and Andrew.

7 Anybody else from this side? Okay.

8 And Miss -- Dr. Sumchai, and then we're going
9 to come back to the audience. Okay.

10 MR. CAMPBELL: You talked about raw materials
11 that was smelt -- smelted in the smelter and then went
12 to the foundry.

13 Let me relate a little story to you that
14 happened in Mexico. They were checking some metal on
15 some lawn furniture that was leaving -- that was leaving
16 a plant, and -- yeah. What happens when they were
17 checking it, somebody's truck leaving, they found the
18 lawn furniture was radioactive.

19 Are we sure that the -- the smelter and the
20 foundry, you know, if you're smelting material --?
21 And you said raw material. Raw material can come from
22 different things, like ships, et cetera, and can be
23 ground up bits and pieces and utilized.

24 Now, we have been clearly stating that this is
25 radium dials. Are we sure it's just radium dials? One.

1 Okay. That's Part One of my questions.

2 I also saw up there time-critical removal
3 actions, a TCRA, on it. We argued this point two years
4 ago. We -- we sat in a radiological subcommittee
5 meeting, and we pointed out that we knew these sites
6 were there. Why is it coming down to a time-critical
7 removal action now? That's the next part of the
8 question.

9 MS. PENDERGRASS: Let's let him answer those
10 first two.

11 MR. CAMPBELL: Okay.

12 MS. PENDERGRASS: Can you answer the first
13 question, Mr. Payne? Do you remember what it is?

14 MR. PAYNE: Can you restate your first
15 question? Sorry.

16 MR. CAMPBELL: Sure. You know, when you
17 have --

18 MS. PENDERGRASS: What's the question?

19 MR. CAMPBELL: Well, we have a smelter, okay,
20 and he's talking about raw materials.

21 MS. PENDERGRASS: Right.

22 MR. CAMPBELL: They didn't go outside and say,
23 "Hey, they weren't doing their own ore." I presume they
24 were using scrap metal --

25 MS. PENDERGRASS: Right.

1 MR. CAMPBELL: -- for their smelter.

2 MS. PENDERGRASS: Okay.

3 MR. CAMPBELL: Is that correct?

4 MR. BROOKS: So are you saying that we should
5 survey those buildings radiologically?

6 MR. CAMPBELL: Well, have you?

7 MR. BROOKS: We have not, but they are
8 considered impacted in the HRA, and they will be
9 surveyed.

10 MR. CAMPBELL: Thank you.

11 MR. FORMAN: Foundry and the smelter.

12 MR. CAMPBELL: Thank you.

13 DR. SUMCHAI: I'm sorry. What's the building
14 number for this smelter again?

15 MR. BROOKS: 408.

16 MR. PAYNE: 408.

17 MR. CAMPBELL: 408, because anytime -- anytime
18 you are doing a recycling operation and you're using a
19 smelter, you're using available parts.

20 MS. PENDERGRASS: Right.

21 MR. CAMPBELL: And then you're using it into
22 the foundry.

23 MR. FORMAN: Yes.

24 MR. PAYNE: That's correct.

25 MR. CAMPBELL: And then we're seeing hot spots

1 over there, and we are saying it's radium dials. But
2 are we sure?

3 MR. BROOKS: We don't say radium dials. We're
4 saying radioactive point sources.

5 MR. CAMPBELL: Well, some are in some of the
6 reports before you said radium dials. I'd like --

7 MS. PENDERGRASS: Let --

8 MR. CAMPBELL: -- to point that out.

9 MS. PENDERGRASS: Let -- But your question was
10 answered in that they are --

11 MR. CAMPBELL: Yes.

12 MS. PENDERGRASS: -- going to do the sweep.

13 MR. CAMPBELL: Yes. Okay.

14 MS. PENDERGRASS: Okay. And your second --

15 MR. CAMPBELL: So --

16 MS. PENDERGRASS: -- question was? I'm sorry.

17 MR. CAMPBELL: Time-critical removal action,
18 TCRA.

19 MR. FORMAN: Yes.

20 MR. CAMPBELL: We talked about this two years
21 ago. We pointed it out. At that was the first time it
22 was obstructed. So it couldn't be cleaned at that
23 point.

24 Why is it a time-critical removal action now?

25 I saw that in one of your slides up there.

1 MR. PAYNE: Right. It is.

2 MR. FORMAN: Where are you talking about?

3 MR. BROWN: Right here on the side.

4 MR. FORMAN: Panhandle.

5 MS. PENDERGRASS: Can you answer that,
6 Mr. Payne?

7 MR. PAYNE: Yes. We actually used a action
8 memo that, as you know, was created for all to address
9 all radiological concerns on the entire base. And at
10 this point, we know what the Navy needs to do with
11 the -- with the metal reef and the metal slag is to
12 actually excavate it. So that's why the Navy is taking
13 the position and doing a time-critical removal at this
14 time.

15 MR. CAMPBELL: Oh.

16 MS. PENDERGRASS: Let --

17 MR. PAYNE: So --

18 MR. CAMPBELL: But our question is, why isn't
19 it a standard removal action versus a time-critical
20 removal action? That's our question, because there's
21 some concerns that members of the RAB have had. Number
22 one, there's emergency removal action, time-critical
23 removal action, removal action. And we're
24 questioning --

25 MR. PAYNE: Not time removal.

1 MR. CAMPBELL: Okay. So that's the second
2 part.

3 MS. PENDERGRASS: Well, let's just answer that,
4 Mr. Payne. The question again is, Why is it now a
5 time-critical removal action when two years ago it was
6 not? What's changed in this time to make it move it to
7 that level? Is the question.

8 MR. PAYNE: But I don't know what happened a
9 couple years ago, but a lot of times we don't have
10 budget or we don't have budget and --

11 MR. CAMPBELL: So -- so your -- your answer is
12 because of the budget; is that correct?

13 MR. PAYNE: That could be a reason, but I don't
14 exactly --

15 MR. FORMAN: That's one of the reasons.

16 MR. PAYNE: That is one of the reasons.
17 You want to say?

18 MR. FORMAN: Yeah.

19 I'll go ahead and address this, Maurice. And I
20 think I know what you're getting at. Maybe I don't.
21 But I keep hearing this common argument.

22 In the case of this radiological site --

23 MR. CAMPBELL: Right.

24 MR. FORMAN: There's a final basewide
25 time-critical removal action for radiological sites.

1 Okay? All of the -- all of these type of sites will be
2 conducted under that Action Memorandum.

3 So that's why you're seeing a series of work
4 plans, because the work plans do the site-specific
5 details to the work, and their source document is that
6 time-critical removal action action memo. And it's
7 basewide. It applies to any of these sites.

8 MR. CAMPBELL: Okay.

9 MS. PENDERGRASS: Does that make sense?

10 MR. CAMPBELL: Well, I'm sure the community had
11 some comments on that.

12 MR. FORMAN: No, no. And I understand that
13 there are those who disagree that that should be a
14 time-critical removal action action memo.

15 MR. CAMPBELL: Right.

16 MS. PENDERGRASS: There are those who disagree
17 with that --

18 MR. CAMPBELL: Right.

19 MR. FORMAN: -- and there are those who
20 disagree with the basewide application of that Action
21 Memorandum.

22 MR. CAMPBELL: Right.

23 MR. FORMAN: My -- I think my most compelling
24 argument to anybody who thinks that way is: The Navy is
25 out in the field removing these sites, doing

1 environmental cleanup work. And I would recommend that
2 any citizen who wants the environment cleaned up, let
3 the Navy do that, and let the Navy do that under a final
4 Action Memorandum.

