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M E E T I N G

HUNTERS POINT SHIPYARD
RESTORATION ADVISORY BOARD

REPORTER'S TRANSCRIPT

May 30, 2002

San Francisco Police Department
Bayview Station Community Room
201 Williams Avenue
San Francisco, California

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

NICCOLI REPORTING

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CERTIFIED SHORTHAND REPORTERS SERVING THE BAY AREA

1 FACILITATOR: MARSHA PENDERGRASS - Pendergrass &
Associates
2
3 CO-CHAIRS: KEITH FORMAN - United States Navy SWDIV
DOROTHY PETERSON - RAB member, Hunters
Point resident
4 CAROLINE WASHINGTON - RAB member, Southeast
Community College Advisory Board
5

6 RAB MEMBERS:

7
8 LANI ASHER - Communities for a Better Environment,
Community First Coalition

9 LYNNE BROWN - Communities for a Better Environment,
Community First Coalition

10 AMY BROWNELL - San Francisco Department of Public Health

11 CHARLES L. DACUS, SR. - Hunters Point resident, ROSES

12 CHEIN KAO - California Dept. of Toxic Substances Control

13 JACQUELINE ANN LANE - US Environmental Protection Agency

14 JESSE MASON - Bayview-Hunters Point Community Advocates,
15 Community First Coalition

16 MELITA RINES - India Basin Neighborhood Association

17 JIM RODRIGUEZ - Portola Place Homeowners Association,
ROSES

18 CHRISTINE SHIRLEY - Arc Ecology

19 AHIMSA PORTER SUMCHAI, M.D. - BVHP Coalition on
20 Environment

21 KEITH TISDELL - Hunters Point resident

22 RAYMOND TOMPKINS - Bayview-Hunters Point Coalition on
Environment

23 MICHAEL WORK - US Environmental Protection Agency

24 LEILANI WRIGHT - JRM Associates
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OTHER ATTENDEES

- AL CAIN - A. M. Cain Trucking
- JOHNATHAN COATES - Kire-Community Benefits Consultants
- DAVID DeMARS - United States Navy
- MARIE FRANKLIN - Shoreview Environmental, Incorporated
- TERRI HERSON - Lennar/CH2M Hill
- BOB HOCKER - Lennar-Bayview-Hunters Point Team
- KIM HUYNH - Tetra Tech EM Inc.
- RONALD W. KEICHLINE - Bechtel National, Inc.
- REBECCA LESHER - Tetra Tech EM Inc.
- KEVYN D. LUTTON - Resident
- QUIJUAN MALOOF - Pendergrass & Associates
- CHARLES MAZOWIECKI - United States Navy
- JAMES MORRISON - Environmental Technology
- GEORGIA OLIVA - Communities for a Better Environment,
CCA member
- PATRICIA RYAN - Calif. Dept. of Toxic Substances Control
- LEE H. SAUNDERS - United States Navy
- BILL SCHAAL - Shaw Environmental
- MICHAEL STOLL - SAN FRANCISCO EXAMINER
- PAUL STOUT - Shaw Environmental
- ANTHONY TALAMANTEZ - Tetra Tech EM Inc.
- ATILIAI TOFAEONO - Samoan community, resident
- MIKE TOMASZKIEWICZ - Communities for a Better
Environment, Community First Coalition

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OTHER ATTENDEES [Cont.]:

MICHAEL J. WANTA, P.E. - Tetra Tech EM Inc.

PETER WILSEY - San Francisco Department of Public Health

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1 SAN FRANCISCO, CALIFORNIA, THURSDAY, MAY 30, 2002

2 6:01 P.M.

3 ---oOo---

4 MS. PENDERGRASS: Welcome, everybody, to the
5 Hunters Point Advisory Board. It's the Hunters Point
6 Shipyard Restoration Advisory Board meeting. And it is
7 Tuesday, May 30th. So -- and --

8 MS. RINES: Is a Thursday.

9 MS. PENDERGRASS: Is it Thursday?

10 MR. ATTENDEE: That's not what I heard.

11 MS. PENDERGRASS: That's a time warp thing.
12 Okay.

13 MS. PETERSON: Wednesday.

14 MS. PENDERGRASS: I'm glad to be back. I'm
15 sorry that I've been gone for a couple of meetings, but
16 I've been keeping up with you through the minutes and
17 the verbatim transcript that's on the Internet. So I
18 kind of feel like I know what's been going on on here.
19 So bear with me, though, if I mis- -- have
20 misinterpreted something.

21 Let's start with introductions tonight, and
22 let's start over there in the back with Mr. Tisdell.
23 Introductions?

24 MR. TISDELL: Oh. I'm Keith Tisdell. I'm a
25 RAB member, resident.

1 MR. BROWN: Lynne Brown, Communities for a
2 Better Environment, RAB member, resident.

3 MS. WASHINGTON: Caroline Washington, RAB
4 co-chair -- RAB community co-chair and community . . .

5 MS. PENDERGRASS: Okay.

6 DR. SUMCHAI: Dr. Ahimsa Sumchai, RAB member.

7 MS. SHIRLEY: Chris Shirley, Arc Ecology.

8 MR. TOMPKINS: Raymond Tompkins, RAB member.

9 MR. MASON: Jesse Mason, resident, RAB member,
10 Bayview Community Advocates.

11 MS. ASHER: Lani Asher, RAB member, Hunters
12 Shipya- -- whatever it is, artist at the Shipyard.

13 MS. PENDERGRASS: Okay.

14 MR. MORRISON: James Morrison. I'm a citizen
15 of Bayview-Hunters Point area. I'm an alternate for
16 Barbara Bushnell.

17 MS. PENDERGRASS: Okay.

18 MR. DeMARS: I'm David DeMars, lead project
19 manager for the Navy.

20 MS. PENDERGRASS: Okay.

21 MR. TALAMANTEZ: Anthony Talamantez, Tetra
22 Tech.

23 MR. FORMAN: I'm Keith Forman, your BRAC
24 environmental coordinator and the Navy co-chair.

25 MS. PENDERGRASS: Okay.

1 MR. MALOOF: Quijuan Maloof, Pendergrass &
2 Associates.

3 MR. DACUS: Charles L. Dacus, Sr. I'm a member
4 of RAB and also a member of ROSES.

5 MS. PETERSON: Dorothy Peterson, community
6 co-chair of RAB.

7 MR. KAO: Chein Kao, State Department of Toxic
8 Substances Control.

9 MR. WORK: Michael Work, US EPA.

10 MS. WRIGHT: Leilani Wright, RAB member,
11 alternate for Mitsuyo Hasegawa and J. R. Manuel.

12 MS. PENDERGRASS: Okay.

13 MR. TOMASZKIEWICZ: Mike Tomas, alternate for
14 Marie Harrison.

15 MS. RINES: Melita -- Melita Rines --

16 MS. HARRISON: I can't stay, and I wanted to
17 make sure that Mike was here.

18 MS. PENDERGRASS: I'm sorry. Go ahead.

19 MS. RINES: -- RAB member and India Basin
20 Neighborhood Association.

21 MS. PENDERGRASS: All right.

22 MR. KEICHLINE: Ron Keichline, Bechtel,
23 community relations.

24 MS. PENDERGRASS: All right. Start over here
25 in the red shirt.

1 MR. STOUT: Paul Stout. Me next? Sure.

2 MS. PENDERGRASS: Okay.

3 MR. SCHAAL: I'm Bill Schaal. Paul and I are
4 both with a firm out of Concord, Shaw Environmental.

5 MS. PENDERGRASS: All right. All right.

6 MS. LESHER: Rebecca Lesher, Tetra Tech.

7 MR. HUYNH: Kim Huynh, Tetra Tech.

8 MS. PENDERGRASS: Go ahead.

9 MS. BROWNELL: Amy Brownell, San Francisco
10 Health Department.

11 MS. PENDERGRASS: All right.

12 MS. OLIVA: Georgia Oliva, Shipyard artist,
13 Communities for a Better Environment.

14 MS. PENDERGRASS: All right. Red sweater?

15 MS. LUTTON: Kevyn Lutton, resident.

16 MS. PENDERGRASS: Okay.

17 MR. WANTA: Mike Wanta with Tetra Tech.

18 MS. PENDERGRASS: All right.

19 MR. MAZOWIECKI: Charles Mazowiecki, Navy RPM
20 for the land --

21 THE REPORTER: I'm sorry. Charles --

22 MR. MAZOWIECKI: -- Mazowiecki,
23 M-a-z-o-w-i-e-c-k-i.

24 THE REPORTER: With --

25 MR. MAZOWIECKI: -- the Navy.

1 MS. HERSON: Terri Herson with Lennar, CH2M
2 Hill.

3 MS. LANE: Jackie Lane, EPA.

4 MS. JACKSON: My name is Helen Jackson. I'm
5 the chairperson for All Hallows Tenants Association.

6 MS. MITCHELL: I'm Regina Mitchell, chairperson
7 for All Hallows Tenants Association.

8 MS. PENDERGRASS: Okay. Good. Okay. Thanks
9 for coming, everybody.

10 Now, let's just make sure of a couple things, a
11 little housekeeping real quick. Can everybody make sure
12 your pagers and your cell phones are off? It's really
13 disruptive when it goes off and somebody's talking. We
14 tend to lose our place in that.

15 Everybody knows where the bathrooms are, right
16 out this door. And if we can try to keep our
17 conversations to the people around the table and one at
18 a time, it will help us keep everything on track for the
19 recorder [sic] here. Okay?

20 Let's see. Last time I think I read in the
21 minutes that you all did something about an agenda
22 review or agenda approval. And, you know, you guys
23 asked me to come on to kind of keep things on track. It
24 seems to me that we talked about this once before.

25 The process for establishing the agenda is that

1 all items go through -- either go through the co-chairs
2 and Keith for the Navy. They need -- They put the
3 agenda together. So that's the process.

4 Once that's done, the only thing that we do
5 here tonight is: If we have -- say, somebody's, you
6 know, got a funeral they need to attend to and they want
7 to make their report early, you can adjust the agenda a
8 little bit. But as far as approving the agenda, that's
9 not necessary.

10 DR. SUMCHAI: No. Miss Pendergrass, this body
11 carried by motion the resolution to approve the agenda,
12 and you weren't here for that --

13 MS. PENDERGRASS: All right.

14 DR. SUMCHAI: -- that meeting. But this body
15 made that decision.

16 MS. PENDERGRASS: Okay. And all I'm saying to
17 you is that as -- as a group is that we're not -- we're
18 not running this meeting as a true form of Robert's
19 Rules of Order. And what we're trying to do here is:
20 We're trying to get to the real purpose of these
21 meetings.

22 The purpose of these minutes is to disseminate
23 information both from the community and from the Navy to
24 the community. And that's the purpose of these
25 meetings.

1 So we're trying to get to that through the
2 agenda to make sure that everybody gets an opportunity
3 to have their items and everything, you know, in some
4 kind of orderly fashion so that people get to present.
5 I don't want to open this up to a lot of debate and that
6 sort of thing tonight.

7 What I'm saying to you is that what we're going
8 to do tonight is: We're going to make sure that we have
9 the agenda in the format that -- so we can go forward
10 for the rest of the evening.

11 MS. ASHER: No. I -- I don't -- I object to
12 that. I -- We can take a vote on that, but I think
13 that's completely unfair.

14 MS. PENDERGRASS: Okay.

15 MS. ASHER: Yeah. No way.

16 MR. DACUS: We made the agenda, and I think
17 what we voted that we primarily stick to the agenda.
18 That is what's happening now. Most of the time we come
19 to meeting we don't never get a chance to go through the
20 agenda --

21 MS. PENDERGRASS: Right.

22 MR. DACUS: -- because we always got something
23 else to discuss. And I think we should stick to the
24 agenda.

25 MS. PENDERGRASS: Okay. Dorothy?

1 MS. PETERSON: I understand what Dr. Sumchai is
2 saying, because I've been to meetings where both the
3 minutes and the agenda have been approved. And I'm
4 hearing your words also in the sense that it's a mere
5 technicality, because the agenda should have been put
6 together at the previous meeting; and if there were any
7 changes, there's a process --

8 MS. PENDERGRASS: The process.

9 MS. PETERSON: Yes. But --

10 And I don't want to speak for you, Dr. Sumchai.

11 But I am for the process of saying, "Is this
12 what we approved or not?" And if that's what you mean
13 by "approving the agenda," then --

14 MS. PENDERGRASS: Okay. So the approval is
15 coming from the co-chairs and -- and --

16 MS. PETERSON: No, no, it's not an approval
17 coming from the co-chairs. It's a process, I mean,
18 because we're all human, and we could have made a
19 mistake. So . . .

20 MS. PENDERGRASS: Okay. All right.

21 MS. PETERSON: That's all I'm saying.

22 MS. PENDERGRASS: All right.

23 MS. ASHER: And -- and I feel that there should
24 be flexibility built into this meeting, and I had no --
25 I didn't -- I don't think that you can just come in and

1 say, "I'm going to change what we did last week."

2 MS. PENDERGRASS: No.

3 MS. ASHER: That is completely unfair.

4 MS. PENDERGRASS: I agree with that. I agree
5 with that. My apologies if it seems like I'm trying to
6 come in and change things.

7 MS. PETERSON: You did.

8 MS. PENDERGRASS: Okay. Really, you know, the
9 reason I'm here is to help us keep these things on
10 track. And the more time we spend kind of approving
11 agenda and going through process, the less time we have
12 for communication.

13 So if that's clear, everybody's clear with
14 that, that's what we're going to do, we'll try to keep
15 that to a couple minutes every meeting and move things
16 forward.

17 Christine, did you want to comment?

18 MS. SHIRLEY: Yeah. In that spirit, I move to
19 accept the agenda this evening.

20 MR. TOMPKINS: I second it.

21 MS. PENDERGRASS: Okay. Very good. So the
22 motion carries. We have an accepted agenda tonight.

23 Let's move to approval of the minutes. Has
24 everybody had a chance to review the minutes?

25 Okay. And based on that, does anybody have

1 any -- you want to call the question?

2 MS. WRIGHT: I just wanted to say that my
3 announcement from last month's meeting was not included
4 in the minutes. I'd like to ask that they be added as a
5 correction.

6 MS. PENDERGRASS: All right. And what was that
7 announcement?

8 MS. WRIGHT: That I was Mr. Manuel's alternate
9 in last month's meeting. It was counted in the
10 attendance, but it's not really official unless it's in
11 here.

12 MS. PENDERGRASS: All right. Well, fine. With
13 that addition, do I have a motion to approve the
14 minutes?

15 MS. PETERSON: So moved.

16 MS. PENDERGRASS: Okay, with that addition.

17 MR. KEICHLINE: Point of order. There's
18 actually two sets of minutes being approved tonight:
19 the ones from April 25 that some RAB members didn't
20 receive seven days before the meeting --

21 MS. PENDERGRASS: Okay.

22 MR. KEICHLINE: -- they are outstanding -- and
23 the minutes from March 28th that were from last meeting.

24 MS. PENDERGRASS: Okay. So let's start with
25 March 28th through -- yeah, from last minute -- the last

1 meeting minutes; and with the amendment that Miss Wright
2 added, do we have a motion to accept those minutes,
3 approve those minutes?

4 MS. WRIGHT: We're talking about April or
5 March?

6 MS. PENDERGRASS: April.

7 MS. WRIGHT: Okay.

8 MR. TOMPKINS: Point of information.

9 MS. PENDERGRASS: Yes.

10 MR. TOMPKINS: Are the minutes on the table? I
11 only have for --

12 MS. ATTENDEE: April.

13 MR. TOMPKINS: -- April.

14 MR. KEICHLINE: That's because you have --

15 MR. TOMPKINS: That's what I was E-mailed.

16 That's what I have.

17 MS. PENDERGRASS: April 25th.

18 MR. TOMPKINS: So --

19 MS. PENDERGRASS: Right.

20 MR. KEICHLINE: That's because the minutes --

21 MR. TOMPKINS: -- I don't like to -- to approve
22 it till I have it.

23 MS. PENDERGRASS: So first let's deal with
24 April 25th minutes.

25 MR. TOMPKINS: Are they on the table?

1 MS. PENDERGRASS: Dr. Sumchai.

2 DR. SUMCHAI: I -- I have two comments. One,
3 in keeping with the process, there was a -- a motion
4 made, and it was seconded for approval of the agenda,
5 and the body didn't vote on it.

6 MS. PENDERGRASS: We just had an approval of
7 the agenda. Didn't Miss Shirley approve them?

8 MS. SHIRLEY: It was -- it was -- Motion was
9 made, seconded --

10 MR. TOMPKINS: No more voting.

11 MS. SHIRLEY: -- and no vote.

12 MS. PENDERGRASS: I'm sorry.

13 DR. SUMCHAI: Okay.

14 MS. PENDERGRASS: Please forgive me.

15 DR. SUMCHAI: All right.

16 The second thing, with -- on -- on page 2 of
17 the April 25th meeting minutes, it says that when I --
18 that I restated the motion to have the agenda approved,
19 that -- in keeping with HPS bylaws and Robert's Rules of
20 Order. The verbatim transcript will show that my motion
21 was made on the basis of the bylaws statement that there
22 be a review and approval of the minutes, and what I was
23 saying is that we should apply that same process.

24 I'm making that comment because you went to
25 great length here to add a post-RAB update in which I

1 presume that you're correcting me on the bylaws, and I
2 never implied or said that the bylaws specifically
3 addressed this process to the agenda. I said that I was
4 applying the same process that we were applying to
5 the -- to the minutes --

6 MS. PENDERGRASS: Okay.

7 DR. SUMCHAI: -- to the agenda.

8 MS. PENDERGRASS: All right.

9 DR. SUMCHAI: So I wanted to make that very
10 clear.

11 MS. PENDERGRASS: All right.

12 Okay. So let's just back up one step, though.

13 Let's just back up, and we had a question. We had a
14 second on the approval of today's agenda. Let me call
15 the question. All in favor?

16 THE BOARD: Aye.

17 MS. PENDERGRASS: Any opposed to today's
18 agenda?

19 (No verbal response elicited.)

20 MS. PENDERGRASS: Okay. The ayes have it on
21 that. We can close that motion.

22 Now, the next motion is approval of minutes for
23 the 25th of April. And with the correction that
24 Ms. Wright added and Dr. Sumchai added to that, do we
25 have any other discussion on that, and we need someone

1 to call the question on that?

2 MS. PETERSON: Question.

3 MS. PENDERGRASS: Okay.

4 MS. PETERSON: I make a motion to accept them.

5 MS. PENDERGRASS: Okay.

6 MR. DACUS: Second.

7 MS. PENDERGRASS: Miss Peterson has made a
8 motion to accept the minutes, and Mr. Dacus has seconded
9 that motion.

10 So all in favor of approving the minutes for
11 April 25th in favor, say, "Aye."

12 THE BOARD: Aye.

13 MS. PENDERGRASS: Those not in favor?

14 (No verbal response elicited.)

