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M E E T I N G

HUNTERS POINT SHIPYARD
RESTORATION ADVISORY BOARD

REPORTER'S TRANSCRIPT

November 29, 2001

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

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6 WAYNE AKIYAMA - IT Corporation
7 LANI ASHER - Communities for a Better Environment,
Community First Coalition
8
9 MARIE AVERY - United States Navy
10 DOUG BIELSKIS - Tetra Tech EM Inc.
11 BILL BREEDLOVE - IT Corporation
12 GEARY L. BROWN SR. - Geary L. Brown & Son Trucking
13 LYNNE BROWN* - Communities for a Better Environment,
Community First Coalition
14 AMY BROWNELL* - San Francisco Department of Public Health
15 BARBARA BUSHNELL* - Roses, resident
16 AL CAIN - A. M. Cain Trucking
17 MAURICE CAMPBELL - Business Development, Inc.; Community
First Coalition; New California Media; NEW BAYVIEW
18 NEWSPAPER; SAN FRANCISCO BAY VIEW
19 JOHNNIE CARTER - CCSF
20 LISA DAVIS - SF WEEKLY
21 DAVID DeMARS - United States Navy
22 LAURIE ESPINOZA* - Labor neighbor
23 BENJAMIN FEICK - WSG

24 _____
*RAB member

25

1 ATTENDEES [Cont.]:

2 KEITH FORMAN - United States Navy

3 DAVID GAVRICH - ECDC Waste Solutions Group

4 RODNEY HAMPTON - Young Community Developers

5 RODNEY HAMPTON JR. - Young Community Developers

6 CHRIS HANIF - Young Community Developers

7 MARIE HARRISON* - Communities for a Better Environment,
SAN FRANCISCO BAY VIEW

8

9 MITSUYO HASEGAWA* - JRM Associates

10 BOB HOCKER - Lennar-Bayview-Hunters Point Team

11 CAROLYN HUNTER - Tetra Tech EM Inc.

12 KRISTEN JENSEN, Esquire - Sheppard Mullin RH for Lennar

13 CHEIN KAO* - California Dept. of Toxic Substances Control

14 RONALD KEICHLINE - Bechtel National, Inc.

15 JACQUELINE ANN LANE* - US Environmental Protection Agency

16 DANA LANZA - Literacy for Environmental Justice

17 J. R. MANUEL* - JRM Associates, India Basin resident

18 QUIJUAN MALOOF - Pendergrass & Associates

19 JESSE MASON* - Bayview-Hunters Point Community
Advocates, Community First Coalition

20 PAUL McCONNELL - Resident, activist

21 KARNIG OHANNESSIAN - IT Corporation

22 GEORGIA OLIVA - Communities for a Better Environment,
CCA member

23 _____

24 *RAB member

1 ATTENDEES [Cont.]:

2 SULULAGI PALEGA - Hunters Point Boys & Girls Club,
Housing Authority, Samoan Community Development Center

3 HENRY PARRA SR. - Bayview resident

4 DON PAUL - Housing is a Human Right

5 JOHN PELOSI - United States Navy (NAVSEA)

6 KAREN G. PIERCE - Bayview Advocates, BVHP Democratic Club

7 TOM PINARD - United States Navy

8 JIMMIE RAY POTTS - Barbary Coast Trucking & Brokers

9 SARINA PURI - Bechtel National, Inc.

10 WILLIE RATCLIFF - SAN FRANCISCO BAY VIEW

11 LEANDREW RIGMADEN - Literacy for Environmental Justice

12 MELITA RINES - Communities for a Better Environment

13 MICHAEL ROCHETTE* - Regional Water Quality Control Board

14 JIM RODRIGUEZ* - Portola Place Homeowners Association,
15 Roses

16 PERRY RUTHVEN - McConnell For Congress

17 MELE SAGOT

18 ALAPATI SAGOTE

19 FAAPITO SAGOTE

20 SEFO SAGOTE

21 LEE H. SAUNDERS - United States Navy

22 JOHN C. SCOTT - Business Development, Inc.

23 CHRISTINE SHIRLEY* - ARC Ecology

24 _____
*RAB member

- 1 ATTENDEES [Cont.]:
- 2 MYLES STEVENS - S.F. Black Chamber
- 3 SHANNON SULLIVAN
- 4 AHIMSA PORTER SUMCHAI, M.D.* - BVHP Coalition on
Environment
- 5 KEITH TISDELL* - Hunters Point resident
- 6 RAYMOND TOMPKINS* - Bayview-Hunters Point Coalition on
7 Environment
- 8 CLAIRE TROMBADORE* - US Environmental Protection Agency
- 9 STEVE TYAHLA - United States Navy
- 10 LOUISE VAUGHN* - Community activist
- 11 MICHAEL J. WANTA, P.E. - Tetra Tech EM Inc.
- 12 LEILANI WRIGHT* - JRM Associates
- 13 Liberty Builders representative

14 _____
*RAB member

1 SAN FRANCISCO, CALIFORNIA, THURSDAY, NOVEMBER 29, 2001

2 5:59 P.M.

3 ---oOo---

4 MS. PENDERGRASS: All right. I'm -- just want
5 to make sure I haven't -- This is my second RAB
6 meeting, so I just want to make sure that I have met
7 everybody and just want to introduce myself. I'm Marsha
8 Pendergrass, and I'll be facilitating tonight.

9 Just to get some things off to this -- off to
10 the right start, just make sure -- the agenda's on
11 the -- the agendas are on the back table and minutes and
12 those kinds of things.

13 Reminder for everybody to turn off your pagers
14 and cell phones. And if --

15 You don't want to turn it off?

16 MR. TISDELL: I can't. Emergency.

17 MS. PENDERGRASS: Emergency.

18 MR. TISDELL: Yes. My wife has cancer. May
19 have to go to the hospital. So that's --

20 MS. PENDERGRASS: Okay.

21 MR. TISDELL: Thank you.

22 MS. PENDERGRASS: We'll -- we'll -- we'll give
23 you that one. But they won't throw popcorn at you, you
24 know --

25 MR. TISDELL: Thank you.

1 MS. PENDERGRASS: -- if it goes off too many
2 times. Okay.

3 And if anybody needs to have side conversations
4 or anything while we're conducting business tonight, it
5 would be a good idea just step outside, because this is
6 a small room. Rest rooms are to the left just in case
7 people don't know.

8 And just to make sure that we're all kind of
9 operating on the same rules tonight, if -- if we have
10 subcommittee meetings or any meetings that get
11 calendared tonight, we'll make sure we put them up on
12 the white board so everybody gets to know that.