5 MR. CAMPBELL: Okay. We'll leave it at that
6 for now, because I don't want to talk this whole thing.

7 The third question, going back to the keel
8 blocks, keel blocks were usually used to hold ships up;
9 and when you hold ships up in a dry dock, it's usually
10 for bottom painting and repairing. Bottom painting, as
11 we know, is highly toxic. So --

12 MS. PENDERGRASS: Mr. Campbell, that question
13 was asked and answered in terms of --

14 MR. CAMPBELL: No. No, no. It wasn't
15 answered. The que- -- It wasn't addressed, because
16 when you have keel blocks, you have bottom paint.

17 MR. PAYNE: Well, the answer to that question
18 is that we are going to --

19 MS. PENDERGRASS: Okay.

20 MR. PAYNE: -- do a further survey of those
21 keel blocks.

22 MR. CAMPBELL: Thank you. That's what I wanted
23 to hear.

24 MS. PENDERGRASS: I thought I heard that from
25 Mr. Brooks. So I'm sorry. That's reiterated, then.

1 Okay. Very good.

2 MS. OLIVA: Mr. Campbell pretty much asked my
3 questions, but I have a question for Mr. Forman.

4 I guess I'm a little confused in the fact that
5 the historical radiological survey report is -- is out
6 but hasn't been signed off on yet; is that correct?

7 MR. FORMAN: No. The document that's out is
8 the Historical Radiological Assessment.

9 MS. OLIVA: Right.

10 MR. FORMAN: And the -- and the key word there
11 is "assessment." The "A" in HRA is assessment. And
12 that assessment is the -- the first major step in the
13 program.

14 MS. OLIVA: So if it's the first major step in
15 the program, why are we in a time-critical removal if
16 removal is after the fact?

17 MR. FORMAN: Well, the Historical Radiological
18 Assessment delves into the history of it, and we've gone
19 through several iterations of it, as you know, the draft
20 final phase.

21 However, at Hunters Point, we have continued to
22 do the next phase concurrently in some places, and
23 you've seen that where we have actually done surveys.

24 And then the third phase from assessment to
25 survey to cleanup, we have actually done some removal

1 actions, some cleanups, as well.

2 MS. PENDERGRASS: So you have things going on
3 simultaneously.

4 MS. OLIVA: We all know that, but --

5 MR. FORMAN: Okay.

6 MS. OLIVA: -- it seems like you're putting the
7 cart before the horse without letting the public know
8 and let people besides the artists, the other businesses
9 that are out here. And as I always am, I'm concerned
10 about the health risks in any removal action, any
11 radioactive material anywhere close which --

12 MR. FORMAN: Got you. Understand, Georgia.
13 And the place where -- The Navy has the obligation to
14 announce that to everybody, you're right. And the place
15 to comment on that is the work plans for each one of
16 these projects. That's where the details come out in
17 the work plans about that particular site and what has
18 to be done.

19 MS. OLIVA: I requested the work plans be
20 posted in the buildings.

21 MR. FORMAN: The work plan's actually a report.
22 It's not a flier or a --

23 MS. OLIVA: No, but --

24 MR. FORMAN: It's an actual report.

25 MS. OLIVA: It's a report. Just one copy

1 posted in -- in the buildings so that those that are --
2 I'm just a representative of many people. And that --
3 that document can be reviewed --

4 MS. PENDERGRASS: Does that go to each of the
5 RAB members?

6 MR. FORMAN: No.

7 MS. PENDERGRASS: It does not.

8 MR. FORMAN: No.

9 MS. PENDERGRASS: The work plan does not go to
10 the RAB members?

11 MR. FORMAN: Documents are available to be
12 viewed if you're e- -- if you're either on the
13 distribution for that, the way -- the way the RAB is set
14 up. You either get a document sent to you, or you go --
15 you're supposed to use the information repository, which
16 is the main library --

17 MS. PENDERGRASS: So is there a --

18 MR. FORMAN: -- and the Anna Waden Library.

19 MS. PENDERGRASS: -- subcommittee that actually
20 gets that document?

21 MR. FORMAN: Yes. The Radiological
22 Subcommittee.

23 MS. PENDERGRASS: So would it make sense,
24 Ms. Oliva, to have a member of that committee make sure
25 that that's posted? So that's something that you all

1 can work through.

2 Miss Asher?

3 MS. ASHER: Again, Maurice asked my first
4 question, but -- about the time-critical removal actions
5 being a basewide procedure.

6 Mr. Forman, how was this decision come to? And
7 you know that the community has no input if you describe
8 it as a time-critical removal action. So providing us
9 with a work plan of what you're planning to do really
10 doesn't do anything for the community, since it's a
11 time-critical removal action.

12 And I guess I'm just one of those people that
13 doesn't trust the Navy because they are experts, you
14 know. That's just a type of person that there is. We
15 want to know why.

16 So how was this decision to characterize this
17 as a time-critical removal action as a basewide
18 action -- how is that decision come to? And a lot of
19 people here on this RAB don't agree with that, like, I
20 would say, the majority of people here on this RAB.

21 MR. FORMAN: Okay. I respect that. The work
22 plans that you review, right, come out in draft and
23 draft final. You -- What you're asking me, I believe,
24 is, How did you ever get to the conclusion that this was
25 a time-critical removal action?

1 MS. ASHER: Yeah.

2 MR. FORMAN: We came -- The Navy came to that
3 conclusion because a draft Action Memorandum for the
4 basewide time-critical -- time-critical removal actions for
5 radiological actions came out, I believe -- what, 2000?
6 1999, 2000? Before my time.

7 But still, this Action Memorandum, this
8 basewide Action Memorandum, came out for draft for
9 comment by the regulators and the public. And then it
10 went -- it went final, I believe, in 2001?

11 MR. PAYNE: 2001, that's correct.

12 MR. FORMAN: Okay.

13 So there was community and regulator input on
14 that draft document that allows all of these work plans
15 before -- and that -- and that Action Memorandum went
16 final. But before we go out into the field and actually
17 use that Action Memorandum to do anything --

18 MS. ASHER: But it's your -- So it's the
19 Navy's decision ultimately that it was a critical
20 time -- time removal action? It's not a community
21 decision --

22 MR. FORMAN: It was --

23 MS. ASHER: -- or a regulator decision?

24 MR. FORMAN: It was the Navy's --

25 MS. ASHER: It was the Navy's decision?

1 MR. FORMAN: You're right.

2 MS. ASHER: Is that correct?

3 MR. FORMAN: It is the Navy's -- it is the
4 Navy's judgment and specifically my judgment to use the
5 time-critical -- the final time-critical removal action
6 action memo to use that as the vehicle --

7 MS. ASHER: Right.

8 MR. FORMAN: -- to go out to these sites and
9 clean up --

10 MS. ASHER: Well, that's what I -- that's what
11 I wanted to hear.

12 MR. FORMAN: Yes.

13 MS. ASHER: But at the same time because you're
14 characterizing them as a time-critical removal action --

15 MR. FORMAN: Yes.

16 MS. ASHER: -- we have no say-so. And
17 basically what you said to Mr. Campbell was that this is
18 what we have decided, and just deal with it. And you
19 know what? I think that -- that makes me very unhappy.

20 MS. PENDERGRASS: Okay. Miss Asher, though, I
21 have to ask you something, and that is that the in- --
22 the information I've heard from both of you, I think, is
23 real valid.

24 What needs to happen, though, is to review
25 maybe your comments about that might be -- have happened

1 in 2000 as part of that public process.

2 MS. ASHER: No. Mr. -- If you were listening,
3 Mr. Forman just said that he is taking that as his
4 vehicle to proceed in this manner. I don't think you
5 were listening.

6 MS. PENDERGRASS: No. I was listening --

7 MS. ASHER: And that is --

8 MS. PENDERGRASS: -- very closely.

9 MS. ASHER: -- his decision.

10 MS. PENDERGRASS: Okay. I understand that.

11 MS. ASHER: And that's it. Clear and simple.

12 And I --

13 (Simultaneous colloquy.)