15 MS. PENDERGRASS: Okay. That's approved.

16 Now we have --

17 Ron, you said that we have minutes from a prior
18 meeting?

19 MR. KEICHLINE: Yes. The March RAB meeting.

20 MS. PENDERGRASS: And --

21 MR. KEICHLINE: Those minutes --

22 MS. PENDERGRASS: Have those minutes been
23 distributed?

24 MR. KEICHLINE: They were distributed at the
25 last meeting, yes.

1 MS. PENDERGRASS: Okay.

2 MR. KEICHLINE: Everybody got copies at the
3 last meeting.

4 MS. PENDERGRASS: All right. So does anybody
5 have any question or discussion regarding those minutes?
6 Hearing no discussion on that, call the question on
7 that?

8 MR. TOMPKINS: Since we're on with the 25th, I
9 can't vote; I'll have to abstain --

10 MS. PENDERGRASS: Okay.

11 MR. TOMPKINS: -- discussion.

12 MS. PENDERGRASS: All right.

13 MR. TOMPKINS: I abstained on the last minutes
14 as well, approval.

15 MS. PENDERGRASS: All right.
16 Call the question?

17 MS. PETERSON: I make a motion that the minutes
18 are accepted; March minutes are -- March minutes are
19 accepted.

20 MS. PENDERGRASS: Okay.
21 Do we have a second?

22 MR. DACUS: Second.

23 MS. PENDERGRASS: All right. Charles seconded
24 that.

25 All in favor of accepting the minutes for the

1 March RAB meeting, those in favor, say, "Aye."

2 THE BOARD: Aye.

3 MS. PENDERGRASS: Okay. Anybody opposed? And
4 we have one abstention there.

5 MR. TOMPKINS: Yeah.

6 MS. PENDERGRASS: All right. So we've gotten
7 through the approval of the minutes.

8 I just would like to add one thing before we
9 move any further is that it's just to make sure that we
10 have action items covered.

11 So on the 25th, you had two action items, both
12 Mr. Forman is supposed to take care of. The first one
13 was review the transcript of 27 October "Bay Area RAB
14 Open House for mention of subset populations in risk
15 assessment."

16 Did you take care of that?

17 MR. FORMAN: Yes. Well, I took care of that in
18 the sense that -- do you want to talk about this now?

19 MS. PENDERGRASS: No. I just want to make sure
20 that --

21 MR. FORMAN: Yes.

22 MS. PENDERGRASS: -- you're going to make a
23 report on it. No transcript was prepared.

24 MR. FORMAN: There was no transcript taken to
25 research that.

1 MS. PENDERGRASS: Okay.

2 MR. FORMAN: That was the resolution.

3 MS. PENDERGRASS: All right. And then 2, "Mail
4 a copy of the CRP and the BCP to Mr. Tompkins," did that
5 happen?

6 MR. TOMPKINS: No.

7 MR. DeMARS: We have -- we have -- His copy's
8 right here.

9 MS. PENDERGRASS: Okay. Very fine. Just want
10 to make sure that we followed up. Okay.

11 MR. TOMPKINS: A previous action item hasn't
12 been -- I guess I'll bring up now, whichever --
13 whichever time you feel appropriate.

14 MS. PENDERGRASS: Is it an action item --

15 MR. TOMPKINS: Action item --

16 MS. PENDERGRASS: -- that was -- that was
17 scheduled?

18 MR. TOMPKINS: From past meeting, right. We
19 had taken a vote as a board and asked that the data from
20 the health department on hospitalization rates be
21 presented. I've never received a copy of the letter
22 going out and making the request to the health
23 department to get the information from this body. I
24 don't know who's going to take the responsibility to be
25 voted. We asked for it as an action item --

1 MS. PENDERGRASS: Okay.

2 MR. TOMPKINS: -- and it was passed; that the
3 only information I've ever received was from San
4 Francisco General, which is totally inadequate --

5 MS. PENDERGRASS: Okay.

6 MR. TOMPKINS: -- for the purposes of
7 getting -- making assessment in terms of the effect of
8 the fire.

9 MS. PENDERGRASS: Okay. And in an effort to
10 make sure that we don't have things fall through the
11 cracks like that, and since we do a good job -- Ron does
12 a good job of making sure that any action items that we
13 table or that need to happen to list them, we need to
14 make sure that at the next meeting we follow up and make
15 sure those things happen. So -- I'm sorry.

16 MR. KEICHLINE: I just -- It was a motion but
17 not an action item. There was no direction as to who
18 would be sending that letter out.

19 MS. PENDERGRASS: Okay.

20 MR. KEICHLINE: It's a motion by the RAB to
21 request that information, but the RAB -- some
22 subcommittee or some RAB member probably just authored
23 that letter coming from the RAB, but there was -- it's
24 not an action item issue.

25 (Mr. Hocker arrives at 6:18 p.m.)

1 MS. PENDERGRASS: All right. So, Mr. Tompkins,
2 it sounds like what we need to do, if you're trying to
3 get some information, that you need help with getting
4 that information, you need to either frame that in a
5 motion and to get -- and identify who's going to get you
6 that information so that that can be a followed-up item.
7 Is that --

8 MR. TOMPKINS: Let me --

9 MS. PENDERGRASS: -- fairly clear?

10 MR. TOMPKINS: It's been a motion that's been
11 voted on twice, but I redid again previous and the last;
12 and I thought by putting that forward, that it would
13 come from the body. I didn't feel as a subcommittee
14 chair that I had any authority, whichever, when it's an
15 item from the body, the collective, that I never --

16 MS. PENDERGRASS: Okay.

17 MR. TOMPKINS: And that's why I need clarity.
18 Whose responsibility is it when it's a vote from the
19 body, since it wasn't directed from the subcommittee or
20 risk assessment that as a vote through the body? One of
21 the previous action items letters that would tell you
22 went out went from the Board.

23 MS. PENDERGRASS: Okay.

24 MR. TOMPKINS: And to whom is the
25 responsibility? I don't know. I need to be educated.

1 So --

2 MS. PENDERGRASS: So let's --

3 MR. TOMPKINS: -- it wasn't designated.

4 MS. PENDERGRASS: Let me make sure I'm clear on
5 that so I may understand the process, because if this
6 body wants some information and they all agree that you
7 want the information, the next step is to make sure we
8 identify where that information's going to come from.

9 Now, if the information needs a formal request
10 from this body, then somebody needs to take the
11 leadership role in preparing that request. That could
12 be the co-chairs, if they -- if they volunteer, or a
13 subcommittee person or any person on the -- on this
14 board, actually. So at this point, it sounds like we
15 haven't designated anybody to write that letter.

16 So, Mr. Tompkins, it sounds like you know what
17 you want. Could you get a draft together that perhaps
18 the co-chairs could -- so that they can send that out?

19 MR. TOMPKINS: All right. Fine. Is it --?

20 MS. PETERSON: I have a suggestion:

21 Mr. Tompkins and Keith --

22 MS. PENDERGRASS: -- Mr. Forman work on getting
23 that?

24 MS. PETERSON: Yes. That's my suggestion.

25 MS. PENDERGRASS: Is that --?

1 MS. RINES: Can you speak up, please?

2 MS. PENDERGRASS: Dorothy suggested that

3 Mr. Tompkins and Mr. Forman work together to formulate

4 the letter so that that can go out to request that

5 information.

6 Is that --? Does that work?

7 MR. TOMPKINS: Fine.

8 MS. PENDERGRASS: Okay.

9 MR. TOMPKINS: Do we have --? Out of

10 curiosity, do we have official, then, stationery head

11 from -- from the Board or something like that --

12 MS. PETERSON: No.

13 MR. TOMPKINS: -- rather than, you know --

14 MS. PETERSON: Not that I know.

15 MR. TOMPKINS: -- anybody -- you know, I -- if

16 you send it formally to somebody or something, you don't

17 want to look like make-believe anybody is writing out

18 something if we have formal, so, because I don't know.

19 I'm asking the chairs. I don't know.

20 MS. PETERSON: Well, the two of you -- if the

21 two of you got together, it's very easy to create it on

22 a computer; and since you would have there --

23 MR. TOMPKINS: I imagine the Navy -- Navy

24 stationery?

25 MS. PETERSON: Yeah.

1 MR. TOMPKINS: So that the Board -- and they
2 realize that it is a formal request --

3 MS. PETERSON: Official.

4 MS. PENDERGRASS: All right.

5 MR. TOMPKINS: -- it's official, and not
6 somebody is playing around.

7 MS. PENDERGRASS: So we've got to resolve that
8 matter that -- that matter will carry over, and
9 Mr. Tompkins and Mr. Forman will work on that, and we'll
10 get that out to you, okay?

11 MR. TOMPKINS: Thank you.

12 MS. PENDERGRASS: So that will work out on
13 that. So we've got those action items followed up.

14 Let's move to announcements from the Navy
15 co-chair.

16 MR. FORMAN: Okay. I don't want to steal my
17 own thunder here on my presentation, but you can see
18 always -- turn your attention to the white board, and
19 look at what's coming up. We've got quite a bit going
20 on.

21 We're going to have another field trip, another
22 possibility for the RAB to come and join us. I have
23 taken the cue from several RAB members who called me
24 about the last field trip, and so we have put it on
25 Saturday, June 22nd, because the recommendation to me

1 was to not do it -- do it during the week. It -- it's
2 pretty tough for -- for most people to make it. And we
3 need to do most of this stuff during business hours
4 and -- and daylight hours.

5 So the next RAB field trip's going to be
6 Saturday, June 22nd. Meet at the main gate at 10 a.m.,
7 and we'll go out to Site 1, the landfill.

8 (Mr. Saunders enters at 6:22 p.m.).

9 And I'll tell you a little bit more about that
10 during my presentation, but it has to do with landfill
11 gas monitoring. We're inviting anyone to come out with
12 us and watch us as we monitor and take data on one of
13 our -- one of our weekly monitorings at the landfill.

14 MS. PENDERGRASS: Okay.

15 MR. FORMAN: We can -- Again, I want to say,
16 we're having difficulties now trying to schedule the RAB
17 meetings, particularly here at the police station. As
18 you all know, our RAB meeting was not held on the 23rd.
19 It was held on the 30th. That's because despite
20 numerous attempts, we were not able to hold it here on
21 the 23rd.

22 And we checked out the E. P. Mills facility and
23 the Southeast Community Center, and we couldn't hold the
24 RAB meeting on the 23rd at those places either.

25 When it comes to June, our next scheduled RAB

1 meeting is June 27th, and what I wanted to discuss
2 quickly here is: There's two possibilities; but again,
3 it turns out, on June 27th, we won't be able to have the
4 RAB meeting here. The police station --

5 MR. MASON: We have -- we have a place for it.

6 MR. FORMAN: Police station is -- is busy.
7 This room has already been held for something else.

8 So our choice is -- if we want to keep the RAB
9 meeting on Thursday, June 27th, then it's probably a
10 good idea to do, because many of you have told me that
11 Thursdays are the good day of the week and you're used
12 to a certain pattern of meetings.

13 Understanding that, there's two places we can
14 hold the RA- -- next RAB meeting at: either the Bayview
15 Opera House or the E. P. Mills facility.

16 So I would need some input so that we can
17 schedule ahead of time where we're going to hold the RAB
18 meeting.

19 MS. PETERSON: Well, you might run into bus
20 difficulty with E. P. Mills because you've got the 44
21 and you've got the 54, and then you do have to walk a
22 little while. So the 44 is okay. It's the 54 that --
23 that decides it doesn't want to run at times.

24 MS. PENDERGRASS: So the Opera House, will that
25 work?

1 MS. PETERSON: You got several buses that will
2 take you there.

3 MS. PENDERGRASS: Take you to the Opera House.

4 MR. MASON: For the continuation of the RAB
5 meeting there? I mean, if you have them there every
6 Thursday, will the Opera House be sufficient?

7 MR. ATTENDEE: And we'll --

8 MR. FORMAN: I don't know. This is --

9 MR. MASON: And one of the reasons --

10 MR. FORMAN: As you know, we schedule one month
11 at a time.

12 MR. MASON: One of the reasons I'm asking is
13 because, see, we also have the Milton Meyers Center, and
14 that we could probably get every Thursday.

15 MS. PETERSON: We'd have bus transportation --

16 MR. MASON: And we have bus trans- --
17 transportation to that, which is No. 54.

18 MR. KEICHLINE: I know that E. P. Mills has the
19 fourth Thursday of each month through the rest of the
20 year open, apparently.

21 And the Bayview Opera House has the June
22 meeting open, but they haven't checked their other
23 months yet, but they can also schedule in advance.

24 MR. MASON: I can go with E. P. Mills. It
25 doesn't matter to me.

1 MS. PETERSON: By Sundial Park.

2 MS. PENDERGRASS: Okay.

3 All right. Well --

4 Yes, sir.

5 MR. BROWN: That was on the hill.

6 MR. TISDELL: Si- -- you know, since the

7 Navy's -- i- -- is, you know, looking off into a place,

8 how about if you --? You know, you can go with the

9 objective of, say, the fourth Thursday of every month

10 for a year and see -- and that -- you know, and that

11 will let -- you know, kind of let them know that hey,

12 you know, we'd like the fourth Thursday, you know,

13 for -- you know.

14 And so that way it -- it will set a pattern

15 where, you know, every week we won't have to look for a

16 place to meet, and we know just hey, you know, on

17 Thursday it'll be right there.

18 MS. PENDERGRASS: So we -- So what we're

19 saying, though, is: For next meeting, the best place to

20 have it would be the Opera House; and then from then on,

21 what we'd like to do is be looking at for the rest --

22 MR. BROWN: Opera House.

23 MS. PENDERGRASS: Is that what you said?

24 MR. MASON: Let's keep it at E. P. Mills.

25 MS. PENDERGRASS: Okay. E. P. Mills for the

1 next meeting?

2 MR. FORMAN: I think we probably need -- we --
3 we're hearing different factions on this. Did you want
4 it to come to a vote?

5 MS. PETERSON: Well, you have to -- you have to
6 consider transportation before you vote. And that
7 means -- The 54 runs whenever it gets good and ready to
8 run. That only leaves one stable bus. That's the 44.

9 MR. FORMAN: Okay.

10 MS. PETERSON: So you have one bus line up
11 there. At the Opera House, you have several. So
12 transportation, unless you going to go around and pick
13 everybody up and take everybody home.

14 MS. PENDERGRASS: Well, it sounds like we need
15 a vote on this. We just need a show of hands.

16 MR. PETERSON: Yeah.

17 MS. PENDERGRASS: How many people --? We're
18 just talking about the next meeting. How many people
19 would rather meet at the -- want to meet at the Opera
20 House? Just show of hands. One, two, three, four,
21 five.

22 How many people want to meet at E. P. -- Earl
23 P. Mills? Okay. So --

24 MS. PETERSON: Doesn't matter to me.

25 MS. PENDERGRASS: So the majority.

1 So the next meeting, Ron, is at --

2 MS. SHIRLEY: If you need a ride, I'll give you
3 a ride.

4 MS. PENDERGRASS: Now, what -- then the next
5 part of that, Mr. Forman, is that is there a way for us
6 to go ahead and book them, as Mr. Tisdell reminded us,
7 for the rest of the year, the third Thursday or
8 whatever?

9 MR. FORMAN: Okay. I defer to Ron on this. He
10 planned on --

11 Ron?

12 MR. KEICHLINE: Yeah. I -- I will -- I will
13 talk to the schedulers. They have told me that through
14 the rest of this year, we can have the room if we want
15 it.

16 MS. PENDERGRASS: All right.

17 MR. KEICHLINE: And I'll --

18 MS. PENDERGRASS: Very good.

19 MR. KEICHLINE: -- work on a schedule.

20 MR. FORMAN: On the fourth Thursday of every
21 month?

22 MS. PENDERGRASS: Is it the fourth or the
23 third?

24 MR. KEICHLINE: Fourth.

25 MS. PENDERGRASS: Okay, fourth Thursday. All

1 right.

2 MR. TISDELL: I'll call him.

3 MR. KEICHLINE: Yes.

4 MR. TISDELL: We'll communicate.

5 MS. PENDERGRASS: All right.

6 MR. FORMAN: Okay. Thank you.

7 MS. PETERSON: You're welcome.

8 MR. RINES: Next.

9 MR. FORMAN: Okay.

10 MS. PENDERGRASS: You all done?

11 MR. FORMAN: Yes, ma'am.

12 MS. PENDERGRASS: That's it. Okay.

13 Miss Peterson, did you have a two-minute
14 announcement?

15 MS. PETERSON: I sure don't.

16 MS. PENDERGRASS: Okay.

17 Miss Washington, did you have --

18 MS. WASHINGTON: No, I don't.

19 MS. PENDERGRASS: -- a report?

20 All right. Very fine. We'll just move right
21 along, then.

22 Okay. Let's move to presentations at this
23 point, okay; and we will save the subcommittee reports.
24 So the Parcel E landfill gas survey results.

25 MR. FORMAN: Yes, okay.

1 MS. PENDERGRASS: Moving right along.

2 MR. FORMAN: We are moving right along.

3 Did we want to dim the lights, Mr. Keichline?

4 Okay.

5 Okay. As promised, as promised, we told you we

6 had quite a bit to talk about. At the last RAB meeting,

7 I said we'd talk about the landfill gas situation.

8 There's quite a bit that's happened in the last, oh,

9 45 days or so; and I wanted to update everybody on that

10 and then clear up some misconceptions and let you know

11 where we're headed on this.

12 If you could hold your questions to the end --

13 it's a pretty short presentation -- or not to the end,

14 but until we get a break between the presentation and

15 the photographs, some of the photographs, then I'd

16 appreciate that so I can keep my train of thought here

17 with where we're going on this.

18 Okay. I'm ready for the next slide. That --

19 man, that is not showing up well compared to what I

20 have.

21 MR. ATTENDEE: I think everyone has --

22 MS. RINES: Everyone's got a handout, so . . .

23 MR. ATTENDEE: Everybody has a handout.

24 MR. FORMAN: All right. Is your handout pretty

25 clear?

1 MS. RINES: Yeah.

2 MR. FORMAN: Well, I apologize for this not
3 being as clear as I thought it would be, but it's clear
4 to me up here, so . . .

5 Okay. Everybody knows this is Parcel E,
6 Parcel E on Hunters Point. Okay? We've got the extent
7 of the waste here for the landfill. If you remember, we
8 were going out in the field in the March-April time
9 frame.

10 And remember what we were doing? We were going
11 to define the extent of the landfill. We were going to
12 do -- we were going to do a soil-gas survey; that is, we
13 were going to poke holes in the ground and find out in
14 the soil subsurface where landfill gas was and where it
15 wasn't.

16 And we were also going to do surveys of the air
17 immediately above this area. Okay? You can see in the
18 green there, we just put that in there. That is a
19 landfill cap, the cap that many of you are familiar
20 with, that was put on immediately after the August 2000
21 fire.