13 If there's any agenda items that might get
14 tabled and -- we just want to make sure that we get to
15 them and they get included on the next agenda. We'll
16 put them on the white paper, make sure those get down.

17 The agenda provides the opportunity at the end
18 for community comment and -- anyone who's here tonight
19 to make comments and -- and speak; and if -- at -- the
20 agenda allows or time allows, we'll make sure that that
21 happens. And I remind you, if you do speak, please give
22 your name so that we can make sure that we capture that.

23 Okay. So why don't we introduce everybody
24 tonight.

25 Can I just ask one other favor. Since I'm

1 still kind of getting to know everybody, can you turn
2 your little name card a little bit toward me so --? I'd
3 love to -- yeah. I'd love to be able to call you by
4 your name. Great. Great. Perfect. Thank you so much.
5 Thank you.

6 Okay. So why don't we start with introductions
7 tonight, start with the Board and then the guests before
8 we move on into the reviewing of the agenda.

9 And to my left we have a colleague of
10 Pendergrass & Associates, Quijuan Maloof.

11 MR. MALOOF: Hi.

12 MS. PENDERGRASS: Barbara, you want to start?

13 MS. BUSHNELL: I'm Barbara Bushnell, RAB
14 member.

15 MS. VAUGHN: I'm Louise Vaughn, member.

16 MS. PETERSON: Dorothy Peterson, community
17 co-chair.

18 MS. ESPINOZA: Laurie Espinoza, RAB member.

19 MR. MANUEL: J. R. Manuel, RAB member.

20 MS. HASEGAWA: Mitsuo Hasegawa, RAB member.

21 MS. WRIGHT: Leilani Wright, RAB member.

22 MR. TISDELL: Keith Tisdell.

23 MR. KEICHLINE: Ronald Keichline, Bechtel,
24 community relations.

25 MS. PENDERGRASS: Okay.

1 MR. RODRIGUEZ: Jim Rodriguez, RAB member.

2 MS. HARRISON: Marie Harrison, RAB member.

3 MS. RINES: Melita Rines, RAB member, alternate
4 for Jill Fox.

5 MS. PENDERGRASS: All right.

6 MR. PALEGA: Sulu Palega, and I guess I'm still
7 waiting on the status of -- the Board's status. I know
8 I was recommended by the nominating committee, and then
9 there was some discussion. So I'm here. I got my
10 notice of the meeting and everything. I'll be able to
11 find out where that result is.

12 MS. PENDERGRASS: All right. Very fine.

13 MR. TOMPKINS: Raymond Tompkins, RAB member.

14 MR. DeMARS: Dave DeMars, Navy lead remedial
15 project manager.

16 MR. MACH: Richard Mach, Navy co-chair for the
17 RAB.

18 MS. HUNTER: Carolyn Hunter, Tetra Tech.

19 MS. PENDERGRASS: Okay. And I think we're
20 expecting Marie Avery a little bit later.

21 MR. MACH: Yes.

22 MS. PENDERGRASS: Okay.

23 MR. MACH: She's stuck in traffic.

24 MS. PENDERGRASS: And if we can start over here
25 with the audience introductions, please.

1 MR. FORMAN: Keith Forman, Navy team.

2 MS. SHIRLEY: Chris Shirley, ARC Ecology, RAB
3 member.

4 MR. SCOTT: My name is John Scott.

5 MS. OLIVA: Georgia Oliva, Shipyard artist,
6 member Communities for a Better Environment.

7 MR. POTTS: Jimmie Potts, Barbary Coast
8 Trucking & Brokers.

9 MR. BROWN: Lynne Brown, RAB member.

10 MR. RIGMADEN: Leandrew, CSC.

11 MR. FEICK: Ben Feick, Waste Solutions Group.

12 MS. DAVIS: Lisa Davis, SF WEEKLY.

13 MR. RATCLIFF: Willie Ratcliff, SAN FRANCISCO
14 BAY VIEW.

15 MR. ATTENDEE: Liberty Builders.

16 MR. PINARD: Tom Pinard, Navy Public Affairs.

17 MR. PELOSI: John Pelosi, US Navy.

18 MR. SAUNDERS: Lee Saunders, US Navy Public
19 Affairs.

20 MR. HAMPTON JR.: Rodney Hampton Jr., YCD.

21 MS. PENDERGRASS: Over here.

22 MR. TYAHLA: Steve -- Steve Tyahla, Navy
23 construction office. You have my card.

24 MR. HOCKER: Bob Hocker, Lennar BVHP Team.

25 MS. JENSEN: Kristin Jensen, Sheppard Mullin

1 for the Lennar team.

2 MS. PENDERGRASS: Okay. Can we start over
3 here?

4 MR. BREEDLOVE: Bill Breedlove with IT.

5 MR. AKIYAMA: Wayne Akiyama with IT.

6 MR. OHANNESSIAN: Karnig Ohannessian.

7 MR. SAGOTE: Sefo Sagote.

8 THE REPORTER: I can't hear.

9 MS. PENDERGRASS: Please speak up.

10 MR. SAGOTE: Sefo Sagote, S-a-g-o-t-e.

11 MR. BROWN: Geary Brown.

12 MR. HANIF: Chris Hanif, Young Community
13 Developers.

14 MR. SAGOTE: Al Sagote.

15 MR. BROWN: Geary Brown, Brown & Son Trucking.

16 MS. BROWNELL: Amy Brownell, San Francisco
17 Health Department.

18 MS. PENDERGRASS: Anybody else who just came in
19 like to introduce themselves before we move on?

20 MR. BIELSKIS: Doug Bielskis, Tetra Tech.

21 MR. McCONNELL: Paul McConnell.

22 MS. PENDERGRASS: Okay. Over here we had a
23 couple new people. Did you want to introduce yourself?

24 MS. SAGOT: Oh. Mele Sagot.

25 THE REPORTER: I'm sorry. What was that?

1 MS. SAGOT: Mele, M-e-l-e, last name S-a-g-o-t.

2 MR. CAMPBELL: Maurice Campbell.

3 MS. PENDERGRASS: Very good. All right. Do we
4 have anybody else? No?

5 MS. PURI: Sarina Puri, Bechtel, community
6 relations.

7 MS. PENDERGRASS: All right. Great. All
8 right. Let me see.

9 Just wanted to -- At this point we want to
10 move on with the agenda, and what we are going to try to
11 do tonight is kind of stick to the agenda. The -- the
12 meeting tonight is scheduled from 6:00 to 8:00, and we
13 kind of want to keep it in that time frame so people can
14 honor their other commitments.