14 MS. ASHER: Marsha, you're not listening.

15 MS. PENDERGRASS: You're not paying attention
16 as well.

17 MS. ASHER: Yeah, all right. Fine.

18 MS. PENDERGRASS: But there is a public
19 comment. That information is in the repository. So I
20 don't know about that until I'm saying there is left
21 open --

22 MS. ASHER: I'm not interested in -- I'm
23 interested in what Mr. Forman just said. He said that
24 he is -- he personally, the Navy, is deciding to proceed
25 in this manner because they decided to do this. And

1 they don't care what we think about it.

2 MR. FORMAN: That's not true.

3 MS. ASHER: That's perfectly true.

4 MR. FORMAN: That's not true.

5 MS. ASHER: I'm done. Thank you.

6 MR. FORMAN: That's not true, Lani.

7 MS. ASHER: Okay.

8 MS. PENDERGRASS: Next.

9 MR. BOZEMAN: Andrew Bozeman.

10 In your s- -- your slide, you say that the

11 removal action is thinking of eliminating future

12 potential risk due to migration and release since it's

13 near the surface, and it can be released and moved by

14 wind erosion and runoff.

15 Concerning the fact that this was discovered in

16 1991 and then reconfirmed in 2001, isn't there a chance

17 that has happened already, that there's been --

18 MR. PAYNE: A release --

19 MR. BOZEMAN: -- erosion and -- and release and

20 flying on the wind --

21 MR. FORMAN: Yes.

22 MR. BOZEMAN: -- across the community?

23 MR. PAYNE: Yeah, this is --

24 MR. FORMAN: Yes. And that's a good point,

25 Andrew. There is a chance of that.

1 And because those are on the shoreline and on
2 Parcel E, what you have to do is go to Parcel F -- and
3 Parcel F is the portion of the San Francisco Bay that
4 surrounds the base. You have to go into Parcel F and do
5 sampling, and that's what we have done is gone into
6 Parcel F and done sampling.

7 MR. BOZEMAN: Okay. So --

8 MR. FORMAN: And you'll see that that's
9 available in the Draft Final Validation Study that's
10 coming out in June, the additional sampling.

11 MR. BROOKS: And there will be a lot more
12 sampling.

13 MR. FORMAN: And there will be further sampling
14 in Parcel F as well.

15 MS. PENDERGRASS: Mr. Manuel and then
16 Dr. Sumchai. Do you mind being last on that? I'm
17 sorry.

18 DR. SUMCHAI: No. It's just that my point
19 of --

20 MR. MANUEL: We'll let her go first. Ladies
21 first.

22 MS. PENDERGRASS: Thank you. Well, she
23 actually was next.

24 MR. MANUEL: Oh, I -- I don't have a problem --

25 DR. SUMCHAI: That also deals on Andrew's

1 point. The -- One of the final conclusions of the HRA:
2 "To date, potential pathways for contamination migration
3 remain within the impacted site areas. No pathway has
4 been identified for contamination to migrate off the HPS
5 site."

6 I want you to correct that. You just said in
7 the presentation the metal slag area presents a
8 potential for migration and release of radioactive
9 materials into the bay. I want you to correct this,
10 okay?

11 You know, it's like we contradict this as we go
12 along. I had previously contradicted this when we
13 identified that there were radionuclides in groundwater
14 that communicate with the bay. This is in, you know,
15 the response to the FOST. And they -- you know, you're
16 concurring that, you know, specific concern potential
17 radiological groundwater contamination at this well.
18 You identify the five samples from four IR-01 wells
19 contain activities of naturally occurring of
20 potassium 40.

21 There are conclusions here that are -- they are
22 just blatantly erroneous, and this is one that I'd like
23 you to correct.

24 MR. FORMAN: All right. I think before we do
25 that, what I would invite you to do is to look at the

1 sampling that's been done on Parcel F. Parcel F is part
2 of the San Francisco Bay, and that is a parcel that
3 we're responsible for, and we're responsible for
4 sampling and then making decisions on.

5 So look at the sampling in Parcel F, and then I
6 would invite you to draw your conclusions once you read
7 that document.

8 DR. SUMCHAI: I don't need that. You said
9 potential pathways. We argued about this at the
10 meeting.

11 When you use a word like "potential," you lock
12 yourself in. If you say something more definitive like
13 "investigations or research to date has not concluded or
14 has not identified," that is more concise.

15 But when you use a big word like "potential,"
16 then you lock yourself in; and because you use that word
17 "potential," this is wrong. You just contradicted this
18 conclusion, and I will ask you to correct this in my
19 comments.

20 But I want to say publicly that there are
21 multiple conclusions that are drawn. If you don't read
22 anything else, read the conclusions, and also read from
23 the executive summary, the assessment summary. And you
24 can go blow by blow through these, you know, conclusions
25 and these assessments, and you can find major

1 contradictions in the body of the HRA.

2 MR. FORMAN: Okay. Well, my only problem with
3 that, Dr. Sumchai, is that Jose Payne is not talking
4 about the HRA right now.

5 DR. SUMCHAI: Okay. I'm just saying -- okay.
6 But you -- you understand my point that --

7 MR. FORMAN: I --

8 DR. SUMCHAI: -- he just made --

9 MR. FORMAN: I --

10 DR. SUMCHAI: -- a point in writing --

11 MR. FORMAN: I do.

12 DR. SUMCHAI: -- that contradicts the major
13 conclusion in the HRA.

14 MR. FORMAN: Right. And let me just say for
15 the record that I -- again, I welcome you to come over
16 to me, and I can explain it. I think you're confused on
17 that point, because --

18 DR. SUMCHAI: No, I'm not.

19 MR. FORMAN: -- potential migration in the San
20 Francisco Bay at the point of the metal reef means heavy
21 metals migrating into the sediment just off the shore,
22 which is in Parcel F. So if they mi- -- migrate from
23 Parcel E to Parcel F, they are still on Hunters Point.

24 MS. PENDERGRASS: All right. Mr. Manuel --

25 MR. MANUEL: Strangle him or something? Shake

1 him.

2 MS. PENDERGRASS: J. R.?

3 MR. MANUEL: Basically, I guess what my
4 question is -- is going over what Lani mentioned
5 earlier.

6 Is there a no- -- is there a normal process
7 that you go through to establish that something is time
8 critical? And was that process used to determine that
9 this particular issue was time critical?

10 MS. PENDERGRASS: That question was asked and
11 answered.

12 MR. BROOKS: Yeah, there is a process, and
13 there's several criteria that we look at to see if
14 something can be considered time critical or not.

15 One is the planning periods that were given.
16 One is how long is it going to take to accomplish the
17 removal action. And then on Jose's slide, he had a
18 couple of the criteria that fit the site of the metal
19 reef and the metal slag area. And that is to reduce the
20 future potential of migration.

21 MR. MANUEL: Okay. So, basically, you --
22 you've arrived at this particular process through
23 something that is normal that you assess whether
24 something's time critical or not?

25 MR. BROOKS: Yeah, that's --

1 MR. MANUEL: It would seem to me that if that's
2 the case, one of these subcommittees should be
3 enlightened as to how you'll reach -- how you arrive at
4 something being time critical, because that seems to be
5 the problem here.

6 If it's a normal process, it's easy enough for
7 someone to see that this is something you normally do or
8 not. I think it's more fair to get a meeting of minds
9 than to start accusing people of being criminals or
10 being dishonest or whatever else.

11 And I -- and the -- and the second thing for me
12 is: Why would anyone here not want the Navy to hurry up
13 and clean something up? I don't understand that,
14 because time sensitive to me in -- in my background of
15 environmental cleanup means there's something you're
16 going to hurry up and do or something you figure is
17 urgent to where it's not something you're going to put
18 on a slow track.

19 It's something you're going to put on a fast
20 track; isn't that correct?

21 MR. BROOKS: Yeah, that's correct.

22 MR. MANUEL: Well -- well, why would anyone not
23 want something to be hurried up and cleaned up? I mean,
24 I -- I mean, I don't understand that.