22 Now, another thing to keep in mind here is the
23 property boundary here for Parcel E, and then up here is
24 property boundary for part of Parcel A. And in between
25 here -- you see this part of the land?

1 MR. ATTENDEE: Mm-hmm.

2 MR. FORMAN: Okay. That is the University of
3 California-San Francisco compound there. They have a
4 compound with a laboratory there. Okay.

5 MS. SHIRLEY: And that's not Navy property.

6 MR. FORMAN: That is correct. That is
7 University of California-San Francisco property.

8 MS. SHIRLEY: But it's not leased. That's what
9 I'm trying to say. They own it.

10 MR. FORMAN: They do indeed own it.

11 MR. MASON: When was it --

12 MR. FORMAN: Good point.

13 MR. MASON: -- transferred?

14 MS. PETERSON: Years ago.

15 MR. FORMAN: That's a good answer.
16 Years ago. I'm not sure.
17 What year was it transferred?

18 MS. PETERSON: Wasn't it in the '80s?

19 MR. FORMAN: I think it was -- '84 pops out in
20 my mind, but --

21 MS. PETERSON: It was in the '80s.

22 MR. FORMAN: -- don't quote me on that off the
23 top of my head.

24 MR. MASON: Well, what you're saying, it was
25 Navy property at one time.

1 MR. FORMAN: It was indeed Navy property at one
2 time, yes. But years ago -- I believe early '80s; maybe
3 it was '84 -- it was transferred. Okay.

4 DR. SUMCHAI: With regard to the property,
5 though, the HRA describes --

6 MR. FORMAN: Dr. Sumchai, if you could wait
7 until I get through my presentation here --

8 DR. SUMCHAI: Well, you let everybody else make
9 their statements. I thought that you might be
10 interested in what I had to say.

11 MR. FORMAN: Okay. I am interested in what you
12 have to say, but --

13 DR. SUMCHAI: Okay. I --

14 MR. FORMAN: -- let's hold it till I get to the
15 end of this. I appreciate it. Okay.

16 Anthony, did you want me to say "Next slide"
17 every time?

18 MR. TALAMANTEZ: That's all right.

19 MR. FORMAN: Right. Okay. So you don't have
20 to -- okay. I'll give you a hand signal.

21 Okay. Some of the objectives that we're going
22 to talk about here, that will be presented in June in a
23 tech memo that will be made available to everybody --

24 Do we have a sign-up sheet for that here? If
25 not, okay, we'll just -- okay.

1 Some of the data that came out of the
2 objectives of our investigation: We did an outdoor air
3 survey on and around the landfill. We did an indoor air
4 survey in buildings near the landfill. We did a
5 soil-gas survey; and again, that's where you go
6 subsurface into the ground and get valuable data on
7 where landfill gas is present.

8 And we also did monitoring, soil-gas
9 monitoring, using GMP. And that acronym, "GMP," stands
10 for gas-monitoring probe. Okay? In this case, landfill
11 gas-monitoring probes. And in fact, we have put some in
12 in the last 45 days. Okay.

13 Thank you, Anthony.

14 Okay. Next slide here concerns with first
15 couple of things we did, which was indoor and outdoor
16 surveys.

17 Couple of things that I want to bring to your
18 attention there -- and again, in the handout, it's even
19 clearer than on the screen here -- is: You can see that
20 over that large, light-blue area, we covered -- we
21 surveyed above ground for the presence of methane gas.
22 That was one of the things we did.

23 You can also see that as a result of that, in
24 four locations, those little red dots there that are in
25 circles there, we found methane actually in the air at

1 the ground surface. Okay?

2 So out of all --

3 MS. PENDERGRASS: That's the property -- that's
4 the property, though.

5 MR. FORMAN: Pardon?

6 MS. PENDERGRASS: I'm sorry. I just want to be
7 clear. Is that the property that you said that's not
8 owned by the Navy?

9 MR. FORMAN: Indeed. Good point.

10 Is -- This is near a light pole on the
11 U.C.S.F. compound; and these three places here are, of
12 course, in this -- near Building 830, which is owned by
13 the University of California-San Francisco. Those are
14 the two areas above ground where we actually found
15 methane gas present.

16 Now, before we go any further, I want to show
17 you exactly what we did there. And what I have with me
18 tonight is Rebecca and Kim, and they are going to show
19 you exactly what they did when they went out into the
20 field with these instruments.

21 Very good. Did you want to explain, or did you
22 want me to --?

23 MS. LESHER: Doesn't matter.

24 MR. FORMAN: Okay. Essentially -- essentially
25 when you look for methane outdoors in the ambient air,

1 okay, you're looking for it not just in a random manner,
2 but you cover with the instrument at the surface of the
3 landfill; and in all those areas that were shaded there
4 that were covered, you both check for the presence of
5 methane at the surface and then also in about 4 to
6 5 feet above ground surface, which is the general
7 breathing zone.

8 It's just another check that follows on the
9 ground check that you do with the instrument.

10 So keep in mind that Rebecca and Kim, when they
11 were in the field, actually tested at two different
12 heights above ground.

13 You want to take it from there?

14 MS. LESHER: Sure.

15 MR. FORMAN: Go ahead.

16 MS. LESHER: These are the two instruments that
17 we used during these air surveys; and as Keith was
18 saying, we would measure both at the ground surface and
19 in a -- the breathing zone.

20 And what these two instruments actually measure
21 is: This one measures combustible gases, such as
22 methane, the landfill gas that we have been talking so
23 much about. And then this one measures volatile organic
24 compounds.

25 So what we would do during these surveys is

1 walk slowly along the ground surface in the buildings or
2 outside with the -- with the probe right at the ground
3 surface within about 6 inches in a slow manner, such as
4 this, so that it could read it. And these read in real
5 time right here [indicating] on the displays what the
6 concentration is, and they also have audible alar- --
7 alarms if you get higher levels.

8 And so we would walk along, you know, such as
9 this and -- and then also at a -- at a higher breathing
10 level.

11 In large areas, we would do a grid-type pattern
12 in order to cover all areas.

13 Inside buildings we looked specifically for
14 cracks in the floor to measure any -- anything, whether
15 it would be like a crack or a hole in the building.

16 And outside of the -- When we walk around
17 outside of the buildings, we specifically would go along
18 the edges where the building contacts the ground in
19 order to get an idea of what any concentrations would be
20 right at the ground surface.

21 Both of these instruments are very sensitive
22 instruments and can be -- lot of common items will give
23 you readings, such as, you know, a regular Sharpie
24 marker. And, you know, when you -- when you put it up
25 to the instrument, you can see -- very quickly get

1 readings. And so they're very sensitive and detect very
2 quickly any concentrations of gas.

3 MR. FORMAN: Have you found any?

4 MS. LESHER: Right here with our little marker,
5 we had a concentration of 15 parts per million, which
6 would have been above our -- our trigger level of what
7 we were looking for. So they are very sensitive
8 instruments.

9 MS. WASHINGTON: Is that in here?

10 MS. LESHER: I'm sorry. This is the little
11 marker here, yeah. I mean, a lot of common objects
12 have -- you know, paints and things like that would also
13 set these instruments off, so . . .

14 MR. FORMAN: Good.

15 MS. LESHER: Okay.

16 MR. FORMAN: All right.

17 MR. KAO: Keith, could you have them read the
18 model number for us?

19 What's the model of the equipment?

20 MR. FORMAN: Okay. Well, yeah, Chein, we can
21 do that after the meeting if you want. The equipment,
22 in fact, you can go and check it out; and that's
23 available after the meeting. Kim and Rebecca will be
24 here if you want to check out the equipment up -- up
25 close and personal. You can do that.

1 Okay. Getting back here, a couple things --
2 other things I want to make sure you understand is that
3 it's not just the areas that she covered, which is
4 outdoors, of course, where there's no buildings. There
5 were a series of buildings we looked into as well. That
6 includes 810, 809, 830, 815, 808.

7 And a couple of buildings we went up in and
8 around 816 and 817A, which were actually welded shut.

9 MR. ATTENDEE: Welded shut?

10 MS. ATTENDEE: Welded shut.

11 MR. FORMAN: Yes, those buildings are welded
12 shut; but there are openings in them, and they were able
13 to survey into those.

14 MS. WASHINGTON: Why are they welded shut?

15 MR. FORMAN: Why were they welded shut. Good
16 question. I'm sure years --

17 MS. PETERSON: You're --

18 MR. FORMAN: -- ago --

19 MS. PETERSON: -- not --

20 MR. FORMAN: -- they weren't --

21 MS. PETERSON: -- taking --

22 MR. FORMAN: -- used, and they were --

23 MS. PETERSON: -- questions, remember?

24 MR. FORMAN: -- probably welded shut. But be
25 thinking of after the end of the presentation here.

1 Okay.

2 Okay. Next slide.

3 (Mr. Cain arrives at 6:38 p.m.)

4 Okay. So let's look at the results of what we
5 found here. We did the air surveys. We did both some
6 indoor and some outdoor, and we took readings at the
7 ground level and at 4 or 5 feet above the ground. We
8 didn't detect any gas within any of the buildings.

9 And then we further went into two of the
10 buildings that actually had basements or things that
11 looked like basements that were, like, an improved
12 crawlspace in one of them, in those buildings. And we
13 detected no gas there either.

14 We also found no gas immediately on or -- on or
15 around the surface of the perimeter of the landfill cap,
16 which is what we were looking for to see is there any
17 methane gas that's literally here is the landfill, and
18 here is the ga- -- methane gas emissions. And we didn't
19 find any in that particular lotion.

20 We did, however, find, as you can see my last
21 bullet here, ground-level methane detected at four
22 locations in the U.C.S.F. compound.

23 And, Anthony, if you could just go back to the
24 slide that actually shows that.

25 Again, and that's why I was pointing out to

1 you, here at this location and a- -- at these three
2 locations.

3 Okay.

4 Now, the s- --

5 If you could go back just one -- again, one
6 time.

7 The significance of that, if you see, is that
8 we didn't find any methane emissions directly above the
9 landfill; but as you can see here, we found them outside
10 the landfill here. Okay. And again, that's -- what we
11 were looking for in the investigation is: We were
12 trying to conclude: Is there any -- is there any
13 methane that's leaving the site? Okay. And we covered
14 that slide.

15 So on to the next preliminary findings here.
16 Okay. We didn't just do immediately above the ground
17 and then in the buildings. We did subsurface
18 investigation, and that's what we call soil-gas surveys;
19 and we'll have some photos of that later on, and
20 Mr. DeMars will talk a little bit about that.

21 In subsurface it wasn't a surprise that we were
22 able to find some methane subsurface, and we found it at
23 elevated levels north of the landfill, though, in the
24 U.C.S.F. compound and in part of the railroad museum,
25 which is, I believe, Building 809.

1 We also determined a zero methane line that was
2 estimated by stepping out until we could get soil-gas
3 survey results of zero. Now, this is -- this is not
4 meant to be an absolute. This is a preliminary finding
5 based on so far what we have done out there.

6 That's important because when you're doing a
7 scientific investigation and you find results, you want
8 to keep stepping out -- and you've seen that in many
9 investigations we do -- until you find the boundary of
10 what you're looking for.

11 Okay. Couple of things that we've found so far
12 is: We found the northernmost points of the zero
13 methane line, and it is on the U.C.S.F. compound. And
14 when you -- again, you look in your handouts there,
15 that -- that shouldn't be a surprise based on the data
16 points we have so far. And we found that it's south of
17 Crisp Avenue and a little more than 100 feet south of
18 the boundary of Parcel A from the data we have
19 presently.

20 Now, after we had some of these -- the soil-gas
21 surveys come back and some of the ambient air surveys,
22 per the Community Notification Plan, I believe it was --
23 what was the date? April 20 --?

24 MR. DeMARS: 12th, I think.

25 MR. FORMAN: 12th or 22nd?

1 In April I sent out a little CNP E-mail and
2 indicated to people what we had found per that plan just
3 to keep people on the CNP list, the Community
4 Notification Plan list, informed.

5 When we found that, we knew -- we knew a couple
6 of things right off. One, we did find some methane
7 subsurface. No surprise. We did find some methane at
8 the surface. That's a bit of a surprise. So we know
9 that we have to further our investigation and do more
10 investigating.

11 The first action we took was: We installed 12
12 of these landfill gas-monitoring probes -- you'll see
13 that acronym again, GMP -- along the landfill and the
14 U.C.S.F. fence line on April 22nd.

15 And the reason why we did that is: We wanted
16 to know more -- Now that we had found the extent of the
17 waste of the landfill -- and it went up to the fenced
18 boundary between the landfill and the University of
19 California compound -- we wanted to know a lot more
20 about what the levels of the gas are there.

21 Now, the difference here is: When you do a
22 soil-gas survey, that's a great tool. But what that is,
23 that's a snapshot in time. You go out in the field; you
24 punch a hole in the ground, and you find a result.
25 That's valuable data for screening. But what you can't

1 do is: You can't keep going out to that spot and
2 getting results.

3 So what you do is: You spend the extra money,
4 and you put in permanent gas-monitoring probes, and
5 that's what we have done there. The advantage to having
6 gas-monitoring probes is: You can keep going out and
7 monitoring, and that's what we're doing.

8 Okay. Next slide.

9 All right. So looking here -- and again, I
10 hope you have your handout with you, because at a
11 distance, unless you have better eyes than I do, it's
12 kind of hard to see some of this stuff.

13 But take a look there at some of the things
14 we've found, and you can see there by the dots what the
15 soil-gas locations were. Now, the green dots represent
16 places where we have substantiated that there's no
17 landfill gas, that we got nondetect or zero. Actually,
18 we got zero at those locations. The blue dots are
19 places where we did not get zero.

20 So if you put those together, you can see --
21 you can begin to see an outline of where the subsurface
22 landfill gas is. Okay.

23 MR. TOMPKINS: Excuse me. It's different --

24 MR. BROWN: -- differentiate --

25 MR. TOMPKINS: I can't make a difference

1 between the blue and the green.

2 MR. KAO: Handouts --

3 MR. TOMPKINS: Really --

4 MR. FORMAN: Okay.

5 MR. TOMPKINS: -- just to let you know I . . .

6 (Simultaneous colloquy.)

7 MS. PETERSON: Little round ones and little

8 round ones.

9 MR. FORMAN: All right.

10 MS. WRIGHT: I don't have a problem with it.

11 DR. SUMCHAI: Is the green along the zero

12 methane line?

13 MR. FORMAN: Yes.

14 DR. SUMCHAI: Okay. So that orange line . . .

15 MR. FORMAN: Exactly. And, Dr. Sumchai, to be

16 honest with you --

17 MS. PETERSON: Big ones are green.

18 MR. FORMAN: -- I'm a little color blind

19 myself. So --

20 MS. PETERSON: Little ones --

21 MR. FORMAN: -- I -- I can make it out but only

22 because I've seen this before.

23 Okay. We can work at making those --

24 especially when you see them in the form of a formal

25 document like a tech memo, we can make that a little

1 clearer.

2 MR. MASON: What you're saying to me is that
3 the gas is just right in that location, and it's not
4 moving. On the perimeter where the orange is, that's
5 where it's not. But on the inside, that's where it is,
6 so it's not moving anywhere?

7 MR. FORMAN: No, I did -- I didn't say that.

8 MS. PETERSON: You --

9 MR. FORMAN: But again, that's a question --

10 MS. PETERSON: In all fairness, you have to let
11 Ahimsa ask her question too.

12 MS. PENDERGRASS: And she has been very
13 patient.

14 MS. PETERSON: That's right. In all fairness.

15 MR. MASON: I -- I sure can. I -- I apologize
16 for the outburst.

17 MR. FORMAN: Not a problem. I wasn't about to
18 answer your question anyway.

19 MS. PETERSON: Yes, you were.

20 MR. FORMAN: So go ahead.

21 Go on to the next slide. Hold it till after
22 the presentation. Okay. All right here.

23 Now, let's look at what we did after the first
24 round of investigating with those one-time soil-gas
25 surveys that I was talking about.

1 We installed some gas-monitoring probes, and
2 you can see those here. And we put in 12 of them, and
3 you can see those in the red boxes, or at least that
4 looks like red to me.

5 MR. BROWN: Mm-hmm.

6 MR. FORMAN: Okay. All right.

7 Now, you can see there in the probes, you can
8 see the results. Can everybody see those readings?
9 Okay. And that's percentage of methane in air for each
10 location.

11 (Simultaneous colloquy.)

12 MR. FORMAN: That's right, there are some very
13 high readings in some places. You're exactly right.

14 And you can also see -- Do you see the four
15 orange dots?

16 ATTENDEES: Mm-hmm.

17 MR. FORMAN: Okay. Those are monitoring wells
18 within the landfill where we also did monitoring simply
19 for comparison purposes. And that's simply to
20 compare -- I mean that you -- you figure that that's --
21 we know that that's already landfill; and in fact, those
22 four monitoring wells are -- are also where the cap is
23 located.

24 Okay. Now, since then we have been looking
25 at -- we have been looking at the situation, and there's

1 more that we need to do.

2 We -- The first round of gas-monitoring probes
3 that we put in, remember, substantiated, okay, the
4 extent of the waste comes up to here; and if you look
5 back at the gas-monitoring probes, they kind of mirror
6 that.

7 But we also have -- we need to demonstrate here
8 that we know where and if the gas is migrating, not on
9 the surface now, but subsurface, particularly with an
10 emphasis on this chunk of land here, up in here, which
11 is Parcel A.

12 MR. MASON: Right.

13 MR. FORMAN: So the next round of
14 gas-monitoring probes we're going to put in, seven of
15 them that you can see here, here, here, here, and here,
16 our initial round of gas-monitoring probes will monitor
17 along the border of Parcel E. This is Parcel E, and
18 this is Parcel A [indicating]. And again, that's to
19 gather more data to see if any landfill gas is found in
20 those areas.

21 Now, we're going to do that, I say, the next
22 round; but that's in the very near future. We're going
23 out into the field starting tomorrow to put those
24 gas-monitoring probes in.

25 Okay. Next. Here's an interesting graphic,

1 and I didn't mean to confuse anybody. And if this
2 graphic does confuse someone, I can talk with you later
3 about it.

4 But this basically gives you a little bit of a
5 view of a cross section, and I think -- I hope many of
6 you can come out to our field trip, and it's much easier
7 to see when you're in the field out there on the site
8 with us than to look at a cross section. But it's
9 better to have a cross section, I figure, than to have
10 nothing.

11 So this is what we came up with. And as you
12 can see here, here's the landfill cap. There's a fence
13 line. Building 830 is the lab building for the
14 University of California-San Francisco. This is -- this
15 is a cross section of Crisp Avenue, okay; and this is
16 where the first round of gas-monitoring probes are; and
17 this is where, starting Friday, we're going to put the
18 next round of gas-monitoring probes.

19 Now, you can see, especially if you've been out
20 there, if you know Hunters Point very well, you know
21 this is Parcel E, Parcel E up to about here, right here;
22 and then you have the U.C.S.F. compound. That's not
23 Navy owned, as was pointed out.