15 So to do that, that means we're going to have
16 to make sure that we get the business of the RAB
17 conducted first and before we do anything else.

18 (Chein Kao arrives at 6:06 p.m.)

19 So let's try to move on with agenda review, and
20 I want to put approval of the minutes at this point.
21 First let's -- let's start with the agenda. Are there
22 any changes or recommendations for changes to the
23 agenda?

24 MR. TOMPKINS: Yes. One, concerning the agenda
25 in and of itself and then also an e-mail that I received

1 in terms of methodology and procedures being changed and
2 recommendations.

3 MS. PENDERGRASS: Okay.

4 MR. TOMPKINS: Those things should not be acted
5 upon, number one, that this governing body have bylaws
6 and Robert's Rule of Order.

7 The co-chairs are under the bylaws allowed to
8 set the agenda. I'm the author that established these
9 committees. There are no such thing as subcommittees in
10 the language that I presented and was unanimously voted
11 by this body. They are a stand of themselves. They are
12 standing committees.

13 Therefore, just as you would have in any other
14 organization, your treasurer's report and et cetera, you
15 do not summarily dismiss this.

16 Therefore, the Technical Committee and the Risk
17 Assessment Committee should be on every meeting, and
18 that was the intent of that when I -- when it was
19 unanimously voted.

20 The -- In terms of topics of other
21 discussions, yes, that is the discretion of the chairs
22 as so outlined in our bylaws. But as set forth in
23 Robert's and the bylaws combination, standing committees
24 are not summarily dismissed.

25 Therefore, I submit that the Risk Assessment

1 Committee -- Risk Assessment and Technical Committee be
2 part of this agenda and not placed at the end but with
3 the rest of the committees, because no committee is more
4 important than the other. They are all equal when they
5 were nominated and passed by this body unanimously.

6 Therefore, they should be interjected or time
7 allotted within the time period at 6:30 for the
8 committees to be presented, present their topics of
9 evidence, if they met, and their presentation.

10 Then I have another issue later to -- for --

11 MS. PENDERGRASS: Is there any discussion or
12 comment to that?

13 MS. SHIRLEY: I agree.

14 MS. PENDERGRASS: From the Board, is there any
15 other discussion to that?

16 I beg your pardon? Is there a motion on --? I
17 hear a motion, then, or I need a motion to add to the
18 agenda that the committee -- Risk Assessment
19 Committee --

20 MR. TOMPKINS: I so move.

21 MS. SHIRLEY: And the Technical Committee.

22 MS. TOMPKINS: And the Technical Committee.

23 MS. PENDERGRASS: I need --

24 MR. RODRIGUEZ: I second.

25 MS. PENDERGRASS: -- a second on that.

1 Okay.

2 All in favor of adding the Risk Assessment and
3 the Technical Committee to the agenda for this meeting?

4 MS. PETERSON: Could we have discussion on that
5 motion?

6 MS. PENDERGRASS: Have discussion now.

7 MS. PETERSON: Okay. The one --

8 Miss Avery, would you like to explain why you
9 made those suggestions?

10 MS. AVERY: Yes. Earlier this week I had a
11 conversation with both the co-char [sic] -- chair -- I
12 talked to Dorothy; I spoke with Caroline. She's not
13 here yet.

14 MR. TOMPKINS: She's not here.

15 MS. RINES: I'm sorry. I cannot hear.

16 MS. HARRISON: Louder, Marie.

17 MS. AVERY: Sorry. I'm getting over the flu,
18 so please pardon me if my voice is a little weak.

19 And one of the things that we discussed -- I
20 also met with Richard Mach and Ms. Pendergrass -- was
21 the ability to make sure that these meetings were
22 effective and that we were able to cover all the items
23 and that the bylaws were being followed.

24 One of the things that I want to ensure, in the
25 past there had been discussions that not everybody --

1 both the co-chairs were not knowledgeable of all the
2 items on the agenda.

3 So one of the things that I wanted to do to
4 ensure that this was true is to have this meeting and to
5 go over the agenda and to make sure that everybody
6 approved it.

7 Also, there had been several instances where
8 information was forwarded maybe from a subcommittee,
9 maybe not. So one of the things that we wanted to
10 establish was a procedure by which things could be added
11 to the agenda.

12 (Mr. Mason arrives at 6:10 p.m.)

13 We wanted to make sure that these meetings were
14 effective. We knew that the chairs reviewed the agenda,
15 approved the agenda. We ask that the -- all the
16 subcommittee chairs provide written recommendations.

17 (Ms. Asher arrives at 6:10 p.m.)

18 (Ms. Washington arrives at 6:10 p.m.)

19 We ask that they give minutes of their
20 recommendations to the entire committee to ensure that
21 the entire committee had knowledge of these items and
22 that they forward them to the co-chairs, all of the
23 co-chairs, for consideration on the agenda.

24 MS. HARRISON: Question?

25 MS. AVERY: Yes.

1 MS. HARRISON: You spoke with all of the -- the
2 subcommittee leaders?

3 MS. AVERY: No. I spoke with -- the meeting
4 that we were talking about --

5 MR. TOMPKINS: Point of clarification.

6 MS. AVERY: The meeting that we were talking
7 about I spoke with Caroline, Dorothy; I basically was
8 meeting with the two community co-chairs and the Navy
9 co-chair as well as the facilitator.

10 MS. HARRISON: And so they --? Dorothy and
11 Caroline were supposed to contact all of the
12 subcommittee leaders and let them know that they needed
13 to --?

14 MS. AVERY: There was an e-mail that was --

15 MR. TOMPKINS: First off a note --

16 MS. AVERY: There was an e-mail sent to all the
17 people who chair subcommittees informing them of this.

18 MR. TOMPKINS: Point of clarification. There
19 is no subcommittee, all right? The legislation -- The
20 motion that was passed here did not designate
21 "subcommittee." That's part of my objection. I'm the
22 author of it. Therefore, I have a point of authority on
23 this matter.

24 There is no subcommittee. Quit calling it what
25 it is not. It is a committee that reports to the

1 general body. There's no subjugation where they report
2 to some other committee that has oversight on their
3 activity.

4 All four committees are equal. I am arguing
5 about the question -- the illegality of setting up
6 procedures. I'm not questioning the intent of trying
7 to, 'cause we all talking about just how you go about
8 doing this.