25 MR. FORMAN: Yeah. I think what we can do is

1 at Dr. Sumchai's or some other subcommittee, we can --
2 let's pull out the EPA guidance for this, and let's put
3 out the NCP federal law that really shows you what the
4 definitions are.

5 And those are the very same definitions that we
6 use in the action memos and in the work plans. We
7 always explain that, using the very same actually
8 cut-and-paste language from the federal law and the
9 guidance, and we will simply take it from that. Perhaps
10 we need to explain that.

11 And I'm glad to see somebody at the meeting,
12 other than me, state something like that that to me is

13 an obvious good news story.

14 When the Navy is going out, planning ahead of
15 time, putting out a work plan and asking people to
16 comment on a work plan on actions we are committing to
17 take, to take things like a metal reef and a metal slag
18 area out of the -- out off the site and to take care of
19 that problem, it seems to me that we ought to have
20 the -- the complete and full support of everyone here to
21 do that.

22 MS. PENDERGRASS: Okay. I'm going to end this
23 question-and- --

24 MS. ATTENDEE: Oh.

25 MS. PENDERGRASS: -- discussion period because

1 we're now getting -- people are getting a little too
2 personal about this, and we're cutting that topic at
3 this point.

4 And we're going to go into the Parcel A and
5 findings of suitability for transfer.

6 Mr. Forman, can you make that presentation?

7 Thank you, Mr. Payne.

8 MR. FORMAN: Sure.

9 MR. PAYNE: Thank you.

10 MR. BROOKS: Great.

11 MR. FORMAN: Is this working? Can you hear me?
12 Okay.

13 MS. PENDERGRASS: You have about five -- four
14 minutes.

15 MR. FORMAN: Got it. Boy. I'm not a magician,
16 but I'll do my best.

17 MS. PENDERGRASS: Okay.

18 MR. FORMAN: Okay. All right. This is a
19 long-awaited presentation I had wanted to make.

20 Let me just quickly preface this by saying I
21 think Marsha Pendergrass's point is a good one, and I
22 hope you agree that for as long as I'm on this project,
23 I'm going to try and do my best.

24 And I think good, honest, hard-working people
25 can disagree over some issues; but I hope that you never

1 think that I'm either, A, doing something dishonest or,
2 B, not having the very highest intentions involved in
3 doing a good job not only for the Navy, but just doing a
4 good job, period, to clean up the environment. Okay.
5 I'm very committed to that personally, not just here,
6 but in my career. Okay?

7 So on to Parcel A and the finding of
8 suitability to transfer. Couple of -- couple of issues
9 have come up.

10 First of all, as Dr. Sumchai indicated, the
11 Navy has redrawn the parcel lines and changed the shape
12 of Parcel A very recently.

13 And we have also put out a document called
14 Finding of Suitability to Transfer, known to many of you
15 as the F.O.S.T., or FOST. And I want to talk a little
16 bit about that, and then Pat Brooks and I will answer --
17 answer questions.

18 Okay. Couple of things I'm going to go through
19 quickly. I'm going to show you the changes in Parcel A
20 footprint.

21 I'm going to talk a little bit about what a
22 Finding of Suitability to Transfer -- that document
23 does.

24 Then I'm going to tell you a little bit about
25 the progress that I believe the Navy has made on the

1 FOST issues, because you have to remember that 16 months
2 have gone by between the last time the FOST went out and
3 now this new draft final FOST.

4 And then finally, I'm going to give you what
5 the current schedule for the Finding of Suitability to
6 Transfer document is. Okay.

7 The Parcel A boundary adjustment here, this is
8 the current now Parcel A boundary. Parcel A West has
9 not changed. Parcel A East has changed.

10 I don't have a laser pointer.

11 Pat, can you --?

12 MR. BROOKS: I can show you [indicating] --

13 MR. FORMAN: Great.

14 MR. BROOKS: -- boundaries.

15 MR. FORMAN: Do you want to --

16 MR. BROOKS: This --

17 MR. FORMAN: -- show them the section there?

18 MR. BROOKS: This is the old boundary. This is
19 the part that was -- of the footprint that's changed
20 here [indicating].

21 So this part is now in Parcel D. It includes
22 Building 813. It includes the Pump Station A,
23 Building 819 and along Spear Avenue here. It includes
24 the sanitary sewer. This part that is now in Parcel C
25 along -- along Fisher Avenue, it includes the sewer

1 beneath Fisher Avenue.

2 MR. FORMAN: Yes.

3 MR. BROOKS: And those -- these are areas that
4 are considered impacted in HRA; and therefore, they were
5 put down into Parcel C and Parcel D to facilitate a
6 timely transfer for Parcel A.

7 MR. FORMAN: Right. Very good.

8 And the key thing to remember from that, when
9 Pat says the Buildings 819, 813, and the sanitary sewer
10 systems beneath Fisher and Spear there, when he says
11 they are an "impacted" site, that's "impacted" in
12 quotes. That's the official language used by the
13 Radiological Affairs Support Office, RASO.

14 And if you'll remember last month, Commander
15 Fragoso from RASO came out and told us "impacted" means
16 that it has the potential to have some radiological
17 contamination there. It doesn't mean that there is any.

18 And so because it's considered impacted, it
19 must then go from an assessment phase to a survey phase.
20 And all of those locations that Pat mentioned will now
21 be surveyed.

22 Okay. Next slide.

23 Okay. Some of the reasons for the boundary
24 changes we went through; those are the four areas, the
25 two sanitary sewer systems and the two buildings,

1 because the HRA and Laurie Lowman recommended additional
2 investigation. In this case, that means it -- they
3 will -- they have been assessed. They are considered
4 impacted. Now they will be surveyed.

5 Now, why did the Navy do this? This is very
6 controversial to some of you. I understand that, and
7 I've talked to some of you on the phone about this or in
8 meetings since we did it. It's very controversial
9 because many of you do not want Parcel A to convey, and
10 I understand that. I believe I understand most of the
11 reasons for that and the motivations, and I respect
12 that.

13 But what I do need to tell and communicate to
14 you is that when the Navy feels that it has gone through
15 the process; and when we have reached the point with a
16 Record of Decision and a finding of suitability to
17 transfer, the Navy is mandated under BRAC, under this
18 base closure and realignment, to then go forward.

19 And the nature of this business ultimately is
20 to transfer property, to convey it to the local reuse
21 authority; and then essentially it will go from military
22 property, federal property, back to the City of San
23 Francisco and be hopefully well integrated back into the
24 rest of the community. That's the purpose and the
25 spirit of BRAC.

1 Okay. All right. Some progress on some of
2 these issues. The Historical Radiological Assessment
3 came out, as we have discussed, and additional areas
4 were recommended and -- to be removed -- well,
5 essentially these additional areas were impacted.

6 Then the Navy had made the decision, Well, if
7 they are impacted, we can do one of two things: We can
8 sit on Parcel A for a longer period of time and then go
9 through a complete radiological process there, or we can
10 simply redraw the lines and say we're not even going to
11 try to transfer Parcel A because those buildings are
12 impacted, and therefore they're not ready for transfer,
13 so we need to have a new boundary. And that's what we
14 decided to do.

15 The other items that are listed in the document
16 is that there were two buildings that needed concurrence
17 letters from Cal. DHS, Department of Health Services.
18 They are the ones at the state level that actually give
19 us unrestricted reuse of buildings.

20 We went through that process for Buildings 816
21 and 821. And those of you who have been around since --
22 the RAB members that have been s- -- here since then

23 understand that we have had several presentations on
24 that. Those are included and memorialized in the FOST
25 document.

1 On groundwater issues. Back in 1995, we had a
2 Record of Decision. That's kind of a believe-it-or-not
3 scenario. It's been nine years since we have a Record
4 of Decision document that calls for no further action on
5 groundwater. It's quite a period of time.