24 And then you have a section that is Navy owned
25 in here, and then you have Parcel A, which is still Navy

1 owned. And as you know, the topography there is, if
2 you're on Parcel A on the top here, you have a great
3 view, because it's very steep. It goes up steep very
4 quickly.

5 So that's what we're dealing with here. And
6 this is where we're putting the probes, the next round
7 of probes.

8 MS. PETERSON: Now, are you saying "Friday," as
9 in tomorrow?

10 MR. FORMAN: Yes, ma'am.

11 MS. PETERSON: Okay.

12 MR. FORMAN: But again, there I go answering
13 questions.

14 MS. PETERSON: No, but you said you needed to
15 give that clear --

16 MR. FORMAN: Yes.

17 MS. PETERSON: -- 'cause you said "starting
18 Friday," but you didn't give a date.

19 MR. FORMAN: Okay. Starting Friday, as in --

20 MS. PETERSON: Tomorrow.

21 MR. FORMAN: -- less than 24 hours from now.

22 MS. PETERSON: Okay.

23 MR. FORMAN: But probably about 12 hours from
24 now.

25 MS. PETERSON: Oh, okay.

1 MR. FORMAN: Okay. So what's next? Well, we
2 have been working with -- we've been working with the
3 University of California-San Francisco; and in fact,
4 I've got another meeting with a member of U.C.S.F.
5 tomorrow to try and keep them in the loop.

6 We have been working with the regular
7 regulatory agencies, and that includes people like Chein
8 Kao from DTSC and Michael Work from US EPA and Michael
9 Rochette from the Water Board.

10 But it also includes -- and this is important
11 to know: It includes other regulators that we don't
12 normally deal with, and that's because this is a
13 landfill. A landfill is a special kind of site, and
14 this special site requires other regulators.

15 So Chein Kao has brought in with the Navy, but
16 through Chein, the California Integrated Waste
17 Management Board.

18 And you'll be hearing a lot more about the
19 Waste Management Board, because they are the experts in
20 this field for the State of California; and there's a
21 gentleman named Gino Yekta. He is the representative
22 who is working on this project currently with Chein.
23 And he represents the California Integrated Waste
24 Management Board.

25 In addition to that, a compatriot of his,

1 Mr. Henry Louie -- I got that right, didn't I, his last
2 name? Okay -- Mr. Henry Louie, only met him once, but
3 he represents the local enforcement agency here in City
4 of San Francisco, and they locally enforce sites, such
5 as and including things like landfills.

6 And on May 16th when we did a site walk with
7 the City of San Francisco and a number of the regulators
8 and the University of California people, Mr. Gino Yekta
9 from the Waste Management Board was there, and Mr. Henry
10 Louie was also there from the City of San Francisco, who
11 is your local enforcement agency for these type of
12 sites. So they were involved in the site walk and have
13 been involved in discussions about what's next.

14 And they concluded, first of all, well, there's
15 a problem here. We need to find out more about what's
16 going on.

17 So that's when we sprung into action, and we
18 put in -- we're putting in more gas-monitoring probes
19 and listening to and generally following the guidance of
20 the regulators, including these two additional
21 regulators.

22 And that's what we're going to do: We're going
23 to very quickly get out there, put in more probes,
24 gather more data, and figure out what the picture of
25 what's going on is so that we can make good decisions on

1 what to do about this.

2 Some of the immediate actions that have already
3 begun: We're doing weekly air surveys in the U.C.S.F.
4 compound. We're doing weekly monitoring of the
5 gas-monitoring probes. And remember, these permanent
6 probes, we put in 12; and we're putting in another 9, I
7 believe.

8 MR. DeMARS: Nine.

9 MR. FORMAN: Nine. Well, I say nine because
10 seven that are on the border of Parcel E and Parcel A
11 that I talked about, but there's also -- and I believe
12 it's in your handout -- there's also two additional
13 gas-monitoring probes that we're putting on the western
14 side of the base on the side where Palou Avenue is
15 and -- what's the name of that street?

16 MR. ATTENDEE: Griffith.

17 MR. ATTENDEE: Fitch.

18 MR. DeMARS: Finch.

19 MS. ATTENDEE: Yeah. Griffith --

20 MR. FORMAN: No.

21 MR. ATTENDEE: Crisp.

22 MR. ATTENDEE: Crisp.

23 MS. ATTENDEE: Crisp.

24 MR. FORMAN: No, not Crisp. It starts with an

25 "F."

1 MR. ATTENDEE: Fitch.

2 MR. MASON: Fitch.

3 MR. FORMAN: Fitch. Couldn't remember it.

4 Yeah, Fitch Avenue, which is on the western border of
5 the base there.

6 Close to that we have two more mo- --
7 gas-monitoring probes that we're putting in on that; and
8 that, again, is upon the recommendation of Mr. Yekta
9 during the site walk where he said, "I think you need a
10 little more data in this area." So we went ahead and
11 did that.

12 Okay. So we're go -- we're in the
13 data-gathering mode. We're going to be doing this
14 weekly. That is, by the way, a very high frequency for
15 going back to these probes. The reason why we want to
16 do that is: We want to gather a lot of data in a fairly
17 short period of time in order to try and figure these
18 things out in an efficient manner.

19 We will be coming out with a tech memo in late
20 June that compiles all of what we found out, and you'll
21 get to look at all the data from all the points.

22 At the same time, though -- again, I want to
23 put in a plug -- I will be out with the team and with
24 our contractors and, hopefully, with many of you out on
25 Saturday on June 22nd. We will walk the site. We'll

1 meet at the main gate. We'll be taken out to the --
2 where the gas-monitoring probes are. We'll walk the
3 site, and you will watch probably Rebecca and Kim -- if
4 not them, others --

5 MS. LESHER: Sure.

6 MR. FORMAN: -- actually collect another round
7 of weekly data.

8 Normally we're taking the data on Wednesday;
9 but on that week, we're going to move it to Saturday for
10 the convenience of the Restoration Advisory Board
11 members so that you can be out there and watch us as we
12 monitor.

13 Okay. And we'll continue to give you updates
14 and presentations.

15 One of the things that I envision happening is:
16 You get to a certain point on a project with a -- a RAB
17 where it's an ongoing project, and you don't want to
18 just have presentations once every four or five months.
19 You --

20 So I'll be giving you updates every RAB meeting
21 on this project. That'll be one of the standing things
22 I'd like to put in on the agenda where I can talk to you
23 about what we have done, every single RAB meeting update
24 you on what we have done on this site and the ongoing
25 investigation and future actions that we're going to

1 take with regard to this, this landfill gas issue.

2 Okay. And again, I welcome you to visit with
3 us, take a field trip out to the site on June 22nd.

4 Okay. Now, the next portion, aha, is fieldwork
5 photographs --

6 MS. PENDERGRASS: Before you go to that --

7 MR. FORMAN: Get some questions?

8 MS. PENDERGRASS: -- section, can you take some
9 questions on --

10 MR. FORMAN: Yes.

11 MS. PENDERGRASS: -- that section? So --

12 MR. FORMAN: Good idea, Marsha, and -- yeah,
13 this is a good time to break and to -- to break the
14 presentation up and to ask questions on the
15 presentation, and then Mr. DeMars will go over some of
16 the field photographs.

17 MS. PENDERGRASS: Okay. Dr. Sumchai's first.

18 DR. SUMCHAI: Well --

19 MR. FORMAN: Yes.

20 DR. SUMCHAI: Mi- -- Mr. Forman, thank you very
21 much. That was a very insightful presentation, and we
22 certainly appreciate that you are going to be taking
23 guidance from the regulators for the -- from the
24 community about this issue that's been an issue of
25 concern for some time.

1 I did want to address the issue of the Hunters
2 Point Shipyard property description, which is included
3 in the Region 9 EPA as part of the CERCLA ID.

4 And I sent an E-mail to several of you, you
5 know, when I -- when I came across this.

6 The CERCLA ID number for Hunters Point Shipyard
7 property specifically includes the lands that had been
8 transferred and makes specific reference to inclusion of
9 the 3.4 acres where Building 815 is housed.

10 And -- and, Amy, you -- you've pointed out in
11 the meetings a couple of times that, you know,
12 Building 815 is not on prop- -- on Parcel A.

13 And, you know, the point is that under the
14 CERCLA ID, these transferred lands are referred to as
15 off-base properties, but they still are included in
16 Hunters Point Shipyard property. And I interpret this
17 to mean that under the CERCLA Act -- you know, the
18 Superfund Act still sees, you know, the Navy as being
19 responsible for these transferred lands to the extent
20 that regulatory requirements have to be met.

21 And clearly, that's what you're doing: You're
22 meeting the requirements. I mean, you sample gas at
23 815, you know, according to this air survey.

24 So, you know, I -- I just don't -- I -- I think
25 that the discussion about, you know, ownership of the

1 land gets confusing, you know, that -- you know, the
2 property description under EPA, Region 9, includes these
3 lands, and we are required to live up to statutory
4 requirements with regard to their remediation.

5 MS. PENDERGRASS: We're going to take one more
6 question from -- from --

7 MR. ATTENDEE: I would --

8 (Simultaneous colloquy.)

9 MS. PENDERGRASS: Wait. Wait a second. Just a
10 second.

11 We're going to take one more question, and then
12 we're going to take a break; and we're going to come
13 back, and we'll resume questions, because the recorder
14 [sic] needs a break.

15 MR. ATTENDEE: Okay.

16 MS. PENDERGRASS: That's the only reason.

17 MR. TISDELL: Nah.

18 MS. PENDERGRASS: So --

19 MS. PETERSON: Point of clarification, though.

20 Dr. Ahimsa Sumchai made a statement. You didn't say
21 "Yea" or "Nay," and I'm in agreement with her.

22 So for point of clarification, even though it's
23 now owned by U.C., the Navy is still responsible; is
24 that not correct?

25 MR. WORK: Yes. That's actually what I wanted

1 to say.

2 MS. PETERSON: Thank you. Now it's in the
3 record.

4 MR. WORK: You're -- you're -- Let me clarify
5 that a little further.

6 The property does not belong to the Navy; but
7 under CERCLA the Navy is responsible for any
8 contamination that they created that's on that property.

9 MS. PETERSON: Exactly.

10 MR. FORMAN: That's true.

11 MS. PENDERGRASS: Okay. So we just need a --
12 with that cleared up, Mr. Mason, did you want to go
13 ahead and ask your question before we break? Or --

14 MR. MASON: I'll ask it -- I'll ask it
15 afterwards.

16 MS. PENDERGRASS: Okay.

17 We're going to -- Mr. Tisdell, we're going to
18 take a break. The reporter needs a break. She needs a
19 break. She won't be able to catch us. So we'll take --

20 MR. TISDELL: I'll take her place.

21 MS. PENDERGRASS: -- take ten.

22 (Recess 7:01 p.m. to 7:10 p.m.)

23 MS. PENDERGRASS: All right. Thanks for coming
24 back together. Mr. Forman is going to move to the
25 next -- I think we still had some questions.

1 Mr. Work, you had -- did you finish up on your
2 comments? You did have a question . . .

3 MR. WORK: Okay. Well, I -- I just wanted to
4 reassure the RAB that yes, under CERCLA any
5 contamination created by the Navy and the operation here
6 at Hunters Point would be addressed.

7 MS. PENDERGRASS: Okay. Very good.

8 Mr. Tisdell, did you have something germane to
9 the presentation?

10 MR. TISDELL: Yes.

11 MS. PENDERGRASS: Okay.

12 MR. TISDELL: Mr. Forman, like you say that --

13 MR. FORMAN: Yes, sir.

14 MR. TISDELL: -- that landfill gas is -- is
15 going, seem like, over there behind the -- the lab,
16 yeah, the animal lab, you know, U.C.S.F.?

17 MR. FORMAN: Yes.

18 MR. TISDELL: Okay. And you say, like, it's --

19 MR. FORMAN: Building 830.

20 MR. TISDELL: Huh?

21 MR. FORMAN: Building 830.

22 MR. TISDELL: Yeah, that one. And you say it
23 seemed like you guys detected it up, you know, on
24 Parcel A going up -- you know, going up the hill?

25 MR. FORMAN: I'm sorry, I didn't hear what you

1 said.

2 MR. MASON: You guys supposed to go over there.

3 MS. PENDERGRASS: Forward.

4 MR. TISDELL: Okay. But -- okay. Now, you
5 getting ready to probe -- okay. You getting ready to
6 probe the -- the Parcel A, right? And -- and -- but,
7 okay, now, since you have a suspicion that it's
8 traveling up that way, don't you think that you should
9 do behind Building 815 where there's more people in the
10 community that lives up there?

11 MR. FORMAN: Okay. Let's go to where the
12 probes we're putting in on.

13 MR. MASON: It's right in that area.

14 MS. RINES: It's right behind.

15 MR. TISDELL: Right behind.

16 MS. RINES: There's two probes he says he's
17 going to put right behind it on the map, 18 and 19.

18 MS. PENDERGRASS: Okay. So the question was:
19 Will they put --? Are there going to be probes put
20 behind that building?

21 MR. FORMAN: Keith, since, remember, this is a
22 process where -- this is a process where you step out,
23 right, and you investigate further, let's see what we
24 find from these probes --

25 MR. TISDELL: Okay.

1 MR. FORMAN: -- 13 through 19 --

2 MR. TISDELL: Yes, okay.

3 MR. FORMAN: -- okay?

4 MR. TISDELL: Okay.

5 MR. FORMAN: And that is -- that's behind
6 Building 815, okay, although, I mean, from what's --

7 MR. TISDELL: That's in front of Building 815.

8 MS. ATTENDEE: In front.

9 MR. ATTENDEE: In front.

10 MR. ATTENDEE: It's in front.

11 MR. FORMAN: Okay, depending on where you're
12 standing.

13 MR. ATTENDEE: Or where you live, where you
14 live.

15 MR. TISDELL: Where I live, I look at
16 Building 815 all the time.

17 MR. FORMAN: Okay. All right.

18 MS. PENDERGRASS: All right. Miss Shirley?

19 MR. TOMASZKIEWICZ: Chris.

20 MS. SHIRLEY: Yes.

21 I have two questions, first on the -- On the
22 slide called "Currently Installed GMPs," there's a
23 percentage reported. Can you be specific about what
24 that is a percentage of?

25 MR. FORMAN: Right there.

1 MS. SHIRLEY: I don't -- If it's in -- That
2 seems h- -- Is it percentage of lower explosive limit
3 or in air? That's in the air, okay. Thank you. I
4 needed that --

5 MS. PENDERGRASS: All right. And then we have
6 one --

7 MS. SHIRLEY: Wait. I have one other --

8 MS. PENDERGRASS: Oh, I'm sorry.

9 MS. SHIRLEY: -- suggestion, question.

10 MR. FORMAN: A suggestion?

11 MS. SHIRLEY: I was looking at the Parcel A
12 remedial investigation, and there's a map in there that
13 shows the 1935 shoreline on the -- goes on the other
14 side of Crisp Avenue.

15 So my suggestion is to consider placing some
16 probes in -- along that historical shoreline area, if --
17 if need be, in other words, to look at the map when
18 you're -- if you need to go -- step out further --

19 MR. FORMAN: If we have to --

20 MS. SHIRLEY: -- if you --

21 MR. FORMAN: -- step out further.

22 MS. SHIRLEY: Right.

23 MR. FORMAN: Okay. All right.

24 MS. SHIRLEY: Because the shoreline extends
25 pretty far up past 815.

1 MR. FORMAN: Okay. Well, let's see what we
2 find out at this next series of probes; and then
3 depending upon what we find with these series of probes
4 right along here depends on which direction we go,
5 right, and we further delineate.

6 MS. PENDERGRASS: Lynne, Lani, and then --

7 MR. TOMASZKIEWICZ: Mike, Mike. I have a
8 brief --

9 MR. BROWN: This 1992 ATSDR report already said
10 that methane was emitting from IR-01, 21, 3, 12, 7, and
11 18. The Navy hasn't done anything to correct it, and
12 now we put the cap on there. Now Keith was the first
13 one that noticed that it -- it had a fire.

14 Richard Mach told us that, "Oh, it's not on our
15 property, though." How -- and this is before the cap
16 was even put on. This stuff has been emitting into the
17 community for this long, for since they started. When
18 was that? 1961 the land -- they started putting stuff
19 down there?

20 This stuff has been emitting into the
21 community, and the methane has built up. And it says
22 this in '92, and it's not -- and you taking more
23 surveys? It's right here. It's right here already.

24 MS. PENDERGRASS: So your -- so your
25 comment --?

1 MR. BROWN: My comment is that the ATSDR report
2 is already saying this, and not only on the IR-01. It's
3 over on the other side too, in IR-07 and 18. We should
4 go over there too.

5 MR. FORMAN: Okay. Okay, Lynne. Then thanks
6 for that comment.

7 MS. PENDERGRASS: Lani.

8 MS. ASHER: Okay. Methane is a vehicle for
9 other chemicals. In your measurements here, we have --
10 I have no idea what other chemicals are being carried
11 with the methane gas and what.

12 Can you address what other chemicals are being
13 carried by the methane gas and what percentages you
14 found and what you're --

15 MR. FORMAN: Yeah.

16 MS. ASHER: -- screening for?

17 MR. FORMAN: Okay. I don't have that with me
18 now. We do have data on that. We did test for other
19 volatile organic compounds.

20 Did you want to say anything more about that?
21 I don't have the data with me.

22 MR. DeMARS: Well, basically, one -- one of
23 those detectors that we showed, it does test for
24 volatile organic compounds. Those were -- That machine
25 was out there at the same time the methane thing was.

1 In addition, we took some air samples and sent
2 them to the lab. We're still getting those labs back.

3 And what we tested for, to answer your
4 question, was a method -- an EPA method called TO-14,
5 which is like a laundry list of, like, 50-some odd
6 chemical compounds, and we're getting the results back
7 right now.

8 MS. PENDERGRASS: So that will be provided in
9 the update when it's released?

10 MR. DeMARS: Well, plus, it will be in the --
11 in the June tech memo.

12 MR. FORMAN: June tech memo.

13 MS. PENDERGRASS: Okay. Very good.

14 Michael.

15 MR. TOMASZKIEWICZ: And my question is: Keith
16 mentioned the California Integrated Waste Management
17 Board, and I was wondering what Keith's opinion is of
18 the May 7th letter that the Board wrote to the -- to the
19 DTSC saying that the landfill is actually in violation
20 of some state law and that -- that the Board actually
21 recommends a gas-control system. So I was wondering
22 what the Navy's position is on that letter.

23 MR. FORMAN: The Navy's position is: What we
24 did is: We called the Waste Management Board, and we
25 have been working on -- with them on that.