9 MS. PENDERGRASS: I --

10 MR. TOMPKINS: And that is my objection, 'cause
11 we're talking about procedures in terms of what I'm
12 supposed to as a committee chair to report. That is
13 procedure. That has nothing to do with an agenda item
14 being discussed on the topic. It is two different
15 issues. Do not mix apple and oranges.

16 I do not argue about whatsoever the need for
17 it, but how it's being take -- going about is
18 inappropriate.

19 MS. PENDERGRASS: I think we understand your
20 position on that, Mr. Tompkins.

21 Mr. Manuel?

22 MR. MANUEL: Yeah.

23 The problem is, Ray, that whether it's a
24 misnomer or whatever, we've been calling them
25 "subcommittees" for the last -- longest period of time.

1 So, you know, we're kind of stuck with the fact that
2 that's what it's been considered as.

3 And you can go back in the minutes from meeting
4 several -- several meetings in arrears, and you find that
5 we have been calling them "subcommittees" for a long --
6 so that's not accurate.

7 MS. PENDERGRASS: We -- we have a lot of
8 subconversations going on here --

9 MR. MANUEL: I'm sorry.

10 MS. PENDERGRASS: -- and that -- that needs to
11 stop --

12 MR. MANUEL: One thing --

13 MS. PENDERGRASS: -- so that people have the
14 respect --

15 MR. MANUEL: One thing -- What we've been
16 calling it is there are "subcommittees."

17 MS. PENDERGRASS: Okay.

18 MR. MANUEL: And that's accurate, you know --
19 that's accurate as to what we have been calling them,
20 the "subcommittees." And if that's a problem now, it
21 should have been raised as a problem way back when,
22 because that's what they have been considered as, and we
23 have been moving on agendas as per these people being
24 considered subcommittee members, et cetera, et cetera.

25 So, you know, just point of clarification,

1 that's what they are being considered.

2 MR. TOMPKINS: It has been probably by those
3 who reporting or who interpret it or reconstruction of
4 memory or fact.

5 MR. MANUEL: No. It's by the people who are
6 calling themselves what they're calling them --

7 MS. PENDERGRASS: Mr. Manuel and
8 Mr. Tompkins --

9 MR. MANUEL: -- committees.

10 MS. PENDERGRASS: -- I think we both have --
11 understand your positions on that. Did you have
12 something --

13 MR. MANUEL: Okay.

14 MS. PENDERGRASS: -- else --

15 MR. MACH: I --

16 MS. PENDERGRASS: -- to add to that?

17 MR. MACH: I -- I just want to clarify that the
18 bylaws from 1996 that were revised this past March --
19 and this section was not changed -- Section 16 of the
20 bylaws calls for "subcommittees." There is nothing in
21 the bylaws anywhere that talks about committees; only
22 "subcommittees"; and so they have always been
23 subcommittees per the bylaws.

24 MS. PENDERGRASS: Okay.

25 I just want to like to -- I'm -- I'm going to

1 close this discussion at this point. I think we have
2 heard the issues on that and respect the points of view,
3 the varying points of view.

4 I don't -- and I do want to just make sure it's
5 clear that a subcommittee isn't a subjugation of your
6 authority or your ability to move a recommendation
7 forward.

8 But from the bylaws and from what I've read of
9 your agreement to work together is that you will make a
10 decision as a group, a consensus as a group. So that
11 means that a subcommittee is bringing a recommendation
12 for the full group to consider and make a motion on.

13 So there's no subjugation. However, you don't
14 have the full authority of a group as -- as a subgroup
15 of the -- of the larger group.

16 We do need to move on. We have -- we have a
17 motion on the floor at this point to add the Risk
18 Assessment and the Technical Committee back onto the
19 agenda. It is also my understanding that those
20 committees didn't meet, so there may -- may or may not
21 be something to report.

22 But we have got a motion on the floor. Barring
23 no more discussion, let's call -- call for the question
24 on that. All in favor of adding those two committee
25 reports back to this agenda tonight, please vote.

1 THE BOARD: Aye.

2 MS. PENDERGRASS: Those opposed?

3 (RAB members raise their hands.)

4 MR. MANUEL: No.

5 MS. PENDERGRASS: Okay. At this point we need
6 a count because I can't -- it looks too even to me, so I
7 don't know. I don't have anybody to -- Can you do that
8 again? I need to get a count. All those in favor,
9 please raise your hand.

10 MR. ATTENDEE: Aye.

11 MS. PENDERGRASS: Okay. So can you count,
12 please.

13 MS. PETERSON: Oh, Caroline, you were the
14 one -- Caroline, you approved it.

15 MS. PENDERGRASS: Miss Peterson --
16 Did you count?

17 MR. MALOOF: Yes. One, two, three, four --

18 MR. MASON: Do it again. Do it again.

19 MR. MALOOF: Okay. Please raise your hands
20 high. One, two, three, four, five, six, seven, eight.

21 MR. TOMPKINS: Caroline's raised her hand. She
22 can do whatever she wants. So call. Don't influence
23 anybody over you.

24 MS. PENDERGRASS: Mr. Tompkins and Miss
25 Peterson, if you cross this table again with

1 conversation, you will be asked to leave and we'll have
2 to have your comments in writing. We can't have that
3 bickering back and forth.

4 MR. TOMPKINS: Then please don't anyone
5 intimidate or try and influence someone's vote. They
6 have a right to vote their opinions.

7 MS. PENDERGRASS: Mr. Tompkins, if you can keep
8 your comments to yourself and we'll ask Miss Peterson if
9 she'll keep her comments to herself, we won't have any
10 intimidation going on here at this point.

11 MR. MANUEL: I have an important --

12 MS. PENDERGRASS: Before we go we are going to
13 count the no votes on this.

14 MR. MANUEL: But it's very important what I'm
15 about to say. He counted audience as well.

16 MR. ATTENDEE: No. The audience, she's a RAB
17 member.

18 MR. MANUEL: No. He said he counted people who
19 had their hands in the back up that were audience
20 members.

21 MR. MALOOF: She was the only one that --

22 MR. MANUEL: Okay. Well, I'm just saying, the
23 point is still a point. You don't count an audience.

24 MS. PENDERGRASS: Yeah, we're not counting --

25 MR. MANUEL: That's my point.

1 MS. HARRISON: There -- there's no place at the
2 table for her.

3 MR. TOMPKINS: She's a RAB member. There's no
4 seat for her at the table.

5 MR. MANUEL: Okay. Well, there's other people
6 that had their hands up too. I don't know who you
7 counted.

8 MS. PENDERGRASS: All right. Well, let's just
9 count off, then, as RAB members. And can we start over
10 here and count up again, please?