6 At that -- at that time, the groundwater was
7 determined not to be a drinking water source. One of
8 the sources was that was the Regional Water Quality
9 Control Board's letter, May 10th, 1995, that basically
10 states that. There are also prohibitions from the City
11 of San Francisco that do not allow groundwater and
12 groundwater wells to be dug in order for this to become
13 a drinking water source.

14 Okay.

15 Perhaps the largest issue is one that is not on
16 Parcel A at all in many of your minds. This is the
17 largest issue, and it has to do with Site 1, the
18 landfill, and the landfill gas.

19 Well, we know a whole lot more about the site,
20 and we've done a whole lot more in the last 16 months
21 than we had before.

22 We now have monthly monitoring, and there's a
23 monthly monitoring and control plan that's been put out
24 and actually is currently under review.

25 If you remember here, back last year, I think

1 we gave three or four presentations on this. There
2 were -- There are now three separate tiers, which is
3 three different rows, of gas-monitoring points.

4 We put the probes in the ground basically at
5 the barrier that we installed. We put a whole row of
6 probes in the U.C.S.F. compound where the gas had
7 migrated to. And then we put a whole separate
8 additional row of gas-monitoring probes on Crisp Avenue
9 out beyond the U.C.S.F. compound where we're confident
10 to say landfill gas has never migrated to.

11 In addition to that, the original seven that we
12 put out, we put in an additional six. So now on that
13 third tier of gas-monitoring probes along on that
14 stretch of Crisp Avenue, we have 13 probes or
15 13 locations for monitoring.

16 In the 21 months of Crisp Avenue GMPs, we found
17 no methane. We have zero parts per million methane for
18 all probes during that 21-month period.

19 In addition to that, we measured volatile --
20 very, very low levels of volatile organic compounds in
21 the wells, which do not come from landfill gas. There
22 is no methane constituent or fingerprint of landfill gas
23 from the landfill traveling there. But we did find
24 small levels of volatile organic compounds.

25 These were at the request of Department of

1 Toxic Substances Control. We work with them, and we put
2 all the data we have into a worst-case scenario using a
3 vapor intrusion model.

4 In that vapor intrusion model, we essentially,
5 for lack of a better term, "passed" in that, in that the
6 volatile organic compounds were at such small levels,
7 they did not present a risk, even in the worst-case
8 scenario of a person being present in an enclosed
9 structure, a house, for instance, right on Crisp Avenue.

10 Now, that's probably not going to ever happen,
11 houses right on Crisp Avenue on that monitoring point.
12 But that very conservative scenario was used when we
13 were told to come up with a risk evaluation using that
14 vapor intrusion model.

15 In addition to that, the Navy's going to
16 continue to monitor and control the landfill gas. But
17 it's important to keep in mind, a key element here is
18 that even before the Navy did anything, even before you
19 could argue the Navy knew anything about this, when we
20 first discovered it and looked at where it was in the
21 end state of where it was, even after all of those years
22 at the landfill, the gas had traveled to U.C.S.F.
23 compound, but not further.

24 Now, today, we have a barrier system; we have
25 passive vents; we have a trench, and we have

1 gas-monitoring probes.

2 MR. BROWN: Mr. Forman, I like to disagree with
3 you --

4 MS. PENDERGRASS: Can we hold off --?

5 MR. BROWN: -- about that, but I'll hold on.

6 MR. FORMAN: Yeah, if you could hold on till
7 the end.

8 Okay. In addition to that, you'll see in the
9 document, in the Finding of Suitability to Transfer,
10 that the monitoring wells were decommissioned, and
11 that's also document in the FOST.

12 Okay.

13 Okay. Here is just a diagram that you've seen
14 before that we have used that basically shows you the
15 situation.

16 Pat, if you could just point out the three rows
17 of wells.

18 MR. BROOKS: Okay. There's a --

19 MR. FORMAN: Actually -- I'm sorry -- GMPs.

20 MR. BROOKS: Here's the barrier trench here.

21 And so we have a line of gas-monitoring probes right on
22 the north side of the barrier trench. We have another
23 line of gas-monitoring probes here in the U.C.S.F.
24 compounds.

25 MR. HANIF: No one can see on this side of the

1 room.

2 MR. FORMAN: Sorry.

3 Hey, Pat, could you --? You're going to have
4 to stand away. Sorry about that, Pat.

5 MR. BROOKS: Better door than a window?

6 And we have -- okay. Here is the pink line
7 here. This is the barrier transfer methane gas. Like
8 Keith was saying, it acts as a barrier to prevent
9 landfill gas from going any further north. It can be
10 operated passively using wind turbines. It can be
11 operated actively using an electric motor to extract and
12 treat the gas that collects from this trench.

13 So what do we have? We have monitoring points
14 here on the north side of the pink line as our barrier
15 trench. That tells us is anything moving past the
16 barrier trench? Are we not capturing everything?

17 Then we have a second row that goes here
18 through the University of California-San Francisco
19 compound. That's our second line of defense.

20 Then we have a third one. This is where we
21 have never detected any methane here along Crisp Avenue,
22 and there's a good reason for that, because the landfill
23 is down here in sedimentary and fill deposits in
24 granular, porous material; and here along Crisp Avenue
25 and then further up on Parcel A it's the kind of

1 greenish gray bedrock that you see around the city.

2 It's serpentinite.

3 So this is the case -- it doesn't happen every
4 time; but in this case, geology's our friend. We've got
5 a very low permeability rock up here in Parcel A, and
6 it's also -- it's up higher. It's up a lot higher in
7 the landfill. You know, it slopes way up.

8 MR. BROWN: Right.

9 MR. BROOKS: It's on a hillside.

10 THE REPORTER: Excuse me. I need to change
11 paper.

12 (Brief recess.)

13 MR. FORMAN: Okay. Finally, the finding of
14 suitability to transfer schedule: The comment period
15 begins March 19th. The comment period ends, and the
16 regulators weigh in hopefully with their concurrence
17 30 days from now or 30 days from when it was released.

18 The City of San Francisco then has to ha- --
19 has to concur with the finding of that document, and
20 that happens a week later.

21 And then the final Finding of Suitability of
22 Transfer document is complete 15 days after that, on the
23 11th of May. And then you can see as it follows there,
24 our commanding officer, the Navy commanding officer that
25 signs that final document will occur on May 18th.

1 And then we will do the required public notice,
2 which means putting ads in the newspaper indicating the

3 FOST has been signed for the public to see on the 25th
4 of May.

5 And then the schedule transfer, or conveyance,
6 of Parcel A is June 15th. Again, I understand that's
7 controversial. There are those in the community who
8 very much want to see this happen sooner rather than
9 later, and then there are those that feel just the
10 opposite. And I respect that diversity of opinion.
11 It's a pretty complex decision.

12 MS. PENDERGRASS: Okay. No. We -- we're too
13 long. We have to give a break, or we have to end and
14 have questions next -- next RAB meeting. But right now
15 we're going to take a break, and we'll reconvene and
16 decide what we're going to do. Thank you. Five -- Ten
17 minutes.

18 (Recess 8:10 p.m. to 8:17 p.m.)

19 MR. BROWN: I like to make a motion that we --

20 THE REPORTER: You're not on record.

21 ATTENDEE: We're not on the record.

22 MR. BROWN: I like to extend the meeting for
23 five more minutes.

24 MS. PENDERGRASS: It would have to be fifteen
25 to thirty minutes.

1 MR. BROWN: Fifteen minutes for Keith to finish
2 his presentation.

3 MS. RINES: I second that motion.

4 MR. MANUEL: I second that.

5 MS. PENDERGRASS: Very fine. The first
6 question is for Mr. Campbell.

7 MR. CAMPBELL: Where is Keith?

8 MR. BROWN: Right here.

9 MR. BROOKS: Right here.

10 MR. CAMPBELL: Oh, okay, Pat, you changed your
11 looks. Mr. --

12 MS. PENDERGRASS: Mr. Forman?

13 MR. BROOKS: I'm answering the question.

14 He's --

15 MS. PENDERGRASS: Okay.

16 MR. CAMPBELL: Okay. Parcel E, you did a
17 liquefaction study; and in your liquefaction study, you
18 talked about lateral movement on the landfill; and, you
19 know, we actually talked about feet.