1 And it's true that if you have -- what they
2 were referring to, I believe, was -- do you have the
3 letter with you?

4 MR. TOMASZKIEWICZ: Yes.

5 MR. FORMAN: I think it was Section 21190.

6 MR. TOMASZKIEWICZ: Twenty -- it says Title 27
7 on --

8 MR. FORMAN: Right, Title 27 --

9 MR. TOMASZKIEWICZ: Yeah, 21190, correct.

10 MR. FORMAN: Title 27, 21190, which says any
11 time you have any methane in excess of 5 percent by
12 volume in the air, you are in violation of that if it
13 crosses your property boundary. So he's right.

14 So we do have to do something, and these are
15 some of the things we're -- well --

16 MR. TOMASZKIEWICZ: Sir, do you support the
17 gas-control system?

18 MR. FORMAN: No. We are not there yet. We
19 don't -- We're going to have to do something. But what
20 he's saying is what -- a potential thing that we may
21 have to do in order to get in compliance with 21190.

22 MR. TOMASZKIEWICZ: Okay. Thank you.

23 MR. FORMAN: Yeah. But the same person who
24 wrote that -- and I believe it was signed up by what --
25 Michael Wochnick, who's Gino Yekta's boss, right. And

1 I've worked with him before on other landfill sites.

2 He's just alerting us in writing: "Hey, we know about

3 this. You need to gather some data, and together we

4 need to figure out what we're going to do about it."

5 But in that case, it's not just the Navy making

6 that decision. It's the City of San Francisco, the

7 regulators, including Michael Wochnick and Gino

8 Yekta . . .

9 MS. PENDERGRASS: Okay. We have three

10 questions that probably just about will close this

11 discussion. So here, there, and then back there.

12 MR. KAO: Yeah. Could you tell me the -- the

13 model nu- -- what's the combustible gas equipment, and

14 what's the VOC?

15 MS. LESHER: Yeah. The VOCs gas indicator is a

16 Gas Tech GT-201. And the VOC monitor we're using is a

17 PID. It's made by Thermo Environmental Instruments

18 Incorporated. It is Model 580B.

19 MS. PENDERGRASS: All right.

20 Lani.

21 MS. ASHER: I just wanted to talk about the

22 TO-14 list that you're testing for, and can you explain

23 to other people here what that is and your sort of

24 methodology that you'll be using when you --

25 MR. DeMARS: Once the --

1 MS. ASHER: -- analyze it?

2 MR. DeMARS: -- sample's collected and sent to
3 the lab, that their sample's analyzed. Again, there's a
4 whole shopping list of, like, 50 different compounds,
5 benzene, toluene, a -- long chemicals with names I can't
6 even pronounce, and we'll get those back, again, when we
7 get the results back.

8 MS. ASHER: And is -- is it you test for one
9 in -- and I don't know this -- one in a million? What
10 is the -- the sort of standard methodology that you use?

11 MR. DeMARS: When it comes back from the lab,
12 each of those compounds detected will have a
13 concentration --

14 MS. ASHER: And what is --?

15 MR. DeMARS: -- attached to that.

16 MS. ASHER: And what is the concentration that
17 you'll look -- you'll be looking for that's considered
18 safe?

19 MR. DeMARS: Well, basically, anything above
20 the laboratory's detection limit, they'll be reported;
21 and we'll get that back, and we have to sit down and
22 compare that and evaluate it against certain criteria.

23 MS. ASHER: And what will that criteria be?

24 MR. KAO: There's a quick -- there's a quick
25 check list called PRG, preliminary remediation goal, for

1 air that you can check with that.

2 MS. ASHER: Okay. I just don't know. I'm not
3 a scientist.

4 MR. DeMARS: And there's -- there's air PRGs
5 just like there is PRGs for water and soil
6 contamination.

7 MS. PENDERGRASS: Yes, ma'am.

8 We have audience question.

9 MS. JACKSON: Yes. My name is Helen Jackson
10 from All Hallows. I represent 157 tenants that live in
11 the spot that you working on capping now. We have
12 breathing problems. We have coughing. There's children
13 over there.

14 I want to --

15 DR. SUMCHAI: Asthma.

16 MS. JACKSON: And asthma.

17 I want to know everything that you doing in
18 there information from this day forward. I want to
19 leave my card, and there's a fax number. You can fax to
20 me on the fax machine. I was a faithful member in this
21 installation here when we were down on Evans, and I'm
22 taken sick. Today's my first day back, and that's been
23 some two and a half years ago.

24 MR. MASON: Glad to see you.

25 MS. JACKSON: So --

1 MS. PENDERGRASS: So your -- your comment is
2 that you'd like to get information on what's going on?

3 MS. JACKSON: The literature that you have,
4 yes.

5 MS. PENDERGRASS: Okay.

6 MS. JACKSON: I'd like to get it faxed to me.
7 Here's my card.

8 MS. PENDERGRASS: Okay. The -- Are you
9 talking about just the information we're talking about
10 tonight or just all the information?

11 MS. PETERSON: All the information.

12 MS. PENDERGRASS: Okay, because if you're
13 talking about all the information at this point, it
14 is -- it is on the Web site in addition to the --

15 MS. JACKSON: The last letter I got was
16 February 2nd, 2002, is the last quarterly you -- you
17 sent me. I have -- I have nothing else.

18 MS. PENDERGRASS: Right, because I think what
19 has happened over time -- just explain my understanding
20 is: What's happened over time is that they are
21 eliminating the paper copies of the -- of the report,
22 and it's going out via e-mail.

23 MS. JACKSON: Well, I'm sorry, you'll have to
24 use government stamps and mail it to me.

25 MS. PENDERGRASS: Okay. Okay. Good point.

1 Okay. We'll make sure that happens.

2 (Simultaneous colloquy.)

3 MS. PENDERGRASS: Okay. We'll make sure that
4 that happens. Okay. Good point.

5 Okay. Mr. Tompkins, we had closed our
6 questions, so -- I'm sorry --

7 MR. TOMPKINS: I'll wait till later.

8 MS. PENDERGRASS: -- unless you have a quickie.
9 Okay.

10 MR. TOMPKINS: Later.

11 MS. PENDERGRASS: All right. Sir -- I'm sorry.

12 MR. TOMPKINS: No, I'll wait till later.

13 MS. PENDERGRASS: Okay.

14 All right. Got a few more things to cover
15 tonight and want to -- I'm sorry. Did you want to go to
16 the next point?

17 MR. FORMAN: Photographs.

18 MS. PENDERGRASS: Photographs. I'm sorry.

19 MR. FORMAN: Yes.

20 Lights. Thanks, Bob.

21 MR. DeMARS: I just want to take a few minutes
22 real quick, just run through a few photos that show what
23 we're doing just so everyone doesn't think we're making
24 this stuff up. I mean, we really did go out in the
25 field and really did collect the data, and we've got

1 photographs to show.

2 Also, you'll be seeing -- those of you who come
3 out on June 22 will be seeing at lot of the same things
4 that are already in the field.

5 The first photo just shows some of the
6 equipment that we used. This equipment right here is
7 very similar to the ones that were demonstrated here
8 tonight, except that piece of equipment kind of in the
9 blue casing there is used when we do a direct push in
10 the ground and measure subsurface landfill gas.

11 This -- The hose from this equipment is
12 lowered into the ground, and that's how we measure the
13 gas that's underneath.

14 Typically we take two measurements underground.
15 We lower this hose down to about the 3-foot level, take
16 a measurement, and then it's read on a LCD readout
17 display here. Then we lower it down to approximately
18 8 feet and take another reading.

19 Why only 3 feet and 8 feet? Because in the
20 area around the landfill that we're investigating,
21 groundwater occurs anywhere from 10 to 12 feet and
22 naturally wouldn't do any good to put the probe in
23 groundwater. It would defeat the purpose of measuring
24 gas.

25 This thing here, it looks like -- I don't

1 know -- something you'd -- I don't -- something that
2 would be part of a barbecue set for a cookout. Looks
3 like a propane tank. This is actually called Summa
4 canister, and this is how we collect gas for analytical
5 samples that we send to the lab.

6 There's actually a vacuum inside this thing,
7 and there's a valve at the top; and once you hook up
8 to -- air sample hose to it and turn the valve, and the
9 vacuum inside pulls the air into it; and this is what
10 gets sent to the laboratories. And this is how they
11 receive the air samples, and that's what they do their
12 samples on.

13 The next picture is kind of hard to see. This
14 is actually the back of a truck. This is a vehicle that
15 actually pushes the hollow tubes in the ground that
16 allows us to take the gas samples.

17 Next. Next slide. Okay.

18 MR. MASON: Is that one of our community people
19 working out there?

20 MR. DeMARS: As a matter of fact, this young
21 man right here is in that picture. So it's our folks.
22 It's our folks.

23 Okay. As -- as Keith mentioned, there's --
24 across the landfill, there's a series of groundwater
25 monitoring wells, and happily we were able to take

1 advantage of taking gas samples out of those groundwater
2 wells.

3 Now, you may be wondering why on earth are we
4 taking gas samples from groundwater wells.

5 What happened was: Some of these wells have
6 screened intervals that are above the groundwater table.
7 So above the water table is still in the soil, but we
8 were able to put probes down those and take gas
9 measurements, and that's telling us what's underneath
10 the landfill cap so we can compare what's underneath the
11 cap to what was done out in the perimeter of the cap.

12 And again, here's another example of walking
13 with a field instrument along the perimeter of a fence
14 line doing real-time sampling.

15 Okay. Again, this is a picture of a typical
16 rig that's used. It's a hydraulic system that's used to
17 drive these hollow tubes into the ground that allows us
18 to take landfill gas measurements.

19 Also when we do this, we drive a tube into the
20 ground, and we pull up soil samples. And this is --
21 happens to be a soil sample that we pulled up.

22 And those are very important for a couple of
23 reasons. This allows us to look at the soil geology and
24 soil lithology, which basically helps us determine or to
25 help predict which way the subsurface landfill gases is

1 able to flow.

2 If we pull up a core of soil and that's got
3 clay and other things in it, we know that landfill gas
4 is less likely to go in that direction.

5 If we pull another sample that's very porous,
6 has a lot of sand in it, then we know that's a good
7 candidate, and that's a good direction of landfill gas
8 that will be more apt to go.

9 Next.

10 Okay. The GMPs that Keith talked about, as you
11 see here -- it's a little hard to see -- the slightly
12 bigger vehicle, slightly bigger drill, not just
13 hydraulically pushing a tube into the ground now where
14 this is an actual hollow-stem auger. So we're drilling
15 a much bigger hole to put in the GMPs. And again, GMPs
16 is gas-monitoring probe. Okay?

17 And this is what a finished gas-monitoring
18 probe looks like. It looks suspiciously like a
19 groundwater monitoring well only in the miniature
20 version. And essentially that's what it is. It's got
21 the same components as a groundwater monitoring well.
22 It's nothing more than a tube in the ground with a
23 screen that allows the gas to flow in in subsurface and
24 collect so we can pull samples.

25 So this is an example of one next to the

1 University of California fence line, and here's another
2 one, almost the same place. All right.

3 And again, inside that shiny metal box, there
4 is really, to oversimplify, nothing more than a PVC tube
5 that's sitting there with a lot of protection around it.
6 And we do pop open these boxes, and boy, they are locked
7 so not anyone can just walk up and get into them.
8 There's a valve on the top; and again, you just walk up
9 with your sampling equipment, hook up to this valve, and
10 you're able to pull gas from the subsurface in order to
11 make a measurement.

12 And I think that is it.

13 And again, when you -- when you go out on
14 June 22nd for a sampling event, you'll get to see these
15 and other features in person.

16 MR. BROWN: I got a question.

17 MS. PENDERGRASS: Yes, sir.

18 MR. BROWN: Will that -- will that gas thing
19 that you just put down there -- will it identify 226,
20 radium 226 or ce- -- cerium [sic] 137 or any kind of
21 radioactive waste that's out there in the landfill also?

22 MR. DeMARS: Yes. We will sample -- Once we
23 take analytical samples of that, yes, we will sample for
24 that, test for it.

25 MR. TOMPKINS: Two things.

1 MR. CAIN: Okay. Wasn't the backfill supposed
2 to eliminate all of that? The backfill dirt.

3 MR. DeMARS: I'm sorry. Which backfill dirt?

4 MR. CAIN: Coming from the BART, coming from
5 the city and then it came from BART, the capping.

6 MR. BROWN: 808.

7 MR. CAIN: The dirt that they were pulling in
8 by 808.

9 MR. MASON: The free dirt that was brought out
10 there by -- by the trucker.

11 MR. DeMARS: The gas affecting the dirt?

12 MR. CAIN: Was -- wasn't that supposed to
13 eliminate the gas?

14 MR. DeMARS: Oh, no, not at all. That wasn't
15 the purpose. The purpose of the BART soil was to
16 backfill excavations that were dug out to remove soil
17 contamination from different parcels, but they're not
18 for the landfill.

19 MR. CAIN: Okay.

20 MS. PENDERGRASS: Last question. Mr. Tompkins?

21 MR. TOMPKINS: Okay. Couple questions for the
22 technicians. In terms -- I see you doing the scanning.
23 What is the accuracy of your units? I know the model's
24 been asked. Do you measure parts per billion? parts per
25 trillion? What do you go to?

1 MS. LESHER: The -- the OVM me- -- photo
2 measures VOCs, measures in parts per million and then an
3 accuracy down to, I think, zero point zero, just one
4 decimal point over, tenths of parts per million. And
5 the -- the Gas Tech instrument that measures combustible
6 gasses measures it in percent of the LEL or in parts per
7 million.

8 (Mr. Rodriguez arrives at 7:30 p.m.)

9 MR. TOMPKINS: "Parts per million."

10 When was you set up to? Yeah, I know. When
11 your VOCs, what are you set up for to look for? 'Cause
12 I did a -- a VOC a couple years back. And so what were
13 you set up?

14 MS. LESHER: This --

15 MR. TOMPKINS: What do your instruments to
16 measure [sic]?

17 MS. LESHER: This is -- instrument actually
18 measures all VOCs, the -- it's a photoionization device.
19 So it measures a whole range of them --

20 MR. TOMPKINS: Right, right.

21 MS. LESHER: -- and it gives you the sum of
22 them.

23 So if you have any volatile organic vapors
24 present, it's going to just add them up and give you
25 that number. And it doesn't distinguish which ones they

1 are. It's more of a field instrument screening kind
2 of thing --

3 MR. TOMPKINS: Right.

4 MS. LESHER: -- you know, do we have volatile
5 organics or not.

6 MR. TOMPKINS: Just detect that they're
7 present, but as to --

8 MS. LESHER: Right.

9 MR. TOMPKINS: -- which it does not. That's
10 all I wanted to get clarity to --

11 MS. LESHER: Yes.

12 MR. TOMPKINS: -- in terms of the limitations
13 of the instrument and what it does do and what it does
14 not do.

15 And so, like, when we giving this dog and pony
16 show, we need that delineation in terms of where the
17 limits of the instruments so people don't think that
18 that's an absolute, but that is only a beginning of the
19 step in the process.

20 MR. DeMARS: In fact, when we -- when we're out
21 with the field instruments, the VOCs that we do read
22 above a certain amount, that triggers us to take an
23 analytical sample of that air; and then, of course, that
24 comes back in the full lab report, and then it goes down
25 into parts per trillion of individual chemicals.

1 MR. TOMPKINS: And that's what we did when we
2 discovered some -- Did you pick up benzene, any
3 detection anywhere? Because I did get elevated high
4 levels on Parcel A.

5 MS. LESHER: These instruments wouldn't
6 distinguish benzene from other volatile organics. As
7 Dave just mentioned, of course, reports would be in the
8 laboratory analysis.

9 MR. TOMPKINS: Did you get any peaks or
10 anything that you would then ask for a study in the lab?

11 MS. LESHER: We --

12 MR. TOMPKINS: I don't know.

13 MS. LESHER: We --

14 MR. TOMPKINS: I didn't hear that in the
15 presentation, so that's why I'm asking.

16 MS. LESHER: We did collect samples that were
17 sent to a laboratory, yes.

18 MR. TOMPKINS: Okay. So there were some areas
19 of concern that there were additional studies?

20 MS. PENDERGRASS: Right. And so --

21 MS. LESHER: Yes.

22 MS. PENDERGRASS: -- they are supposed to do a
23 tech memo and the price.

24 MR. TOMPKINS: That will be at another later
25 presentation of what it is, a qualitative analysis of

1 what you found?

2 MS. PENDERGRASS: Exactly. Exactly. Okay.

3 MR. TOMPKINS: We can expect that. Thank you.

4 MS. PENDERGRASS: Thank you.

5 Yes, ma'am. Did you have a question, last
6 question? I'm sorry. In the red, did you have a
7 question?

8 MS. LUTTON: No. I'm sorry.

9 MS. PENDERGRASS: Okay. Thank you.

10 All right. We'll move along to our next item,
11 which is "Nominations for Community Co-chair," the next
12 item of business.

13 Okay. Let me -- let me tell you how this is
14 going to work, okay, or at least the way you all wanted
15 it to work.

16 What we're going to do tonight is: We're going
17 to take nominations for community co-chair. Community
18 co-chair is open to any RAB member that's not a
19 regulatory body. So any RAB member that's not a
20 regulatory body can be nominated for community co-chair.

21 Once we get a slate of co-chairs tonight -- and
22 you can nominate RAB members that are here, RAB members
23 that are not, doesn't need a second or anything -- put
24 them up there.

25 Next -- In between this meeting and our next

1 RAB meeting, folks can talk to one another, talk --
2 contact those folks, chat with them, whatever you'd like
3 to do.

4 The next meeting you'll be presented with that
5 slate and be allowed to vote. That's -- that's the
6 process.

7 So tonight we're establishing the slate. Once
8 this slate is established tonight, it's closed and will
9 be voted on at the next meeting.

10 All right. Any questions about that before we
11 move forward?

12 Mr. Mason, do you have a question?

13 MR. MASON: My question is that whomever we
14 nominate, would they be required to give us a
15 presentation of themselves at the next, you know, RAB
16 meeting that we have after nominations?

17 MS. PENDERGRASS: The kind of philosophy on
18 that is that, one, because the folks that would be
19 nominated are already RAB members, they have already
20 given their qualifications upon joining this body and
21 the fact that you have a month to get to know them
22 better if you'd like, there's no reason for them to make
23 a presentation.

24 Yes, sir.

25 MR. TOMASZKIEWICZ: Did -- did I miss how the

1 actual voting would happen, occur? I know -- excuse
2 me -- a few months ago when this issue came up, I wasn't
3 quite sure if it was going to be by hand, by notes.

4 MS. PENDERGRASS: There will be --

5 MR. TOMASZKIEWICZ: Has that been resolved?

6 MS. PENDERGRASS: There will be an actual
7 ballot --

8 MR. TOMASZKIEWICZ: Okay.

9 MS. PENDERGRASS: -- with the slate to vote --

10 MR. TOMASZKIEWICZ: Okay. Thank you.

11 MS. PENDERGRASS: -- and be counted.

12 Yes, ma'am.

13 DR. SUMCHAI: I wanted to suggest to -- to Miss
14 Pendergrass and to the body that we consider the use of
15 instant runoff voting if there are more than three
16 candidates.