11 MR. PALEGA: Can I -- can I make a
12 recommendation --

13 MS. PENDERGRASS: Just count one --

14 MR. PALEGA -- to the chair?

15 MR. MANUEL: Two.

16 MS. ESPINOZA: Three.

17 MS. PETERSON: Four.

18 MS. HARRISON: Caroline.

19 MS. WASHINGTON: Five.

20 MR. TOMPKINS: Six.

21 MS. PENDERGRASS: Six. And who else do we have
22 over here?

23 MS. HARRISON: Over here you still -- you're
24 still missing --

25 MR. TOMPKINS: Jesse Mason.

1 MS. HARRISON: Seven.
2 MS. PENDERGRASS: Seven.
3 MR. MASON: Eight.
4 MS. HARRISON: Eight.
5 MR. TOMPKINS: Nine.
6 MS. PENDERGRASS: Nine. Okay. So we have nine
7 affirmatives.
8 And how many negatives do we have or
9 contradictions to that vote? Can we count off, please,
10 down there? One? Count off yourself.
11 MS. VAUGHN: Oh. One.
12 MS. ATTENDEE: One.
13 MS. PENDERGRASS: One.
14 MR. TOMPKINS: One.
15 MS. PENDERGRASS: Okay. Can I get a count
16 on --? All right.
17 MR. MANUEL: Three.
18 MS. WRIGHT: Four.
19 MS. HASAGAWA: Five.
20 MS. HARRISON: Can you count two peop- --?
21 MS. PENDERGRASS: Okay.
22 MR. ATTENDEE: Eight.
23 MS. ATTENDEE: Eight.
24 MR. PALEGA: Eight, nine.
25 MS. ATTENDEE: Nine.

1 MR. TOMPKINS: He doesn't vote?

2 MR. ATTENDEE: He's not a member of the --

3 MR. TOMPKINS: He's not -- That's an issue.

4 MR. PALEGA: Well, that's -- and I guess that's

5 what I want to establish, because --

6 MS. PENDERGRASS: I -- I don't know that to be

7 a fact. Somebody needs to give me clarification on

8 who's a RAB member or not.

9 MR. ATTENDEE: Yeah, let's get clarification.

10 MR. PALEGA: Let's get clarif- --

11 Keith?

12 MS. PENDERGRASS: So then we have --

13 MR. PALEGA: Keith, can we get back to this?

14 'cause I want -- I want to make sure we get this

15 clarified, okay, about my -- my role on this board,

16 because there's some discussion about that right now.

17 MS. PENDERGRASS: Mr. Palega, at this point

18 unless -- unless it's been a vote -- and to my

19 knowledge, we haven't voted on -- on you as a -- a RAB

20 member yet because there has -- we haven't voted, had

21 elections.

22 Is that not correct, Mr. Mach?

23 MR. MACH: That's correct.

24 MS. PENDERGRASS: Okay. We -- we need to -- we

25 need --

1 MR. PALEGA: There's a recommendation made?

2 MS. PENDERGRASS: Okay. There will be, and we
3 are going to get to that. So Mr. Palega, I'm going to
4 ask you -- and I -- this is really horrible for me, but
5 you're going to have to step back from the table so that
6 we vote, and we're going to need to bring our RAB member
7 that is a voting member to the table. Can we have that
8 pretty orderly done at this point? Thank you.

9 All right. So the ta- -- the question was
10 called, and we had nine to eight was the -- was the
11 count on that. So the motion to add those two have --
12 carries.

13 So next I'm going to call for the approval of
14 the minutes. Do I have a motion to approve the minutes?

15 MR. MACH: I'll motion to approve.

16 MS. PETERSON: I'll second.

17 MS. PENDERGRASS: Okay. So we have a motion to
18 approve the minutes by Mr. Mach, and we have a second by
19 Miss Peterson.

20 Do we have any discussion about the minutes?

21 MR. TOMPKINS: Yes.

22 MS. PENDERGRASS: Mr. Tompkins, did you have
23 something to -- to bring up about the minutes?

24 MR. TOMPKINS: Yes. In our minutes from 50
25 documents, it has "Technical Review" --

1 MR. MACH: What page?

2 MR. TOMPKINS: That would be 4 of 10 --
3 "Economic Development Committee," 5 of 10. Each one of
4 these are designated as a "committee," not a
5 subcommittee. The review and approval was, it's my
6 knowledge, if -- my memory probably in error, but it was
7 approved after the revised bylaws of March.

8 Therefore, I would ask for clarity to go back
9 to the transcript that was accurate that carried the
10 motion since we are carrying it in this document as a
11 committee.

12 Therefore -- and was my intent as the author of
13 the motion, that is a standing committee.

14 Therefore, given the document here and the
15 rest; therefore, from this point on, it should not be
16 referred to as a "subcommittee," or do we need clarity
17 from the minutes when the motion was passed and
18 announced by this body?

19 MS. PENDERGRASS: I -- I understand that as a
20 comment, but I don't understand that as a question. As
21 a RAB member, are you posing a question to the Board?

22 MR. TOMPKINS: Yes.

23 MS. PENDERGRASS: And what might that question
24 be? Can you just repeat it?

25 MR. TOMPKINS: For clarity to get it just

1 rectified once and for all in terms of subcommittee or
2 and committees that we turn to the minutes, because as
3 we have in our document here is referring to as
4 "Technical Review Committee," not Technical Review --

5 MS. PENDERGRASS: I --

6 MR. TOMPKINS: -- Subcommittee.

7 MS. PENDERGRASS: I just -- I just need a
8 summation of the question that --

9 MR. TOMPKINS: The summation is that I would
10 like gain clarity by definition from the minutes of that
11 meeting in terms of how we define when the motion was
12 made initially so that we can get clarity and --

13 MS. PENDERGRASS: Well, let me make sure I
14 get --

15 MR. TOMPKINS: -- accuracy.

16 MS. PENDERGRASS: The question is that we'd
17 like -- You -- you -- Your motion is -- is that we
18 clarify the --

19 MR. TOMPKINS: The title --

20 MS. PENDERGRASS: -- the title.

21 MR. TOMPKINS: -- and the relationship of these
22 committees.

23 MS. PENDERGRASS: So let me -- let me just help
24 you clarify that a little closer.

25 From now on we'd like to call any so-called

1 subcommittee "standing committees"; is that what I heard
2 you say?