20 But since it concerns Parcel A and the
21 bentonite barrier, will the bentonite barrier that you
22 have that's stopping the methane migration -- will it
23 stand up under lateral movement?

24 MR. BROOKS: Well, we have -- we have a
25 bentonite layer over the top of the barrier, and that

1 prevents methane gas from going up to the surface.

2 But the main thing is that we have a monthly
3 monitoring program. So let's say we do get a big
4 earthquake here in San Francisco; and once we're out
5 there for our monthly monitoring, then we look and see
6 whether it held up or not. Obviously, if you get a good
7 ground shaker here in San Francisco, a lot of stuff
8 could be damaged; and so we'd be inspecting our own
9 facilities for damage.

10 MR. CAMPBELL: Sure. My question is more
11 specific, because part of that bentonite barrier is
12 vertical, if I understand it, that wall that you're
13 talking about. And I'm concerned about lateral
14 movement, and I'm concerned about lateral movement in
15 cracks and the migration that takes place after that.
16 That's the concern.

17 MR. BROOKS: Okay. That would all be detected
18 with monitoring of the gas-monitoring probes.

19 So if -- for example, you might be referring to
20 the grout that we put behind is the high-density
21 polyethylene sheath.

22 MR. CAMPBELL: No. I'm talking about the
23 polyethylene shield --

24 MR. BROOKS: Okay.

25 MR. CAMPBELL: -- okay, because that -- that

1 goes down --

2 MR. BROOKS: Let's say that we have a rupture
3 of the wall and -- and --

4 MR. CAMPBELL: Or ruptures.

5 MR. BROOKS: Or ruptures and formed the pathway
6 for gas migration. There's three tiers of monitoring
7 probes; and certainly, we're going to pick it up in the
8 first tier right away.

9 MR. CAMPBELL: Right.

10 MR. BROOKS: And so we were on monthly
11 monitoring program. If there was a strong ground
12 movement here in San Francisco, then that would be
13 something that we'd want to check on right away.

14 MS. PENDERGRASS: Okay.

15 MR. CAMPBELL: Si- -- since it's close to
16 Parcel A, wonder -- what I'm hearing you say is, this
17 monitoring will continue as long as that landfill is
18 generating gas. Is that correct?

19 MR. BROOKS: That's correct.

20 MR. CAMPBELL: Thank you.

21 MS. PENDERGRASS: Dr. Sumchai.

22 DR. SUMCHAI: I -- I brought with me the
23 resolution of issues identified in Parcel A finding of
24 suitability to transfer, the original November 16th,
25 1995, Parcel A Record of Decision, the Parcel A Human

1 Health Risk Assessment, the HRA, various other
2 documents; and I suspect that I am the only one in the
3 room who has thoroughly read them three times.

4 And I want to emphasize to all of you the need
5 to go back and look at the original Parcel A Record of
6 Decision. You'll be astounded to learn that there were
7 only two IR sites on Parcel A that were investigated.
8 One was IR -- well, one was the groundwater in Parcel A,
9 and then one was IR-59, the Jerrold Avenue
10 investigation, and there were seven other S-I sites that
11 were investigated.

12 Now, Parcel A contains 61 buildings and the
13 foundations of the 43 other structures. And the
14 selected remedy, of course, was no action. And from the
15 ROD verbatim, "In selecting no action for the RI sites,
16 the Navy has determined that the overall condition of
17 Parcel A is protective of human health in the
18 environment."

19 There are a couple of things that I want to
20 point out for you, and I know that this information is
21 very technical. But whenever there's a hazardous index
22 for a chemical of potential concern that is greater than
23 1, that means that there's a noncarcinogenic cancer
24 risk. And whenever there is a cancer risk that is above
25 or the EPA risk range of 1 times 10 to the 6 and 1 times

1 10 to the 4, that means that there's a significant
2 cancer risk.

3 Now, at IR-59 JI, the cancer risk was 2 times
4 10 to the minus 3. That's very significant. The hazard
5 index was from 9 to 2, depending upon whether it's adult
6 or a child. The total hazard index for a child at IR-59
7 was 12. The high hazard index at one of the S-I sites,
8 S-I 19, was 20 to 75.

9 Now, what the Navy did -- and I think that this
10 is a really ruthless, devious document. I have to say
11 that publicly, and I would like that in the record.

12 What the Navy did was, instead of deal with the
13 to- -- potential toxicity of these contaminants, like
14 arsenic and manganese and pesticides, they came up with
15 a number called the Hunters Point ambient level.

16 Like for arsenic, arsenic -- you kill people
17 with arsenic. I mean, everybody's read ARSENIC AND OLD
18 LACE. It's been a potent toxic agent for hundreds of
19 years. The detected concentration range in the soil was
20 from .43 to 8.1. That's above the PRG of .32, but the
21 Hunters Point ambient level is 11.

22 So they are saying it's okay to have high
23 levels of arsenic at Hunters Point because it's ambient,
24 even though we know that arsenic kills people. So
25 that's what they did throughout the ROD.

1 If you look at the ROD and the Parcel A Human
2 Health Risk Assessment for substances like manganese and
3 arsenic and chromium that are known toxins, even though
4 they have these incredibly high HIs, they justify not
5 taking an action based on a PRG because they use the
6 Hunters Point ambient level, which in my mind publicly I
7 think is a little racist too, you know, especially in
8 light of fact that we know that a lot of these
9 substances are here because of bay fill. They aren't
10 truly ambient.

11 A lot of this is, you know, again toxins that
12 are present on the basis of, you know, the inclusion of
13 bay fill.

14 So the other thing I want to point out -- and
15 I'll -- I'll -- I will sit down, although I can go on --
16 I could go on for twenty minutes. You guys would just
17 listen to me. I thought about having this a
18 presentation.

19 MS. PENDERGRASS: Dr. Sumchai, I don't --

20 DR. SUMCHAI: Okay.

21 MS. PENDERGRASS: I don't mean to --

22 DR. SUMCHAI: But --

23 MS. PENDERGRASS: Wait, wait. Dr. Sumchai, I
24 don't want to -- I don't want to talk over you, and I
25 don't want to shut you down because I think the

1 information that you're providing everybody wants to
2 hear.

3 DR. SUMCHAI: Yeah, it is valid.

4 MS. PENDERGRASS: However, can we put you on
5 the agenda so that you can --?

6 DR. SUMCHAI: I would love that.

7 MS. PENDERGRASS: Okay.

8 DR. SUMCHAI: I would love it.

9 MS. PENDERGRASS: Can we move you to the next
10 agenda?

11 DR. SUMCHAI: All right. Okay.

12 MS. PENDERGRASS: Okay.

13 DR. SUMCHAI: Thank you.

14 MS. PENDERGRASS: And put that information,
15 unless you have an action item you want to -- or --

16 DR. SUMCHAI: Yes, I do have an action item. I
17 would like the Technical Review Committee to review the
18 Parcel A Human Health Risk assist -- Assessment. I
19 would like you to revisit the Parcel A ROD.

20 I want you to read what Arc Ecology said in the
21 ROD. Arc Ecology disagreed very starkly with the Navy's
22 decision, and I want you to read what Arc Ecology said.

23 MS. PENDERGRASS: So is there a consensus that
24 we provide space on the next agenda for Dr. Sumchai to
25 make a presentation on her findings?