17 Instant runoff voting is the means by which San
18 Francisco voters recently chose to conduct elections in
19 the future. It's used by Cambridge, Massachusetts,
20 American Political Science Association.

21 MS. PENDERGRASS: Sure.

22 DR. SUMCHAI: And it just allows us to -- So
23 I'll pass this information forward.

24 MS. PENDERGRASS: Okay. We just want to make
25 sure that the next -- next meeting when we vote -- I

1 think what the -- what the, you know, consensus is that
2 we want to come away two co-chairs at the end of that
3 meeting.

4 MR. TOMASZKIEWICZ: One.

5 ATTENDEES: One, one, one, one, one.

6 MS. PENDERGRASS: Whew, sorry. One.

7 MR. TOMPKINS: We went through all of that.

8 MS. PENDERGRASS: We will have a chair -- a
9 co-chair.

10 MS. WRIGHT: One chair.

11 MS. PENDERGRASS: One community co-chair.

12 Okay? So, I'm sorry. Please forgive me. Whew.

13 All right. So who would like to make the first
14 nomination?

15 Mr. Mason?

16 MR. MASON: The first nomination -- I would
17 like to nominate Lynne Brown for --

18 MS. PENDERGRASS: Okay.

19 MR. MASON: -- co-chair.

20 MS. PENDERGRASS: Okay. Lynne Brown.

21 Next?

22 MS. PETERSON: Dr. Ahimsa Sumchai.

23 MS. PENDERGRASS: Okay. Dr. Sumchai. Okay.

24 Do we have another nomination?

25 MS. WRIGHT: J. R. Manuel.

1 MS. PENDERGRASS: Jerry?

2 MS. WRIGHT: J. R. Manuel.

3 MS. PENDERGRASS: I'm sorry. I can't hear.

4 J. R. Manuel. Help me here. I figure if I can't

5 understand you, nobody else can either.

6 MS. WRIGHT: Oh, that's -- I wouldn't bet on

7 that.

8 MS. PENDERGRASS: That's a bad idea.

9 Okay. Anybody else? We've got three so far.

10 Do I hear a fourth?

11 MR. BROWN: No.

12 MR. TOMPKINS: Someone close it, then, if there

13 are no other nominations.

14 MR. FORMAN: Does everyone in the room

15 understand instant runoff?

16 MS. PETERSON: Yeah. If -- if nobody gets more

17 than 51 percent, then it's a instant runoff between the

18 two highs.

19 MR. FORMAN: Okay. Everyone in the room

20 understands that, though?

21 MS. PETERSON: Well --

22 MS. WRIGHT: Why don't you elucidate it?

23 MR. TOMPKINS: State it.

24 MS. PETERSON: Yes. Wait a minute. Is it

25 closed?

1 MR. TOMPKINS: It's closed.

2 MS. PENDERGRASS: Let's move that. Do we
3 have --? So we have three candidates, three nomin- --
4 nominees for community co-chair: Lynne Brown,
5 Dr. Sumchai, and J. R. Manuel. All of those folks are
6 RAB members in good standing, I might say; and so we
7 have no problems with that at this point. Okay.

8 So, Mr. Tisdell?

9 MR. TISDELL: All right.

10 MS. PENDERGRASS: Do you have a motion?

11 MR. TISDELL: I like to make a motion to accept
12 the nominees for the community co-chair.

13 MS. PETERSON: Second.

14 MS. PENDERGRASS: All right.

15 MS. RINES: I second that motion.

16 MS. PETERSON: It's already --

17 MS. PENDERGRASS: All in favor of this slate,
18 say, "Aye."

19 THE BOARD: Aye.

20 MS. PENDERGRASS: Any opposed? Any
21 abstentions?

22 (No verbal response elicited.)

23 MS. PENDERGRASS: Good to go.

24 All right. Now, Dr. Sumchai, will you explain
25 briefly for us, since this is your -- your --

1 DR. SUMCHAI: It's an idea.

2 MS. PENDERGRASS: -- thing of instant runoff
3 versus one second versus highest number of votes?

4 DR. SUMCHAI: Well, IRV voting is a method that
5 has been proposed that helps to ensure that there's a
6 fullest dem- -- demo- -- democracy in the process of
7 voting, because what you do is: You get a ballot in
8 which you rank candidates if you have more than three
9 candidates 1, 2, and 3.

10 So in the first round of voting, the candidate
11 who gets the most votes by No. 1 and by No. 2 stays
12 in -- you know, the first two candidates who get the
13 most votes would stay in the next vote session.

14 And then those people who voted for the
15 candidate who got No. 3, then their votes are counted
16 towards the two candidates who are left in; and you
17 essentially carry that down the line so that everyone
18 who voted gets their votes counted, you know, for --

19 Am I doing this correctly?

20 MS. SHIRLEY: Yeah.

21 DR. SUMCHAI: I -- I hope -- I -- I actually
22 participated in one of these elections, and it is
23 described in the -- you know, in the folder.

24 But essentially everyone who votes gets their
25 votes counted towards, you know, each of the candidate,

1 even if that candidate, you know, doesn't -- you know,
2 even if the candidate doesn't win.

3 MS. PENDERGRASS: All right. But let me just
4 ask the question, though.

5 What would be the problem with majority for
6 one, unless there was a tie? What would -- what would
7 be the problem with that?

8 DR. SUMCHAI: Well, it's an alternative way --

9 MS. PENDERGRASS: Okay.

10 DR. SUMCHAI: -- of voting. I mean, I don't
11 necessarily have to --

12 MS. PENDERGRASS: Okay.

13 Yes, sir.

14 MR. KEICHLINE: Dr. Sumchai was saying that
15 it's for if you have more than three candidates, and it
16 looks like we have three candidates; so it's kind of a
17 moot point, I would say.

18 MS. PENDERGRASS: But the only thing I can
19 conceive -- the only conceivable problem with this is
20 that if we had a split on this and it was a three-way,
21 then we have to vote again or whatever.

22 So I see the point of designating your choice
23 of 1, 2, and 3 so that we could -- can count up how many
24 in each category. I mean, basically, that's what that
25 would do.

1 So, Ron, we're asking you to set up the ballot
2 in that way so that people would -- each candidate be
3 allowed to vote 1, 2 and 3.

4 MS. WRIGHT: Wait a minute. I don't understand
5 that. What does that mean?

6 MR. RODRIGUEZ: Bylaws.

7 MS. PENDERGRASS: There's no -- there is no
8 bylaws clarification on how we're voting on this. And I
9 think what we're trying to do is just anticipate any
10 problem on this and clarify it up front. We shouldn't
11 spend too much time on that.

12 But, Mr. Tisdell, did you have a thought on
13 that?

14 MR. TISDELL: Yes.

15 MR. TOMPKINS: I had my hand up.

16 MR. TISDELL: I would -- you -- you know, to
17 keep -- to keep confusion down and, you know, within a
18 time frame, whoever come out the highest.

19 MS. PENDERGRASS: Well, that's the point. If
20 we all --

21 MR. TISDELL: You know, and that --

22 MS. PENDERGRASS: If we get a clear winner --

23 MR. TISDELL: Well --

24 MS. PENDERGRASS: -- it's no problem.

25 MR. TISDELL: Yeah, I'm talking but instead of,

1 like, 1, 2, and 3, you know, it just like: Here you go,
2 here's a ballot; here is Lynne Brown, Dr. Sumchai, and
3 J. R. Manuel. Who you going to vote for? Put a X
4 there. And that's -- and turn your ballot in and that's
5 it. You know, just keep it simple.

6 MS. WRIGHT: I don't understand the 1-2-3
7 principle.

8 MS. PENDERGRASS: What happens is --

9 MR. TISDELL: Yeah.

10 MS. PENDERGRASS: -- that if you don't get a
11 clear -- if e- -- if it was -- if everybody -- if this
12 was divided equally and you got 50 percent voted for one
13 and 50 percent for the other, how would you break the
14 tie?

15 MS. PETERSON: Runoff.

16 MS. PENDERGRASS: Okay. No. When you do a
17 runoff one, because everybody's already voted for their
18 second choice, you get to shift the weight of those
19 votes. That's how that works in the runoff.

20 MS. WRIGHT: That sounds complicated.

21 MS. PENDERGRASS: Okay. It does sound a little
22 complicated, but you only need it if there's a tie. So
23 if you put your first vote and that's a clear winner,
24 it's a moot point. It only -- It's only necessary if
25 there's a tie, okay?

1 MR. TOMPKINS: Question.

2 MS. PENDERGRASS: So --

3 Yes, sir.

4 MR. TOMPKINS: I want clarity. With this vote

5 coming up, are we going: The winner will be 51 or just

6 the -- the simple majority, whoever has the most votes

7 is it?

8 MS. PENDERGRASS: It's simple majority.

9 MR. TOMPKINS: Okay, good. That's all I want

10 to know what the --

11 MS. PENDERGRASS: The simple majority. We'll

12 figure how to make sure that we don't -- we end up with

13 a tie. Okay? You have a problem with that?

14 MR. TOMPKINS: Not with me.

15 MS. PENDERGRASS: Okay. Since we -- we have a

16 motion or a -- a suggestion on how to do that, we'll --

17 we'll take that into consideration when we design the

18 ballot.

19 Okay. Miss Washington?

20 MS. WASHINGTON: Suppose we have two people

21 have the same . . .

22 MR. TISDELL: Number of votes.

23 MS. WASHINGTON: . . . number of votes?

24 MS. PENDERGRASS: Tie.

25 MS. ATTENDEE: Then we'll deal with runoff.

1 MR. TISDELL: We'll runoff again.

2 MS. WASHINGTON: Then you do a runoff, okay.

3 MS. PENDERGRASS: You don't have to do a runoff
4 if we -- if we vote in a runoff way in the beginning.
5 But we've got that covered.

6 MS. WASHINGTON: Dr. Sumchai said --

7 MS. WRIGHT: No, I'm not clear. I don't
8 understand.

9 MS. WASHINGTON: -- wouldn't have to do it over
10 again and just let the other people that voted for the
11 third time put their votes on either of the two.

12 MS. PENDERGRASS: But that's the point of a
13 runoff, having an instant runoff vote.

14 Okay. I think we're closed on that. And if
15 somebody doesn't understand that, I can explain it to
16 you.

17 MS. PETERSON: Are we marking 1, 2, and 3 or
18 just --?

19 MS. PENDERGRASS: I'll -- We'll talk about it
20 next time. I'll explain it in detail.

21 MS. PETERSON: Because it doesn't take
22 explaining if you're not going to ask.

23 MS. PENDERGRASS: Mr. Mason has a question to
24 ask.

25 MR. MASON: My question is: One organization,

1 one vote.

2 MS. PENDERGRASS: One RAB member, one vote.

3 MR. MASON: Okay.

4 MR. TISDELL: Jesse.

5 MS. PENDERGRASS: Yes, Mr. Tisdell, did you
6 have a final question that hasn't been asked?

7 MR. TISDELL: What was I going to say? Oh.
8 There will be a -- the discussion coming -- the
9 membership and bylaw and the discussion, you know, will
10 be there.

11 MS. WRIGHT: Discussion about what?

12 MS. RINES: About what? One member, one vote?

13 MR. TISDELL: No.

14 MS. PENDERGRASS: I don't know.

15 MS. WRIGHT: Election?

16 MR. TISDELL: Yes.

17 MS. ATTENDEE: Oh.

18 MS. PENDERGRASS: So, Mr. Tisdell, are you
19 saying that at the bylaws meeting that there will be
20 some discussion about the slate?

21 MR. TISDELL: [Nodding.]

22 MS. PENDERGRASS: That's fine. Okay.

23 All right. Now, since we -- since we kind of
24 have the Bylaws Committee already on the floor -- just
25 one second -- already on the floor here, did you want to

1 add something about the bylaws, Mr. Tisdell, at this
2 point?

3 MR. TISDELL: Yeah. You want to talk about the
4 committee report or . . . ?

5 MS. PENDERGRASS: That -- that would be the
6 next logical step, unless you have a question about
7 voting.

8 MS. OLIVA: I do.

9 MS. PENDERGRASS: Yes, ma'am?

10 MS. OLIVA: Will the alternate RAB board
11 members be allowed to vote?

12 MS. PENDERGRASS: No, ma'am. It's just open to
13 the RAB -- current RAB members.

14 MS. OLIVA: Not any of the alternates?

15 MS. PENDERGRASS: No, I don't think so. But
16 that's --

17 MR. TISDELL: The alternates -- If -- if the
18 RAB member is not here, their alternates are allowed to
19 vote.

20 MS. PENDERGRASS: Oh, absolutely.

21 MR. TISDELL: That's just like --

22 MS. PENDERGRASS: Absolutely.

23 MR. TISDELL: -- this, you know, RAB member
24 being here.

25 MS. PENDERGRASS: Right. I understand that. I

1 thought the question was in addition to them.

2 MR. TISDELL: No. Oh, no, no, not in addition.

3 MS. OLIVA: My question was in addition.

4 MS. PENDERGRASS: Okay. Yes, not in addition
5 to.

6 Yes, sir.

7 MR. KEICHLINE: And to add to that, there are
8 no absentee voting, though.

9 MS. PENDERGRASS: Right, you -- if you don't
10 send a replacement, then there's no absentee voting.
11 That's a good clarification.

12 All right.

13 MR. TOMPKINS: Before we have the vote, because
14 we had -- I'm sorry.

15 MS. PENDERGRASS: We are not having the vote
16 yet.

17 MR. TOMPKINS: No, no.

18 MS. PENDERGRASS: Oh, okay.

19 MR. TOMPKINS: Before. The big issue was who
20 vote; and the issue from the previous agenda, from the
21 previous meeting --

22 MR. BROWN: It's in the bylaws.

23 MR. TOMPKINS: -- it's 30 or 24 in terms of
24 members, because there are members of the community
25 still wanting to be a part of this board. Dr. Karen

1 Pierce has been waiting for over six-plus months. Will
2 we go up to 30 and have the vote? Because I remember we
3 took the vote, and we went to 30. That's my question.

4 The procedures make sense to me, but how many
5 members and who it's going to be has been a --

6 MS. PENDERGRASS: What we're --

7 MR. TOMPKINS: -- waiting issue for a period of
8 time.

9 MS. PENDERGRASS: All right. Well, the RAB
10 member --

11 MR. TOMPKINS: Before we vote, I'd like that
12 clarified.

13 MS. PENDERGRASS: Yeah. The RAB member roll
14 call sheet is on the back of the last minutes. That,
15 from what I understand, is everybody on the RAB.

16 Is that not correct?

17 MR. KEICHLINE: [Nods.]

18 MS. PENDERGRASS: So these are the folks that
19 will be voting next time. That's it, as far as I
20 understand.

21 So, now, there's talking about nomination of
22 new ones. I don't have that on my agenda today, and I
23 guess that's something that would be handled in the
24 bylaws.

25 Now, Mr. Tisdell, are you -- do you have a

1 report about the bylaws and membership?

2 MR. TISDELL: Yes.

3 MS. PENDERGRASS: Okay. You have five minutes,
4 sir.

5 MR. TISDELL: You want to take a little bit
6 longer than that.

7 Okay. Everyone got a copy of the -- the --
8 the --

9 MS. RINES: Bylaws.

10 MR. TISDELL: Yeah -- bylaw changes that was
11 brought back -- suggestion that we bring back to the
12 full RAB, and the changes are that they go -- go back to
13 the 12 -- you know, in the -- in the categories go back
14 to the 12 and leave out the 4 and number --

15 Which one was that?

16 MR. BROWN: Twenty.

17 MR. TOMPKINS: That was 20.

18 MR. TISDELL: That -- were we adding one?

19 And which one's that, Ron?

20 MR. KEICHLINE: Twenty.

21 MS. ATTENDEE: Twenty.

22 MR. KEICHLINE: Very last page.

23 MR. TISDELL: Yeah, yeah, very last page.

24 And -- and these are up for vote. And the changes would
25 be going back to the -- the 12 categories and

1 accepting -- I mean accepting the 12 categories instead
2 of the 4 and the amendment -- I mean Amendment 20 --
3 Amendment 20.

4 MS. PENDERGRASS: Mr. Tisdell, can I just take
5 a moment and make sure --

6 MR. TISDELL: Sure.

7 MS. PENDERGRASS: -- that I am clear about
8 this?

9 MR. TISDELL: Sure.

10 MS. PENDERGRASS: From what I had read in the
11 minutes, did you all not vote on bylaws last --

12 MR. TOMPKINS: Yes.

13 MS. PENDERGRASS: -- last -- on that --

14 MR. TOMPKINS: Yes.

15 MS. PENDERGRASS: Okay.

16 MR. TOMPKINS: All that bullshit.

17 MS. PENDERGRASS: So I just want to make sure
18 that I understood that. Is that not correct?

19 MR. TOMPKINS: Yes, hundred percent correct.

20 MS. PETERSON: Every month. So what's new?

21 MS. PENDERGRASS: Let's just -- So can I just
22 lend a little --?

23 MR. TISDELL: Okay. Oh, excuse me. Let -- let
24 me say something. Let me say something.

25 MS. PENDERGRASS: Yes.

1 MR. TISDELL: Now, you know, since people
2 getting funny, Dorothy, you was the one that want these
3 changes put in there; and you, Charles, and Barbara sit
4 up there and voted to bring these bylaws back to the
5 committee. Now you acting like you don't know nothing
6 about it.

7 MS. PETERSON: Wait a minute. Excuse me. But
8 I don't think I'm acting like I don't know anything
9 about it. I'm giving you the respect of doing your
10 report. We brought back 12 because we felt the
11 diversity was important. That's why 12 categories was
12 put there in the beginning, because diversity is
13 important.

14 MS. PENDERGRASS: Okay.

15 MS. PETERSON: No, I don't -- I'm not acting
16 like I don't know anything about it --

17 MS. PENDERGRASS: Let's --

18 MS. PETERSON: -- as far as --

19 MS. PENDERGRASS: Ex- -- ex-

20 MS. PETERSON: -- these bylaws.

21 MS. PENDERGRASS: Let's --

22 MS. PETERSON: We vote on bylaws every month.

23 MS. PENDERGRASS: Okay.

24 MS. PETERSON: So what else is new?

25 MS. PENDERGRASS: Let's keep this in the box,

1 okay?

2 There are two boxes right now on the table.

3 The first box is that, one, bylaws were voted on.

4 MS. PETERSON: Every month?

5 MS. PENDERGRASS: And when bylaws are voted
6 on -- let me just lend you some experience here. The
7 reason you have bylaws is so that people stay within the
8 rules.