3 MR. TOMPKINS: Correct.

4 MS. PENDERGRASS: Okay. So the --

5 MR. ATTENDEE: Standing committees.

6 MR. MACH: No, you can't do that.

7 MS. PENDERGRASS: That -- Again, that's the
8 question. That is the question.

9 There -- Is there a second on that motion?

10 MR. TOMPKINS: No. Let me clarify.

11 MS. PENDERGRASS: There is a question on the
12 floor. If we're going to operate by Robert's Rules of
13 Order, then we all need to operate that way, which means
14 that every RAB member has the right to bring a question
15 forward. He has to have somebody to second that, he or
16 she.

17 MS. ATTENDEE: Part of the by --

18 MS. PENDERGRASS: If he doesn't have a second
19 on that, the motion dies.

20 MR. TOMPKINS: I would like clarification on
21 the motion, point of technical correction.

22 MS. PENDERGRASS: You're bringing the motion --

23 MR. TOMPKINS: I'm asking --

24 MS. PENDERGRASS: -- Mr. Tompkins.

25 MR. TOMPKINS: I would like --

1 MS. PENDERGRASS: You don't ask for
2 clarification on a motion that you're bringing.

3 MR. TOMPKINS: Well, the way you restated it is
4 inappropriate in terms of what my intent is for the
5 motion.

6 MS. PENDERGRASS: Okay. You need to state your
7 motion as a question so that we can move --

8 MR. TOMPKINS: Therefore --

9 MS. PENDERGRASS: -- this matter forward.

10 MR. TOMPKINS: -- from this point can we get in
11 terms of -- refer back to our minutes as for clarity in
12 terms of when we took our vote whether it was a
13 subcommittee or a committee at this point so that we can
14 get it clarified?

15 MS. PENDERGRASS: You're asking me a question.

16 MR. TOMPKINS: I'm asking for a motion. That's
17 my motion, so we get clarity on what was the intent of
18 the vote rather than try and redefine it, go by what we
19 voted on.

20 MS. PENDERGRASS: Again, there's -- is there a
21 second to that motion?

22 MR. MANUEL: Second.

23 MS. PENDERGRASS: Okay. Is there a discussion
24 that we haven't already heard regarding that motion?

25 Mr. Manuel.

1 MR. MANUEL: Well, my question would be to
2 whoever -- I guess would be to Richard, because he seems
3 to know quite more about the bylaws than whoever else.

4 Would his question enable the committee or
5 subcommittee --

6 MR. RATCLIFF: Standing committees.

7 MR. MANUEL: -- any other --?

8 Would you not disrupt this meeting,
9 Mr. Ratcliff.

10 MR. RATCLIFF: Who? Me? Yeah.

11 MR. MANUEL: Would -- would the changing of --
12 of what the committee or subcommittee is called -- would
13 that gain any authority to that committee any different
14 than it has, regardless whether it's called a
15 "subcommittee" or "committee"?

16 And I think that -- I would hope that you
17 would be asking a question that would be relevant to
18 something that would enable you to do something. Or if
19 it's not going to do anything, we're kind of wasting
20 time with these names.

21 MR. TOMPKINS: It would. In the fact of the
22 technical point, it would be a standing committee that
23 then those who are setting the agenda cannot summarily
24 dismiss the reports from the committee and say, "Oh, you
25 come next month or after."

1 It would be like your organization meeting when
2 you have a treasurer's report, that is set in your
3 agenda. You do not dismiss it.

4 By putting it as a subcommittee, you have the
5 option of dismissing it and say, "We'll refer it over."

6 If you and other members take the time to meet
7 and we set it up for that, then they should -- we should
8 also respect each other's time and then have it in our
9 meeting --

10 MR. MANUEL: Richard didn't have --

11 MR. TOMPKINS: -- but not just summarily --

12 MR. MANUEL: Ri- --

13 MR. TOMPKINS: -- dismiss --

14 MR. MANUEL: Richard didn't ask for -- ask --
15 answer my question.

16 Would that enable any further empowerment for
17 that organization if it's called one thing or the other?

18 MR. MACH: If you were to call them
19 "committees" instead of "subcommittees," then the
20 committees would be dissolved until you change the
21 bylaws to allow for committees instead of subcommittees.

22 So the only way you can even have the
23 subcommittees is by following the bylaws, which
24 currently call for subcommittees.

25 If you were to change the bylaws to have

1 committees and subcommittees, neither one of them would
2 have any more power than the other one.

3 If you were to change the bylaws to have
4 committees and subcommittees and say the committees get
5 standing time on the agenda, then that would be fine.
6 They could have standing time on the agenda. But we had
7 never disagreed with ever having any reason not to have
8 subcommittees as a standing item.

9 The only reason they were left off the agenda
10 this time is because at the end of last meeting when we
11 went through who was going to be meeting this month,
12 those committees did not say they were going to meet, so
13 that we did not have on the agenda, and we tried to get
14 some more technical information on there.

15 It was at the last minute that we got a call
16 from Ray saying, "Please add me on." That's when we had
17 the conference call with the two community co-chairs and
18 with my boss and with the facilitator.

19 It was agreed that we would come up with new
20 procedures so that we didn't have committees getting up
21 here that were not prepared, didn't have information,
22 didn't have all of their -- their members supporting --
23 or their subcommittee members supporting what was being
24 presented and trying to get a little more orderly.

25 So, you know, if you want -- if you want me to

1 go back and change the minutes so they are more clear
2 that every -- everywhere that "committee" or
3 "subcommittee" is written it means the same thing, I'll
4 do that. I mean, it's a simple word search. But, you
5 know, it says "subcommittees" in here, and sometimes we
6 use "committees" interchangeably; but it's all meant to
7 be the same thing.

8 MS. PENDERGRASS: You know, I -- I --

9 MS. HARRISON: Can we just call --

10 MS. PENDERGRASS: -- think that we're --

11 MS. HARRISON: -- for the question, please?

12 MS. PENDERGRASS: I'm calling for the question
13 right now.

14 MS. ESPINOZA: Point of parliamentary
15 procedure. You had a main motion on the floor.

16 MS. PENDERGRASS: That's right.

17 MS. ESPINOZA: Mr. Tompkins' was another main
18 motion. It was not an amendment to the may -- to the
19 original main motion. Therefore, it was out of order.
20 It was not an amendment.

21 MS. PENDERGRASS: You're absolutely right, Miss
22 Espinoza. But I am trying to get as much latitude so
23 that people can be heard and have their issues on the
24 table.

25 (Mr. Paul arrives at 6:26 p.m.)

1 And I think that we have really bent over
2 backwards on this particular motion to get to the point
3 of do you want to have something to say from your
4 committee. If you've met and you have something to say,
5 we'd be more than happy to add it to the agenda. That's
6 basically what we're trying to get to here.