1 MR. MANUEL: I'll make that motion if somebody
2 wants to second it.

3 MR. DACUS: Second.

4 DR. SUMCHAI: Thank you. I do appreciate it.

5 MS. PENDERGRASS: All in favor of that?

6 THE BOARD: Aye.

7 MS. PENDERGRASS: Those opposed? Any
8 abstentions?

9 MR. BROWN: How many minutes?

10 MS. PENDERGRASS: Okay. So -- and can you
11 communicate to Mr. Keichline how much time you need so
12 that he can work with Mr. Forman and Mr. Brown in
13 preparing the next agenda?

14 DR. SUMCHAI: All right.

15 MS. PENDERGRASS: Thank you so much.

16 We have more questions regarding the
17 presentation on the FOST at Parcel A. Can we contain
18 our comments and questions to that?

19 And Mr. Manuel, did you have a question?

20 MR. MANUEL: Yeah. Pretty brief. Dr. Sumchai
21 made a statement that was -- I guess she was reading it
22 from the document, and what she stated is that in that
23 document -- oh, okay.

24 What she stated that what the document contains
25 is a statement that there are some noncarcinogenic

1 cancer risk?

2 Is that -- is that what you said?

3 DR. SUMCHAI: Yes.

4 MS. ATTENDEE: Where is that?

5 MS. PENDERGRASS: But --

6 MR. MANUEL: I think that's an oxymoron. I
7 mean, I don't know how you have a noncarcinogenic --

8 MS. PENDERGRASS: But, Mr. Manuel, right now
9 we're concentrating --

10 MR. MANUEL: Okay.

11 MS. PENDERGRASS: -- on the questions regarding
12 the presentation that was just made.

13 MR. MANUEL: Okay. Well, one more real brief
14 thing, really short.

15 MS. PENDERGRASS: If it isn't about that,
16 then --

17 MR. MANUEL: But I'm basically responding to
18 what she has stated.

19 MS. ATTENDEE: Oh.

20 MR. MANUEL: And it's very brief.

21 MS. PENDERGRASS: But this isn't the -- this
22 isn't the time to respond to her -- to her -- to her --

23 MR. MANUEL: Oh, okay --

24 MS. PENDERGRASS: -- presentation.

25 MR. MANUEL: -- because she was just talking

1 about the presentation.

2 MS. PENDERGRASS: She made some comments.

3 MR. MANUEL: Oh, okay. Well --

4 MS. PENDERGRASS: We put them into the right
5 place, and we'll have time to comment on that.

6 MR. MANUEL: All right. That's fine. Then
7 I'll pass on to the lady. She's the one with her hand
8 up next.

9 MS. PENDERGRASS: Okay. So Miss Lutton, then
10 Mr. Brown. Thank you.

11 MS. LUTTON: Keith, you said the comment period
12 for the FOST finding of suitability is -- begins
13 March 19th?

14 MR. FORMAN: It began March 19th, right.

15 MS. LUTTON: So we lost a week and nobody knew.
16 We're just finding out that the comment period began a
17 week ago.

18 MR. FORMAN: Okay. Well --

19 MS. LUTTON: Can we have a week extension?

20 MR. FORMAN: I can run that up the chain of
21 command and see. I don't have the authority to do that,
22 but I'll get back to you on that.

23 MR. MANUEL: You know, Marsha, I say --

24 MS. PENDERGRASS: So we're going to add it as
25 an action item --

1 MR. FORMAN: What day did we go out actually
2 and advertise that?

3 MS. HUNTER: The document went out on the 19th,
4 and then it went out in the newspapers on the 22nd,
5 Monday, the 22nd, went in the SAN FRANCISCO CHRONICLE;
6 and in the BAYVIEW, it went in on Wednesday because it's
7 a Wednesday.

8 MS. LUTTON: It's still --

9 MR. ATTENDEE: -- days ago.

10 MS. LUTTON: -- after the fact.

11 MS. PENDERGRASS: So at this point, what we
12 have is an action item addition that there's a request
13 to Mr. Forman to add a week to that review period, the
14 public comment period, since the announcement didn't
15 start at the right time.

16 MR. MANUEL: Actually, my question was relevant
17 to his presentation. You kind of shut me up, and I kind
18 of lost -- so can I just ask it right quick, then?

19 MS. PENDERGRASS: Absolutely.

20 MR. MANUEL: All right. Thank you, dear.

21 My question was, Who prepared the report? Was
22 it the US Navy? Was it some other subcontractor?
23 Who -- who prepared the report that has been put out
24 that's the subject of this conversation?

25 MR. FORMAN: The contractor was Tetra Tech.

1 MR. MANUEL: Okay. So the US Navy had nothing
2 whatever to do with putting that report together? Was
3 it totally through the subcontractor to the gathering of
4 information --

5 MR. FORMAN: Who? The contractor?

6 MR. MANUEL: -- or did you --? Yeah.

7 MR. FORMAN: Well, no. The Navy had a lot to
8 do with it. We worked with them. We have a project
9 manager. Jose Payne is the project manager, and Pat and
10 I worked very, very close with the contractor.

11 MR. BROOKS: Legal counsel.

12 MR. MANUEL: Okay. But what -- what I'm saying
13 is, it was arm's length put together of the -- of the
14 report, that was put together by a subcontractor?

15 MR. BROOKS: It was a joint effort.

16 MR. MANUEL: A joint effort?

17 MR. BROOKS: Total joint effort.

18 MR. MANUEL: Okay. All right.

19 MR. FORMAN: It was put together by -- Our
20 legal counsel reviews it and -- and edits it. Jose
21 Payne's the project manager. Pat's the lead RPM. I do
22 my thing, and we work with the contractor.

23 MR. MANUEL: I guess what I'm trying getting at
24 is, it may be a good idea at some point that if the
25 people that put this report together would be somewhat

1 available to answer questions, because some issues was
2 raised earlier tonight, and I believe that people may
3 want some answers to some things; and if they could see
4 the people that basically put it together --

5 MR. FORMAN: Okay.

6 MR. MANUEL: -- it doesn't just solely rest on
7 the shoulders --

8 MR. FORMAN: That's --

9 MR. MANUEL: -- of the US Navy; or if it does,
10 I think we should know that.

11 MR. FORMAN: Okay.

12 MR. MANUEL: But if it doesn't, we should be
13 able to have access. If there's questions or
14 inaccuracies or inconsistencies, then I think that
15 people will probably be satisfied if they can get some
16 of those things --

17 MR. FORMAN: Okay.

18 MR. MANUEL: -- answered.

19 MR. FORMAN: That's -- I think -- I think
20 that's a great idea, and for once I think I was able to

21 think ahead on this.

22 Dennis Kelly, could you stand up.

23 There's the man who wrote that document. There
24 he is. He's here tonight.

25 MR. MANUEL: Okay.

1 MR. FORMAN: All right. So, J. R., that's a
2 good idea. Dennis came along to listen to us and to
3 answer any questions that I couldn't answer or Pat
4 couldn't answer. Dennis Kelly is here, and he is the
5 Tetra Tech author of the document.

6 MR. BROOKS: Since the hour is getting late,
7 you know, we might want to schedule a subcommittee
8 meeting to address FOST A.