9 MR. ATTENDEE: Right.

10 MS. PENDERGRASS: If you change the rules every
11 month, then there aren't any rules.

12 MR. ATTENDEE: Right.

13 MR. BROWN: Mm-hmm.

14 MS. PENDERGRASS: So --

15 MR. ATTENDEE: Yes.

16 MS. PENDERGRASS: So I would suggest that we
17 think about as a body that we only change the bylaws
18 once a year at the most. We save -- we save up all of
19 our comments and issues and concerns, talk about it once
20 a year, we need to make a tweak. We do it once a year.
21 That's one box.

22 The second box on the table is that somebody --
23 that I hear feeling this, feeling it, that people are
24 feeling that something was left off last time and it
25 wasn't thoroughly discussed and we got something left

1 off. Is that not the consensus I'm hearing here?

2 MS. PETERSON: Yeah.

3 MS. PENDERGRASS: Okay. So as a body we can
4 make an exception this time. But I'm saying, I think we
5 need to think about keeping some continuity and
6 consistency here.

7 Can we hold that till our next bylaws
8 discussion maybe in six months?

9 MR. MASON: In a year.

10 MS. PENDERGRASS: Can we do that?

11 MR. MASON: In one year, in a year.

12 MS. PETERSON: No.

13 MR. ATTENDEE: I think the next --

14 MS. PETERSON: No. Wait, wait, wait. Excuse
15 me. Excuse me. We voted on bylaws every month; and if
16 every month they feel like they need a change, oh, well.

17 MS. PENDERGRASS: No, but that's not the --

18 MS. ATTENDEE: That's --

19 MS. PETERSON: But that's -- Why would you
20 start now?

21 MS. PENDERGRASS: But --

22 MR. MASON: The point -- the point was that it
23 was voted on and adhered to at the last RAB meeting.
24 And I think it --

25 MS. PETERSON: And it was voted on --

1 MR. MASON: -- should stand.

2 MS. PETERSON: -- the meeting before that --

3 MR. MASON: No, it wasn't.

4 MS. PETERSON: -- and the meeting before

5 that --

6 MR. MASON: No, it wasn't.

7 MS. PETERSON: -- and the meeting --

8 MS. PENDERGRASS: Miss --

9 MS. PETERSON: -- before that.

10 MR. MASON: No -- no, it --

11 MS. PENDERGRASS: Miss --

12 MR. MASON: -- was not.

13 MS. PENDERGRASS: -- Peterson and --

14 MR. BROWN: Chill.

15 MS. PENDERGRASS: -- Mr. Mason, we all need our

16 [inaudible] here. So --

17 MR. MASON: Well, it's not going to be that.

18 MS. PENDERGRASS: Okay. But let's just take

19 it -- let's take it a chunk at a time.

20 What I think we need to do is: We need to take

21 a vote. Somebody needs to put a motion on the floor:

22 Do we change the bylaws or do we not this time?

23 Before we even talk about what the change

24 should be, should we change them or should we not?

25 Let's get that -- let's get that on the floor.

1 MS. PETERSON: Then you are denying -- again,
2 you're denying what we set up these committees to do.

3 MS. PENDERGRASS: The committees are to make
4 recommendations to the full body.

5 MS. PETERSON: And so you can't stop us from
6 making recommendations.

7 MS. PENDERGRASS: But what I'm saying is that
8 Mr. Tisdell has made a recommendation to change the
9 bylaws --

10 MS. PETERSON: No.

11 MS. PENDERGRASS: -- until --

12 Yes, he has.

13 MS. PETERSON: No.

14 MS. PENDERGRASS: That -- that's the
15 recommendation.

16 MS. PETERSON: No. The committee made it.

17 MS. PENDERGRASS: Okay. The committee. I'm
18 sorry.

19 MS. PETERSON: Okay.

20 MS. PENDERGRASS: Mr. Tisdell, representing the
21 Membership & Bylaws Committee, has made a rec- -- has
22 made a recommendation to change the bylaws.

23 Before we get into what the change is, we need
24 to vote on whether or not to change them or whether they
25 should stand. So that's right now what we need to vote

1 on.

2 MS. PETERSON: That's acceptable.

3 MR. SAUNDERS: Just one comment.

4 MS. PENDERGRASS: Yes.

5 MR. SAUNDERS: I -- I concur with what you're
6 suggesting --

7 ATTENDEE: Right.

8 MR. SAUNDERS: -- that they maybe keep it to
9 once a year.

10 But the way they wrote the bylaws, they can
11 bring amendments up at every meeting.

12 MS. PETERSON: Exactly.

13 MS. PENDERGRASS: Absolutely.

14 MR. SAUNDERS: That's the way it's written.

15 MS. PENDERGRASS: And that's the way it's run
16 by most bylaws is that you can bring it up. But you use
17 some judicious -- judicious use of your time because you
18 don't want to spend your time talking about this issue
19 every meeting.

20 So I would suggest that, not being a member of
21 the RAB, that somebody bring up a motion to -- and
22 Mr. Tisdell a recom- -- as a motion to vote on a change
23 to the bylaws or not.

24 MR. MASON: Make your recommendation.

25 MR. TISDELL: I make a recommendation that we

1 don't vote to change the bylaws.

2 MR. MASON: And I second it.

3 MS. PENDERGRASS: Okay. So the motion on the
4 floor is that we don't change the bylaws. That's the
5 way it was put forth today. So --

6 MS. WRIGHT: So this is --

7 MS. PENDERGRASS: -- all in favor of not
8 changing the bylaws right now, please raise your hand.

9 MS. WRIGHT: What was --? I'm sorry. What --?

10 MS. PENDERGRASS: The motion is: Those in
11 favor of not --

12 MR. TOMPKINS: Changing the bylaws.

13 MS. PENDERGRASS: -- changing the bylaws any
14 way, any shape or form tonight, raise your hand.

15 We have got one, two, three, four, five, six,
16 seven, eight, nine, ten.

17 MR. TISDELL: Here's a RAB member here.

18 MS. PENDERGRASS: Oh. Eleven. Okay. And so
19 11 out of -- how many people do we have --?

20 (Simultaneous colloquy.)

21 MR. DACUS: Now, are we accepting these bylaws
22 here?

23 MS. PENDERGRASS: No, sir. No, sir. What
24 we're doing now is: The bylaws that we had from last
25 meeting, from last month, are standing, okay.

1 MS. PETERSON: Same thing every month.

2 MS. PENDERGRASS: Okay. So we've got 11 people
3 who want it to stand.

4 How many people not? How many people want to
5 change them? Trying to make sure everybody's clear. So
6 we don't have anybody voting --?

7 MS. PETERSON: No.

8 MS. PENDERGRASS: No.

9 MS. PETERSON: I'm voting for --

10 MS. PENDERGRASS: One.

11 MS. PETERSON: -- diversity.

12 MS. PENDERGRASS: Okay. So we have got 11 to 1
13 on that one.

14 MR. MORRISON: I vote for diversity also. I
15 think that was a scam.

16 MS. PENDERGRASS: Okay. Two.

17 All right. At this point --

18 MS. PETERSON: Are you not voting? Okay.

19 MS. PENDERGRASS: At this point, three. So
20 we've got 3 to 11 at this point. Eleven people say that
21 we don't want to change the bylaws. Three people want
22 to. So at this point, we are not changing the bylaws.

23 Okay. So, now, let's see. We have -- We --
24 we get to running along when we start talking about
25 process, and we've got -- I've got, you know, ten

1 minutes or eight minutes to 8:00, and we're supposed to
2 adjourn at 8:00, and we still haven't had any
3 subcommittee reports.

4 So, again, here we go with kind of going over
5 on our meetings. Does everybody want to sit here thirty
6 more minutes and hear --

7 MR. TOMPKINS: Fifteen.

8 MS. PENDERGRASS: -- subcommittee reports?

9 MR. TOMPKINS: Fifteen --

10 MS. ATTENDEE: Fifteen.

11 MR. TOMPKINS: -- at maximum, fifteen.

12 MS. PENDERGRASS: Fifteen minutes? Okay.

13 So, Mr. Tisdell, at this point, your bylaws
14 issue is moot, and your slate for membership is already
15 established for -- for --

16 MR. TOMPKINS: Nominations.

17 MS. PENDERGRASS: -- not membership but for
18 co-chair. And the only other thing you had was new --

19 MR. TISDELL: -- attendance.

20 MS. PENDERGRASS: Attendance?

21 MR. TISDELL: Attendance.

22 MS. PENDERGRASS: Okay. Can you make that in
23 three minutes?

24 MR. TOMPKINS: Sure --

25 MS. PENDERGRASS: Yes, sir.

1 MR. TISDELL: -- hopefully.

2 Okay. Ron has been keeping attendance. And
3 according to the bylaws, if you miss four or m- -- four
4 meetings within a year -- a 12-month period, that you'll
5 be removed from the RAB. And we have Louise Vaughn who
6 has missed five.

7 MS. PETERSON: No, she hasn't.

8 MS. PENDERGRASS: Excuse me. I'm sorry.
9 Instead of reading off your list, you need to make a
10 recommendation. Your -- From your subcommittee, you
11 need to make a recommendation on what to do with the
12 people who have missed that. You just need to make the
13 recommendation, they need to approve it, and move on.

14 MR. TISDELL: I make the recommendation that
15 Louise Vaughn be removed from RAB board.

16 MS. PENDERGRASS: But is she the only person?

17 MR. KEICHLINE: Yes.

18 MR. TISDELL: According to five misses --

19 MS. PENDERGRASS: Okay.

20 MR. TISDELL: -- and according to the bylaws.

21 MS. PETERSON: Excuse me. Excuse me. She has
22 an alternate. And if he didn't know she was there,
23 that's his fault. It's not for alternates.

24 ATTENDEES: No, no.

25 MS. PENDERGRASS: We just talked about --

1 MR. RODRIGUEZ: Alternate's not responsible.

2 MR. MASON: Alternate's not responsible.

3 MS. PETERSON: Okay. And when you brought that
4 up at the meeting, I explained to you that Joyce was her
5 alternate. You said, "Well, Joyce is Sulu's alternate."

6 MR. TOMPKINS: Right.

7 MS. PETERSON: I said, "She's both alternates."

8 MR. TISDELL: Right.

9 MS. PETERSON: Okay. Now, that is a
10 clarification.

11 MR. TISDELL: But if he don't know the
12 person --

13 MS. PETERSON: Okay, but when --

14 MR. TISDELL: -- that taking attendance --

15 MS. PETERSON: But when you brought it up, I
16 explained it to you. Therefore, I assumed that you
17 explained it to whomever you needed to explain --

18 MS. PENDERGRASS: Okay.

19 MS. PETERSON: -- it to.

20 MS. PENDERGRASS: Let's -- let's -- The
21 discussion at this point is kind of deteriorating. So
22 let me just make sure I got this right.

23 We have a person on who's had an alternate, and
24 that alternate has not been identified to Mr. Keichline.
25 Okay.

1 MR. ATTENDEE: (Interrupting.)

2 MS. PENDERGRASS: So we talked about -- I -- I
3 was here. We talked about the fact that there is a
4 process for identifying yourself as an alternate. We
5 talked about that.

6 So since that time, has that -- has that been
7 happening? I don't know. I'd have to yield to -- to
8 Ron.

9 Has that been happening --

10 MR. KEICHLINE: Typically during --

11 MS. PENDERGRASS: -- for the -- for the last
12 three meetings, four meetings that I've been here?

13 MR. KEICHLINE: Typically during the
14 introductions, the person will introduce themselves as
15 an alternate for whomever they are alternating for and
16 sign in as such.

17 MS. PENDERGRASS: So if we don't -- we can go
18 back and review the minutes, review the actual verbatim
19 transcript, to make sure that no one was -- that, you
20 know, introduce themselves as an alternate for
21 Ms. Vaughn. Is that her name?

22 MR. TISDELL: Mm-hmm.

23 MS. PENDERGRASS: And if -- if --

24 MS. PETERSON: They were late.

25 MS. PENDERGRASS: And if that has not

1 happened --

2 MS. PETERSON: They --

3 MS. PENDERGRASS: -- then --

4 MS. PETERSON: -- were late.

5 MS. PENDERGRASS: Again, if they weren't

6 introduced and they didn't sign in as an alternate,

7 there's no way of knowing. So given the bylaws and what

8 you all have said is the way it goes.

9 MS. PETERSON: I corrected it.

10 MR. MASON: And -- and can I make a statement?

11 MR. ATTENDEE: I have a correction.

12 MR. MASON: Can I make a statement?

13 MS. PENDERGRASS: Sure.

14 MR. MASON: One of the things that I want to

15 make is: Mr. Morrison is Barbara Bushnell's alternate,

16 and I want to let him know that what he needed to do was

17 make a statement about the fact that he was Barbara

18 Bushnell's alternate. And --

19 MS. PENDERGRASS: He did.

20 MR. MASON: Did he? Did he?

21 ATTENDEES: Yeah, he did.

22 MR. MASON: Then -- then that's fine. See,

23 that's what we're talking about.

24 MS. PENDERGRASS: But that's not the point

25 here. What the point here is -- on the table, the

1 clarification is, is that the alternate for Ms. Vaughn
2 didn't identify themselves as an alternate.

3 MR. MASON: My point exactly.

4 MS. PENDERGRASS: And so what I'm saying to you
5 is that since that didn't happen -- and we have talked
6 about that. I've been here for four meetings, and the
7 very second meeting I was here we talked about that, the
8 process.

9 So for four meetings, if that has been a
10 failure, I would suggest that we comply with the bylaws
11 and the process as outlined in the bylaws.

12 So the recommendation is on the table by
13 Mr. Tis- -- by Mr. Tisdell and the Membership & Bylaws
14 Committee to terminate her from the RAB, and we -- that
15 calls for a vote. Did I -- did I --? Okay. So did we
16 have a second on that?

17 MS. RINES: I second the motion.

18 MR. TOMPKINS: Second for discussion.

19 MS. PENDERGRASS: Okay. So --

20 MR. TOMPKINS: Now discussion.

21 MS. PENDERGRASS: -- we've had --

22 MR. TOMPKINS: I haven't had an opportunity to
23 ask a question of clarity that I --

24 MS. PENDERGRASS: Yes, sir.

25 MR. TOMPKINS: Thank you. My senior moment.

1 Forgive me.

2 MS. PENDERGRASS: Okay.

3 MR. TOMPKINS: -- was -- It may be. I'm
4 losing my hair. What else?

5 But are you saying that she had alter- -- that
6 the alternate was representing two people
7 simultaneously?

8 MS. PETERSON: Mm-hmm.

9 MR. TOMPKINS: How would that work on --
10 clarity -- for voting purposes? They could -- I
11 thought only one alternate --

12 MS. PETERSON: One vote.

13 MR. TOMPKINS: -- for one vote for one, but
14 that you couldn't have representing two people that
15 wouldn't work. They can only represent if there was a
16 split or a conflict of interest. They wouldn't be able
17 to do that.

18 MS. PETERSON: No. It's one vote. You can --

19 MS. WRIGHT: One vote.

20 MS. PETERSON: You can have -- She can
21 represent as many people, but you're only going to get
22 one vote. And that was clarified at the Membership &
23 Bylaws Committee meeting.

24 MR. TOMPKINS: That one alternate can
25 represent --

1 MS. PENDERGRASS: But regardless of that --
2 MR. TOMPKINS: -- five people?
3 MR. TISDELL: Mm-hmm. Yeah.
4 MR. TOMPKINS: Okay. I just needed clarity. I
5 just wanted to understand.
6 MS. ATTENDEE: Why does that apply and not
7 here?
8 MR. TOMPKINS: Okay.
9 MS. ATTENDEE: That's the other --
10 MS. PENDERGRASS: So now that we have had
11 that --
12 MR. TOMPKINS: Thank you.
13 MS. PENDERGRASS: -- discussion, I'm going to
14 call the question.
15 All in favor of Ms. Vaughn being removed from
16 the RAB board due to attendance, lack of attendance,
17 please say, "Aye."
18 THE BOARD: Aye.
19 MS. PENDERGRASS: All opposed?
20 Okay. So we have one --
21 MS. WRIGHT: One abstention.
22 MS. PENDERGRASS: And one abstention. One
23 opposed, one abstention.
24 All right. Whew. We're moving right along.
25 Okay. We've got --

1 MS. PETERSON: Wait, wait, wait.

2 MS. PENDERGRASS: Okay. We've got --

3 MS. PETERSON: Excuse me, now. We've done that
4 for her. Go through the . . .

5 MS. PENDERGRASS: Go through the what?

6 MS. PETERSON: Go through the rest of them.

7 MS. PENDERGRASS: He said that that was only --

8 MS. ATTENDEE: It was only one.

9 MR. TISDELL: That was only one. It had five.
10 The rest of them had three.

11 MS. PENDERGRASS: So we're getting to that
12 level.

13 All right. We have --

14 MR. TISDELL: Well, the other.

15 MS. PENDERGRASS: Okay. We have 8 o'clock.
16 The stenographer might need a five-minute breather.

17 Or are you okay? Fifteen more minutes --

18 MR. TISDELL: She all right.

19 MS. PENDERGRASS: -- or do you need a breather?

20 THE REPORTER: That's fine if we're just going
21 to go for fifteen more minutes.

22 MS. PENDERGRASS: Okay.

23 MR. TOMPKINS: Yeah, just --

24 MS. PENDERGRASS: So we're going to do fifteen
25 minutes. That's five minutes per committee report, and

1 we'll start with the technical review.

2 MS. SHIRLEY: All right. We met on May 15th.

3 We made no recommendations, although we did spend

4 quite -- a lot of time talking about Parcel D

5 feasibility study.

6 I was given a couple of homework assignments to

7 check out some technical issues, which I did for the

8 people that were there.

9 We also talked about the Parcel A FOST and some

10 of our concerns about that. And everyone made their own

11 notes about the comments that we're going to make on

12 that.

13 So we have no committee recommendation about

14 the Parcel A FOST. Everyone's making their own

15 comments.

16 I do have Arc Ecology's comments here for those

17 who are interested in looking at them.

18 That's it. Oh, and our next meeting is

19 June 12th.

20 MR. MALOOF: Where?

21 MS. SHIRLEY: At the library, the Waden

22 Library. And I will be focusing on Parcel D feasibility

23 study. I think the -- oh, 6 o'clock. Sorry. I think

24 the comment deadline is -- will be over at that point;

25 but I'm sure that if we have comments, that they will be

1 accepted. I think it's the 10th, right?

2 MR. FORMAN: You're right to be sure.

3 (Simultaneous colloquy.)

4 MS. SHIRLEY: Thank you.

5 MS. PENDERGRASS: All right. Radiation?

6 Five minutes.

7 DR. SUMCHAI: I -- Yeah, I know. And I've
8 given you four pages of documentation with regard to the
9 activities of the Radiological Subcommittee, including
10 two pages on the recent meeting that was held on May the
11 8th and then a document that Mr. Brown put together on
12 the findings of the HRA, Volume I, the Naval Nuclear
13 Propulsion Program.