7 So if -- if everyone's in agreement, can we
8 quash that motion and move forward?

9 MS. PETERSON: Yes.

10 MR. ATTENDEE: Yes.

11 MS. PENDERGRASS: Thank you.

12 MS. PETERSON: Thank you.

13 MS. PENDERGRASS: All right. I -- I'd like to
14 call for the question again at this point if someone
15 needs to call the question to approve the minutes. Did
16 we do that?

17 MR. MANUEL: No.

18 MS. PENDERGRASS: No, we did not.

19 MR. MACH: No. We seconded it.

20 MS. PENDERGRASS: And we had a -- we had a
21 first and a second on that motion.

22 Thank you, Miss Espinoza.

23 And barring no other discussion and any
24 amendments that we agree to make to those, all in favor
25 of the minutes being approved, say, "Aye."

1 THE BOARD: Aye.

2 MS. PENDERGRASS: Any opposing?

3 (No verbal response elicited.)

4 MS. PENDERGRASS: Very good. Whew. Whew.

5 That was a hard one.

6 All right. Now, the technical stuff should be

7 easy sailing now.

8 Next we'll have community co- --

9 MR. MACH: No, no. Action items and

10 announcements.

11 MS. PENDERGRASS: Action items and

12 announcements.

13 MR. MACH: That's me.

14 MS. PENDERGRASS: Yeah, I don't have that.

15 MR. MACH: Yeah, that's me.

16 MS. PENDERGRASS: Oh, I'm sorry. Go right

17 ahead.

18 MR. MACH: Okay. In the minutes that -- that

19 were sent out, there were some action items. You can

20 see that No. 1 and No. 2 are completed. Number 3 and

21 No. 4 were not completed because I didn't get anything

22 from Keith. So that was the first one.

23 And the second one was for me to forward what

24 Keith was going to send me, so I didn't forward them.

25 And third one, Dr. Sumchai is not here, but she never

1 called me to set up a meeting either. So those three
2 were not done.

3 MS. PENDERGRASS: Very good.

4 MR. MACH: That's it for the action items.

5 I do have two other quick announcements.

6 One, I think about 11 or 12 of you attended the
7 October 27th RAB open house at Treasure Island. We had
8 gotten a lot of ver- -- a lot of very good feedback from
9 the people who attended that.

10 You know, as we presented at the last meeting,
11 there were, I think, eight different bases in the Bay
12 Area that had poster displays there. We had people from
13 Washington, D.C., come out and give presentations.

14 And based on some other things that we have
15 discussed in the past and recommendations that have come
16 out of that workshop, we would also like to host another
17 one just for the Hunters Point community sometime soon,
18 probably in the February time frame.

19 And we'd like to start working with those who
20 attended the meeting and for anyone else who has input
21 to start setting up that sort of additional workshop for
22 either more training or more information or maybe a tour
23 of the base, like we have talked about many times in the
24 past, or some other things to try and, you know, get the
25 information out to you a little better as to what's

1 going on in the cleanup program.

2 So I'm -- I'm going to recommend that either a
3 group get together or use one of the existing
4 subcommittees to -- to start working at coming up with
5 what you guys would like and have us in attendance for
6 those so we can help let you know what we can also do to
7 help out with that.

8 And then my -- my last announcement is: This
9 may very well be my last RAB meeting a- -- as the Navy
10 co-chair for Hunters Point. I've been offered another
11 position in Washington, D.C., which I have accepted, and
12 I will soon be moving on to D.C. to take that job.

13 I'd like to introduce Keith Forman. Keith is
14 the current BEC for Marine Corps Air Station, Tustin,
15 and Keith is going to be taking my place whenever the
16 transition happens, which will probably be end of
17 December, beginning of January sometime. So I just want
18 to introduce Keith.

19 Keith, do you want to say a few words?

20 MR. FORMAN: Just I'm delighted to be here, and
21 I'll be learning a lot from Richard between now and
22 January when the next RAB meeting comes; and then I'll
23 talk a little bit more, I guess, at the next RAB meeting
24 about me and hope to get to know all of you.

25 MR. RATCLIFF: You will.

1 MR. TOMPKINS: Excuse me. Richard. Action
2 item. Action item when I left --

3 MS. PENDERGRASS: Actually, Mr. Tompkins, I'm
4 sorry. We have a person with their hand up that has had
5 it up for a while.

6 MR. TOMPKINS: No problem.

7 MR. MASON: I'm -- I'm very sorry, but I would
8 like to get the stenographer to read the first portion
9 of Richard's comments, because I didn't get a chance to
10 hear it.

11 MS. PENDERGRASS: I can just sum it up for you
12 really quickly. Richard said that he -- he's -- he
13 would like a subcommittee to take on the responsibility
14 of organizing a tour and some additional training for
15 the Board.

16 And the second part of his --

17 Did I sum that up correctly?

18 And the second part was that he's leaving and
19 that we -- he has a replacement. Pretty
20 straightforward.

21 Mr. Tompkins.

22 MR. TOMPKINS: Action item. Richard, I don't
23 know where in the agenda it may come up, but we voted
24 one of the action items from the committee on health
25 risk assessment. We wanted to find out about the

1 bunkers, made a formal request. Is that --?

2 MR. MACH: I -- I -- I will -- I will discuss
3 that -- I will discuss that if we get to the 7:10 topic
4 on --

5 MR. TOMPKINS: Thank you.

6 MS. PENDERGRASS: Very good. So if -- if we
7 can, we're going to move to the community co-chair
8 reports and announcements.

9 MS. RINES: I -- It's just an adjustment. I
10 don't know when to -- when this would come in, but the
11 Web site address is incorrect, the one that's always
12 listed on here. That just needs to be corrected.

13 MS. PENDERGRASS: Okay. And -- and if -- if we
14 can get the correct one written up on the board, we'll
15 make sure that that gets up. That makes sense.

16 All right. Miss Peterson, take it away.

17 MS. PETERSON: Caroline.

18 MS. PENDERGRASS: Oh, Caroline's first?

19 MR. TOMPKINS: Any other announcements?

20 MS. PENDERGRASS: At -- at this point I'm
21 closing the floor to any other announcements; and if we
22 have time, we'll do that at the end. At this point
23 we're going to go ahead with the community co-chairs.

24 Did you want to start, Miss Washington?

25 MS. WASHINGTON: Announcements.

1 MR. TOMPKINS: No. Community co-chair reports.

2 MS. WASHINGTON: Community co-chair report?

3 MR. TOMPKINS: Mm-hmm. Do you have anything?

4 MS. WASHINGTON: Not except that we went to

5 the -- what was it? The seminar?