9 MR. MANUEL: Yeah. It just seems that there's
10 going to be a lot of questions regarding it, and I --

11 MS. LOIZOS: That is what my subcommittee
12 meeting was scheduled to address.

13 MR. FORMAN: Which --? On the 13th?

14 MS. LOIZOS: Yep.

15 MR. FORMAN: Right. So we could bring Dennis
16 Kelly, and we will come there, and then Lea and I had
17 discussed and we'll talk about this, so --

18 MS. LOIZOS: Yeah --

19 MR. FORMAN: -- we will focus on --

20 MS. LOIZOS: -- that was the idea.

21 MR. FORMAN: -- really this one area.

22 MS. PENDERGRASS: Okay. Mr. Brown?

23 MR. BROWN: Yes. I like to know all those
24 dates. When will the City sign with the Navy the
25 transfer?

1 MR. FORMAN: Could you flip back to the
2 schedule, Carolyn?

3 MS. HUNTER: Of course. Sorry.

4 MR. FORMAN: Okay. Lynne, could you ask that
5 question again looking at the schedule?

6 MR. BROWN: Yes.

7 MR. FORMAN: Just so I'm sure.

8 MR. BROWN: When will the City and the Navy
9 sign the concurrence or conveyance or whatever?

10 MR. FORMAN: No, I'm not -- I -- I'm not sure
11 what the question is. What --?

12 MR. BROWN: When will you guys give the City
13 and County of San Francisco the property?

14 MR. FORMAN: Well, Parcel A transfer is set by
15 that schedule to be June 15th right there.

16 MS. PENDERGRASS: Okay.

17 DR. SUMCHAI: Let me --

18 MS. PENDERGRASS: All right.

19 DR. SUMCHAI: -- say quickly that I think it's
20 very brave of you to think that you're going to get this
21 transfer through the San Francisco Board of Supervisors.

22 MS. PENDERGRASS: Thank you.

23 The last question is Miss Rines. The last
24 question is Miss Rines and before --

25 MR. CAMPBELL: There's an important point.

1 MS. PENDERGRASS: Miss Rines, can you go ahead
2 with your question?

3 MS. RINES: My -- my question is with this --
4 this presentation, can you in a short sentence address
5 Mayor Newsom going to D.C. to talk about the article
6 that said the Navy was saying the transfer was in
7 jeopardy?

8 I don't know if you saw that article, but
9 that's what it stated. It gave the impression that
10 seemed like you guys didn't want to transfer. And now
11 this presentation is saying this is basically a done
12 deal.

13 MR. FORMAN: Yeah. Good questions, Melita.

14 First of all, it's not the Navy wanting or not
15 wanting to transfer. The Navy by the Congress right
16 through BRAC is mandated to do that, okay. It's not a
17 question of whether we want to transfer or not. We are
18 required to do that. And that's what we're about by law
19 and by mandate of Congress.

20 Mayor Newsom did go to Washington, D.C. He met
21 with a guy named H. T. Johnson, who's an assistant
22 secretary of the Navy for the environment and for
23 installation, and he handles things like this. And they
24 did have a meeting, and they were talking about
25 conveyance agreement issues and conveyance issues.

1 MS. RINES: Okay, but there was a letter that
2 was sent from the Navy that was -- put it in question as
3 to whether or not the transfer was going to occur.

4 MR. FORMAN: I believe Mr. Johnson sent the
5 letter to the Mayor saying, We need to discuss issues
6 because we still have items that need to be discussed
7 before we could ever sign that -- and finalize that
8 conveyance agreement.

9 MS. RINES: Okay. So was that accomplished,
10 and that's how you can come up with this presentation
11 that this is a -- basically a done deal?

12 MR. FORMAN: Yeah. I don't know. They --
13 Mayor Newsom went to Washington with Congress people,
14 and they held a meeting with H. T. Johnson.

15 MS. RINES: Okay. So, basically, it hasn't
16 gotten down to you, then?

17 MR. FORMAN: Exactly.

18 MS. PENDERGRASS: Okay. So let's -- final
19 question, please.

20 MR. CAMPBELL: Yeah. I -- I wanted to -- to
21 make a point. The draft final was released on the -- on
22 the 19th. I just received mine, I believe, by FedEx --
23 and I believe I still have the envelope -- a couple of
24 days ago. I wanted to point that out, and I'm sure
25 other RAB members did not receive that information on

1 the 19th, and I want to make that very clear when you
2 ask for a week's extension.

3 The second thing, Dr. Sumchai is going to
4 make -- she wants to be on the next --

5 MS. PENDERGRASS: Agenda.

6 MR. CAMPBELL: -- meeting of the RAB; and at
7 that time, there will be -- they will have already
8 concluded a comment period, if I'm correct. So let's --
9 let's put it in a perspective that works for us.

10 DR. SUMCHAI: Well, actually, we -- we extended
11 the FOST to the HRA deadline of April the 27th, right?
12 Oh, and the RAB meeting would be the 22nd. So we would
13 still have a week to get in comments.

14 MR. CAMPBELL: Thank you.

15 MR. FORMAN: But, I think, again, you know,
16 we're open for -- we're going to hold a meeting on the
17 13th. I believe we're going to hold other meetings as
18 required, you know, and --

19 MR. CAMPBELL: Sure. But -- but, you know,
20 basically, if we're given 30 days to review the
21 information and on -- you know, two days ago wasn't the
22 19th.

23 MR. FORMAN: But --

24 MR. CAMPBELL: And that's when we got the
25 documentation.

1 MR. FORMAN: I think, Maurice, you also have to
2 look at the big picture here, and that is that this is a
3 draft final FOST --

4 MR. CAMPBELL: Right.

5 MR. FORMAN: -- okay, and this process has been
6 going on in some form for years and years.

7 The 25-page document that you got that -- it's
8 pretty easy to read in short order -- is a paired-down
9 version of the other FOST because you have a paired-down
10 version of Parcel A, right?

11 MR. CAMPBELL: Right.

12 MR. FORMAN: We have taken -- A number of the
13 areas of concern are no longer even part of that parcel.

14 So I see what you're saying. I will go back
15 and I will ask -- This is a Washington-level decision.
16 I will go up the chain of command and see what we can
17 do.

18 MR. CAMPBELL: I'll be happy to provide you
19 with the envelope of when it came in. Thank you.

20 MR. FORMAN: No need to do that. I trust you
21 to say that. I -- and I -- and I understand your
22 argument. Let me go up the chain of command and see
23 what comes back to you, okay.

24 MS. PENDERGRASS: All right. And then we
25 have -- Before we conclude tonight, we have one other

1 question that was held over here.

2 Sir, did you have something?

3 MR. TERZIAN: Actually, I'll -- I plan to talk
4 with Keith about that.

5 MS. PENDERGRASS: All right. Very fine.

6 And for those of you -- the rest of you in the
7 audience, thank you for your patience. I -- This has
8 gone long tonight, and we didn't intend that today.
9 Meeting started on time.

10 We have one agenda item for next time. We have
11 several follow-up actions, and Mr. Keichline will make
12 sure that those go out.

13 In addition to that, is there anything else we
14 need to put on the next RAB meeting agenda, agenda items
15 that have to go on right away? Is there something
16 burning that needs to go on that you'd like a
17 presentation on or a subcommittee that has some issues?

18 Okay. Barring --

19 Yes, sir.

20 MR. HANIF: I would like a -- I'd like a copy.

21 MS. PENDERGRASS: A copy of --

22 MR. HANIF: -- of the document, of Parcel A.

23 MS. PENDERGRASS: Of Parcel A.

24 Mr. Forman, we have a request for additional
25 documentation. So should that be directed to

1 Mr. Keichline, or should we refer people to the -- refer
2 our people to the repository?

3 MR. FORMAN: Yeah. Normal -- okay.

4 Chris, come talk to me with your request.

5 MS. PENDERGRASS: Okay. Very fine. Thank you.

6 Bar none --

7 Yes.

8 MR. BROWN: I'd like to make a motion that we
9 adjourn.

10 MS. RINES: Second it.

11 MS. PENDERGRASS: All right. All in favor?

12 THE BOARD: Aye.

13 MS. PENDERGRASS: Meeting is adjourned.

14 (Off record at 8:39 p.m., 3/25/04.)

15 ---oOo---

CERTIFICATE OF REPORTER

I, CHRISTINE M. NICCOLI, 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 _____ day of _____, _____.

CHRISTINE M. NICCOLI, C.S.R. NO. 4569