14 So what I'd like to do, if it's okay with you,
15 is to ask that at the June meeting the committee be
16 allocated ten minutes for a full report, because the
17 next meeting on June 5th from 10:00 to 12:00 at HERC is
18 going to -- it's going to e- -- evolve arou- -- around
19 some issues that were raised in the first meeting that
20 are very important.

21 I do just want to say briefly that we did talk
22 specifically about buildings and sites specifically
23 related to the Parcel A conveyance and that there was a
24 lot of discussion about the need for investigation and
25 remediation of some of these sites and also the

1 recommendation that we review the 1997 nucleispecific
2 standards that Commander DeInnocentiis referred to
3 against, not only some of the buildings that have been
4 investigated, but I- -- also IR-07 and IR-18 on
5 Parcel B.

6 And there are some outstanding issues with
7 regard to groundwater contamination that need to be
8 addressed.

9 I'd also like, Mr. Forman, for us to look at
10 the document PRC 1995 for characterization of the
11 radionuclides that were found at IR-59 Day I [sic] in
12 soil samples on Parcel A that was sandblast that was
13 detected there, and the speciation of the nuclides
14 wasn't included in the ROD.

15 So I -- I did want to give Lynne Brown a couple
16 minutes to talk about some of the -- the findings in the
17 first HRA that are of historical significance.

18 MS. PENDERGRASS: So, Dr. Sumchai, for -- since
19 we only have five minutes -- and by the way, we
20 missed -- this process really works well if you put your
21 subcommittee comments, you know, in writing in a summary
22 like this and any other information you'd like to
23 communicate to the RAB.

24 Then if you have some particular point of
25 interest and presentation that you'd like to make,

1 that's exactly the way to do it is to schedule that as a
2 presentation so that that way we know to schedule that
3 for enough time, put it in the presentation period, and
4 then it gets handled that way.

5 That's the absolute right way for this flow of
6 information, because, remember, the whole point of this
7 is to get information coming from the Navy and the
8 regulatory bodies to the community and for information
9 from the community to come to the Navy and to the
10 regulatory body. So this is working. Good. This is --
11 this is really good.

12 So for the next meeting, you need ten, fifteen
13 minutes or ten?

14 DR. SUMCHAI: Ten minutes.

15 MS. PENDERGRASS: Ten minutes to make a
16 presentation on what area?

17 DR. SUMCHAI: It would be the findings and
18 conclusions that have risen from both the May meeting
19 and the June 5th meeting.

20 MS. PENDERGRASS: That makes sense. All right.
21 Very fine.

22 Did you get that, Ron, so we can make sure that
23 that gets on the agenda?

24 MR. KEICHLINE: Mm-hmm.

25 MS. PENDERGRASS: Okay. Very good.

1 MR. KEICHLINE: I would like copies of those
2 minutes if I -- if you want those in.

3 DR. SUMCHAI: Okay. That would be --

4 MS. PENDERGRASS: Okay. Okay. Great.
5 Perfect. All right. Oh, this is ju- -- I'm just
6 feeling . . .

7 Okay. So risk review?

8 MR. TOMPKINS: No. Lynne had --

9 MR. BROWN: You know --

10 MR. TOMPKINS: I yield two minutes of my time
11 to Lynne.

12 MR. BROWN: Okay. While NRDL was working down
13 at the Shipyard, we also had the NNPP, which the
14 acronym's Naval Nuclear Propulsion Program, which
15 converted diesel engines to atomic plants. You know, in
16 other words, they had nuclear reactors on the ship.

17 And that was going on down there -- I don't
18 know if you knew about it -- Dry Dock 4. Pretty popular
19 dock too. When the sandblasting was going on, the --
20 the area that the sandblast could blow in was, wow,
21 anywhere from Oakland to Balboa School, down the
22 Peninsula.

23 But anyway, one of the chemicals that they were
24 using was cobalt-58, cobalt-60, and they use manganese.
25 Isn't that interesting? Manganese 54. Okay.

1 And another thing that happened down there,
2 they had a lot of radionuclides they used. But nuclear
3 power seems to be the main thing to the base, you know.
4 We had NRDL and we had NNPP, and we didn't have a church
5 on there.

6 So I'm finished.

7 MS. PENDERGRASS: So, Lynne, let me just make
8 sure I got your comments.

9 MR. BROWN: Radiological base. That was it.

10 MS. PENDERGRASS: Okay.

11 MR. BROWN: That was it.

12 MS. PENDERGRASS: All right. All right.

13 MR. BROWN: That was it.

14 MS. WRIGHT: Moving right along.

15 MS. PENDERGRASS: All right.

16 MR. BROWN: Right along.

17 MS. PENDERGRASS: Risk review and health
18 assessment?

19 MR. TOMPKINS: Okay. Now --

20 MS. PENDERGRASS: Now, you gave up your two
21 minutes.

22 MR. TOMPKINS: Don't cut me off. Let me finish
23 it. He took much time explaining.

24 Now, two things. I thank the Technical
25 Committee for meeting with me as well, and we shared --

1 some of our concerns we covered --

2 MR. BROWN: Right.

3 MR. TOMPKINS: -- was Parcel B. We were hoping
4 to receive this document so we can do a comparison of
5 what is and what is not being done. We will have to
6 defer that to our next meeting, which will be held on
7 the -- at the Bayview-Hunters Point Advocate -- Bayview
8 Advocates [sic], and that there be on the 14th at 4:15.

9 MS. PENDERGRASS: "Bayview Advocates."

10 MR. TOMPKINS: Advocates, Bayview Advocates,
11 the 4th, June.

12 MS. PENDERGRASS: 14th.

13 MR. TOMPKINS: June 14th at 4:15.

14 MS. PENDERGRASS: What's the address?

15 MR. TOMPKINS: I want to -- We also wanted to
16 recognize --

17 MR. MASON: 5021 Third Street.

18 MR. ATTENDEE: When is that?

19 MR. TOMPKINS: 5021, 4:15 --

20 MS. PENDERGRASS: Okay.

21 MR. TOMPKINS: -- on the 14th.

22 We also recognized -- Where our concern was
23 also methane Parcel B as well. We wanted to -- We
24 recognized and thank Mr. Campbell for initially over a
25 year and a half ago bring up the issues in this RAB

1 board. And it was sort of like, I felt, somewhat
2 insulting in terms of demeanor, and that wasn't
3 recognized in terms of the scholarship for working on
4 this.

5 MS. PENDERGRASS: Okay.

6 MR. TOMPKINS: That some night just bec- --
7 I'll -- I'll hold back. We -- we had our own definitive
8 feelings about people not of color getting the
9 recognition when they broke it open. And the Navy sort
10 of like pooh-poohed the matter and didn't want to
11 address the issue.

12 We'd also like for the Navy in the next coming
13 up -- and I hope it is coming -- in terms of for methane
14 why it wasn't discussed. There were some other issues
15 in terms of pressure, P. -- psi's in terms of what's
16 ground pressure, because Mr. Campbell and Lynne
17 initially last year when they were viewing the site were
18 making projections into where the fires were going to
19 happen, and they were quite accurate in it. We went
20 over that in our meeting.

21 MS. PENDERGRASS: Okay.

22 MR. TOMPKINS: And we're getting back getting
23 ready for fire season --

24 MS. PENDERGRASS: Okay.

25 MR. TOMPKINS: -- therefore dealing with

1 clima- -- climate, the heat, the increase. We're seeing
2 there are hot spots, where the possibilities are likely
3 in terms of least resistance to be discussed. And then
4 with the previous report that was put out prior by the
5 A- -- what is it, that did the assessment?

6 MS. ATTENDEE: (Inaudible.)

7 MR. TOMPKINS: Thank you -- -SDR, that they
8 talked about gas methane accumulating in people's
9 homes --

10 MS. PENDERGRASS: Okay.

11 MR. TOMPKINS: -- that how was that happening,
12 'cause those were the concerns were happening, and they
13 had projected out initially that now the Navy start to
14 look at that.

15 And on their next discussion, we'd invite them
16 to attend the meeting as well, discuss that so we can
17 report back to the body what's taken place --

18 MS. PENDERGRASS: Okay.

19 MR. TOMPKINS: -- and what else is coming up
20 with the methane.

21 MS. PENDERGRASS: Now, now, Mr. Tompkins, it
22 makes sense, due to the technical nature of what you're
23 talking about in kind of -- and put it into context,
24 that you put your notes in some kind of written format
25 so people can kind of get a grip.

1 So a summary -- a written summary from the
2 committees is really --

3 MR. TOMPKINS: The only time I haven't turned a
4 summary in --

5 MS. PENDERGRASS: Okay.

6 MR. TOMPKINS: -- okay?

7 MS. PENDERGRASS: So that --

8 MR. TOMPKINS: All the other meetings I have.

9 MS. PENDERGRASS: I'm not -- I'm not
10 reprimanding you.

11 MR. TOMPKINS: I'm just letting you know.

12 MS. PETERSON: Yes, you are.

13 MS. PENDERGRASS: I am not. I use a hose when
14 I'm reprimanding.

15 (Laughter.)

16 MS. PENDERGRASS: All right. The final -- the
17 final committee report is Economic Development.

18 MR. MASON: You know, it's been difficult to
19 have meetings because, you know, the truckers and I are
20 very concerned with a lot of things right now. IT has
21 left, you know, the status of the Navy. The Shaw group
22 is involved.

23 So the truckers and I -- we have some concerns
24 on some of the issues that we had mitigated with IT. So
25 what I'm asking the Shaw group to do is to sit down with

1 the truckers and myself to have a meeting.

2 Now, we -- we haven't had an economic meeting
3 yet because --

4 MS. PENDERGRASS: So you have no economic --

5 MR. MASON: I don't have any report.

6 MS. PENDERGRASS: -- development --

7 MR. MASON: I don't have any --

8 MS. PENDERGRASS: -- report?

9 MR. MASON: -- reports. I don't have any
10 reports, but these are my concerns --

11 MS. PENDERGRASS: Okay.

12 MR. MASON: -- our concerns. And, you know,
13 that's to create a meeting with the Shaw group --

14 MS. PENDERGRASS: Okay.

15 MR. MASON: -- and to also meet and talk to
16 Keith Forman and Charles DePew --

17 MS. PENDERGRASS: Okay.

18 MR. MASON: -- on the economic opportunities in
19 the Shipyard, because the Navy still owns the facility.

20 And we want to sit down.

21 Charles DePew and I had a conversation --

22 MS. PENDERGRASS: So can you guys take that off
23 line?

24 MR. MASON: Well, we are, okay.

25 MS. PENDERGRASS: Okay.

1 MR. MASON: But then we going to go to -- I'd
2 like to get an update from Mr. Forman on Parcel E's
3 radiation, you know --

4 MR. BROWN: Right.

5 MR. MASON: -- the Army Corps of Engineers;
6 that -- that information that we were talking about, the
7 Army Corps of Engineers and the radiation situation
8 going on over on Parcel E and -- and --

9 MR. FORMAN: You mean the FUDS site?

10 MR. MASON: The FUDS site.

11 MR. FORMAN: FUDS site.

12 MR. MASON: We -- we want to get an update on
13 that because we understand that the Army Corps of
14 Engineers are in there, and they are doing something we
15 don't know yet, but we'd --

16 MR. FORMAN: Okay.

17 MR. MASON: -- like to find out.

18 MS. PENDERGRASS: So is that a -- is that an
19 item that can be a follow-up for something that you --?

20 MR. FORMAN: Yeah.

21 If I could request, Jesse, could you give me a
22 call?

23 MR. MASON: I sure will, yes.

24 MS. PENDERGRASS: So that follow-up will take
25 place --

1 MR. FORMAN: Give me a call and I'll --

2 MS. PENDERGRASS: -- you guys talk about that.

3 MR. FORMAN: -- so I can understand.

4 MS. PENDERGRASS: Okay.

5 MR. MALOOF: Is there a date?

6 MR. MASON: And -- and I want you to

7 understand, we haven't set up a date yet. But the

8 Economic Subcommittee meeting -- the Economic Committee

9 meeting is going to be on the 13th of June at 5 o'clock

10 at -- at my office, which is 5021 Third Street.

11 MS. PENDERGRASS: Okay. Super. Okay.

12 You have to have a question? Okay. Question.

13 MR. KEICHLINE: Future agenda topics.

14 MS. PENDERGRASS: Okay. We're going there.

15 We're not adjourned yet.

16 Okay. First we have the -- future agenda

17 topics is coming up next. But what we didn't do is

18 allow at least a couple of minutes for folks in the

19 audience to have any questions or comments. We haven't

20 had a chance to do that ever, because we are always so,

21 so far over.

22 So does anybody have another comment or

23 something that's germane or didn't get covered today?

24 MS. RINES: The fish study.

25 MS. PENDERGRASS: The fish study.

1 MR. ATTENDEE: Fish study.

2 MR. BROWN: Right.

3 MS. PENDERGRASS: What's a fish study?

4 MS. RINES: There was a fish study that you
5 guys were doing. You said it was supposed to come out
6 in April.

7 DR. SUMCHAI: It's the Parcel F, human health
8 risk assessment. It's actually shellfish.

9 MS. PENDERGRASS: Shellfish.

10 MS. RINES: Did it come out yet?

11 MR. DeMARS: That is out, yes.

12 MS. RINES: Okay.

13 MS. PENDERGRASS: Where can people obtain that?

14 MR. DeMARS: Information repository.

15 MS. RINES: And I actually have one other
16 question.

17 MS. PENDERGRASS: Yes, ma'am.

18 MS. RINES: On Parcel B, what were the guys
19 with the backpacks and the long, like, PVCs that were
20 walking, like they were doing a grid on two opposite
21 sides, what were they doing?

22 MR. DeMARS: Yeah. Those were people doing --
23 this is Site 7 and 18; it was doing a geophysics probe.
24 It's like a --

25 MR. WANTA: -- electromagnetic survey to

1 determine if there is additional waste in the ground,
2 solid waste, timbers, debris, something like that.

3 MS. RINES: Okay.

4 MR. DeMARS: It's like a ground-penetrating
5 radar that shows us what's under the ground instead of
6 going out and trenching and -- and making a mess.

7 MR. WANTA: And they are --

8 MR. DeMARS: It's kind of an additional step
9 that we're doing.

10 MR. WANTA: And a magnetometer to search for
11 metals.

12 MS. RINES: Okay.

13 MR. WANTA: It's kind of like searching metal
14 versus -- same type of thing.

15 MS. RINES: And are they going to do that at
16 every site? Because it's kind of weird to see them do
17 that after they dug up and put it back in, and that's
18 the one that they are supposed to --

19 MR. WANTA: Like the metal that was --

20 MS. RINES: -- be transferring.

21 MR. WANTA: -- first site we're looking at.

22 And the reason being is: We had very scattered spots of
23 debris there. It was difficult to determine edge of
24 that, and that was a easier method to do that.

25 MS. RINES: Okay.

1 MS. PENDERGRASS: Okay. Thank you for that.

2 All right. Now, age- -- before we take any
3 other outside questions at this point, we're going to
4 make sure we have our agenda items, and then I have two
5 more things to say, and we can chat the rest of the
6 night away.

7 One more moment.

8 Future agenda items, we know that next meeting
9 we do have to give the Technical Review & Radiation team
10 ten minutes, and they will make a presentation to the
11 body.

12 In addition to that --

13 MR. TOMPKINS: I'd like to just accept them
14 for -- for additional time. And I know we have a vote
15 coming up, but also I'd like additional special meeting,
16 because there's several issues I'd like to address.

17 MS. PENDERGRASS: Okay. So are you going to
18 make a formal presentation?

19 MR. TOMPKINS: Formal presentation.

20 MS. PENDERGRASS: All right. And you need --
21 On what specific topic?

22 MR. TOMPKINS: Deal with methane --

23 MS. PENDERGRASS: Okay.

24 MR. TOMPKINS: -- and the fact --

25 MS. PENDERGRASS: And we need to --

1 MR. TOMPKINS: -- of why --

2 MS. PENDERGRASS: -- use --

3 Can you do that in ten minutes?

4 MR. TOMPKINS: Yes, ma'am.

5 MS. PENDERGRASS: Okay. So . . .

6 So we have two committee reports --

7 MR. FORMAN: Is that going to be a PowerPoint

8 presentation, or what's --

9 MR. TOMPKINS: Well --

10 MR. FORMAN: -- the form, Ray?

11 MR. TOMPKINS: Pencil. I'm a teacher. Board,

12 pencil, drawing, simple, simplistic --

13 MS. PENDERGRASS: And that's -- that's fine. I

14 mean, that's fine.

15 MR. TOMPKINS: -- unless you want to give me

16 one PowerPoint. I'll accept one.

17 MS. PENDERGRASS: Okay.

18 So we have those two items. Definitely we

19 don't have anything else that's tabled that needs to

20 happen at the next meeting --

21 MS. PETERSON: Election.

22 MS. PENDERGRASS: -- other than the election,

23 correct, the election. So those are the three main

24 things.

25 The other thing is -- I wanted to say is:

1 Please remember to sign in. We need that as the record
2 of the people who can't come, and it's -- Ron has to
3 refer to that sometimes if he doesn't remember who's
4 here and who's proxy.

5 And also, I'm just really happy to see that
6 we're putting up on the board all the meetings and that
7 you're coming ready to go because it really helps to
8 know in advance where the meetings are and get better
9 attendance.

10 Any other questions? Are we all set to go,
11 adjourned?

12 MR. TISDELL: I got one last question.

13 MS. PENDERGRASS: Yes, sir.

14 MR. TISDELL: Mr. Forman --

15 MR. FORMAN: Yes, sir.

16 MR. TISDELL: -- is that -- is that cap still
17 permanently, or will it be removed?

18 MR. MASON: Good question. Good question.

19 MR. FORMAN: That is --

20 MR. TOMPKINS: But I always thought to be --

21 MR. FORMAN: That is an interim cap, and we're
22 not anywhere close to coming up with a decision on that
23 yet.

24 MS. PENDERGRASS: Okay.

25 MR. MASON: I got a question. Will there be an

1 opportunity --

2 MR. FORMAN: Yes.

3 MR. MASON: -- for the community to meet Foster
4 Wheeler at the next -- at the next RAB meeting?

5 Is Foster Wheeler in town? Are they in the
6 Shipyard now?

7 MR. FORMAN: Yeah. They are a contractor.

8 MR. DeMARS: Yeah.

9 MR. MASON: Okay. Will we have an opportunity
10 to meet them at the next time, or should I take
11 initiative to go and meet them myself?

12 MR. FORMAN: Well, yeah, we should probably
13 work that out and not -- you know, not at a RAB meeting.
14 If you want to meet Foster Wheeler, Charlie DePew can
15 help.

16 MR. MASON: I wa- -- I want to get some
17 commitment from him. That's why I want to meet him at
18 the RAB.

19 MS. PENDERGRASS: Okay. That -- You guys can
20 take that up, not concern the whole body.

21 We're adjourned. Thank you so much.

22 (Off record at 8:19 p.m., 5/30/02.)

23 ---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