6 MR. TOMPKINS: Mm-hmm, at Treasure Island.

7 MS. WASHINGTON: -- at Treasure Island, and it

8 was an interesting program that we attended.

9 MR. MASON: Can you speak louder, please?

10 MS. WASHINGTON: Okay.

11 We went to the -- the meeting at Treasure

12 Island, and we were informed of many things that was

13 helpful for us here. And we -- but we were supposed to

14 go on a bus, but the bus got mixed up with the time, and

15 we had to go on our own.

16 And what else can I tell you about it?

17 MS. PENDERGRASS: Okay.

18 MS. WASHINGTON: We had a -- 12 or 13 people

19 there, and it was a big crowd of other people there from

20 other areas.

21 MS. PENDERGRASS: That's it?

22 MS. WASHINGTON: Yeah, that was it.

23 MS. PENDERGRASS: All right. Thank you.

24 Miss Peterson, did you have anything to add to

25 that?

1 MS. PETERSON: No, I don't have anything to add
2 to that, but I did have --

3 MS. PENDERGRASS: You have a report?

4 MS. PETERSON: No, I didn't have a report.

5 I was talking to Mr. Palega, and he was voicing
6 his concerns, and he asked if he could speak during my
7 time; and before he does speak, we do have Caucasians on
8 the Board, African-Americans on the Board and Latinos on
9 the Board; and we do need Pacific Islanders, so I wanted
10 him to know that it's nothing personal. So, you know --

11 MR. PALEGA: Thank you.

12 MS. PETERSON: -- go ahead.

13 MR. PALEGA: Thank you, Miss Peterson.

14 And -- and I just want to state this, because
15 it's obvious that we're dealing with diversity. I'm not
16 only Samoan, but I'm also a resident of this
17 neighborhood.

18 The Samoan population is the second to the
19 African-American on that hill. Not only that, they are
20 also the second of people that worked in the Shipyard
21 and also suffered some of the agony that I've heard at
22 these meetings.

23 It just irks me when I come to meetings in this
24 community and I see everybody dropping in from heaven
25 and hell who never went through some of the -- the tough

1 times, and Jesse could speak to that too.

2 And then going through the process, I went
3 through the process: I submitted my application, didn't
4 do a power play, went there a cold night, got voted in,
5 thought this was going to be brought to -- Keith was
6 supposed to be bringing this to the chair; and I've gone
7 through a month, a month of waiting. A lot of you in
8 this room know me, and a lot of you know what I do.

9 The Samoan community in this neighborhood has
10 gone through hell. We have unemployment rate that has
11 just exceeded everybody. No one in this room -- and I
12 would dare anyone to get up -- and here's the Samoans
13 here now to say they represent Samoans, because they
14 don't. The Pacific Islanders do not get represented;
15 but yet, when the stuff breaks, we're expected to come
16 to the table and help soothe things along.

17 A lot of you are not aware of the historical
18 development in the Bayview-Hunters Point, and I'm
19 talking about the late '59s, the '60s, the '70s when we
20 literally were at war with each other because of a thing
21 called sponsorship on this hill.

22 MS. PENDERGRASS: Mr. Palega --

23 MR. PALEGA: We have gone through that -- wait
24 a minute.

25 We have gone through that, and here we come

1 back in the year 2000, and we're still talking about
2 segregation. We're not included. Why? So we don't get
3 up and break windows. We don't get out and threaten
4 people.

5 MS. PENDERGRASS: Mr. Palega --

6 MR. PALEGA: We -- we --

7 MS. PENDERGRASS: -- I -- I'm sorry. I'm going
8 to have to interrupt you. What you have to say is very
9 valuable, but what we also have to hear tonight on
10 behalf of the RAB, and what we're trying to do is also
11 as valuable, and we come here tonight to do that
12 business first.

13 MR. PALEGA: Okay.

14 MS. PENDERGRASS: So I would love to give you
15 an opportunity the end of --

16 MR. PALEGA: Let me --

17 MS. PENDERGRASS: -- the agenda.

18 MR. PALEGA: Let me just close up some closing
19 remarks --

20 MS. PENDERGRASS: Thank you, sir.

21 MR. PALEGA: -- okay?

22 And as a person that's worked in this community
23 and been a part of the community, I'd like to see that
24 representation laid out for everybody.

25 MS. PENDERGRASS: Okay, but your time is --

1 MR. PALEGA: So, you know, and that's why I
2 have applied to go to this board and -- and deal with
3 this, and I'd hope that that would be favorably looked
4 upon.

5 MS. PENDERGRASS: Thank you very much.

6 At this point, Miss Peterson.

7 MS. PETERSON: I would like to make a motion
8 that we address voting on Mr. Palega's application.

9 MR. BROWN: We -- we have . . .

10 MS. PETERSON: I'm sorry?

11 I would like to make a motion.

12 MS. WASHINGTON: Is he the only one that's
13 waiting?

14 MR. TOMPKINS: No. Five other people.

15 MS. PETERSON: No, he -- not -- He is the only
16 one that has been reviewed and is -- has been approved
17 by this committee, by the Membership & Bylaws Committee,
18 his application. It was brought to the full board.

19 Now, we should have voted on it last time. I
20 thought it was pro forma. I made that motion. Barbara
21 has seconded it.

22 MR. TOMPKINS: Discussion?

23 MS. WASHINGTON: What about the other people
24 that are waiting?

25 MR. BROWN: Right.

1 MS. PENDERGRASS: Discussion, but before we go
2 to discussion phase of it, I'm sorry, I'm going to step
3 in here again, and I -- I'm stepping in because I am
4 trying to make sure that we stay on track. And in order
5 to do elections, you have those outlined in your bylaws
6 in how you will do elections.

7 MS. PETERSON: It's not election.

8 MS. PENDERGRASS: To bring a new RAB member on
9 is not an election or --? That's my understanding from
10 your bylaws, that you have to all vote to bring someone
11 on, and you need to do that in election process, and I
12 understand you have other people waiting.

13 MS. PETERSON: No. We -- You have to review
14 the applications that are before you. Mr. Tisdell only
15 had that application. Mr. Palega came and reviewed that
16 application. We approved it, and we brought it to the
17 Board.

18 Now, is this man supposed to wait --?

19 MS. PENDERGRASS: We're not talking about what
20 this man is supposed to do.

21 MS. PETERSON: Well, that's -- we're talking
22 about --

23 MS. PENDERGRASS: We're talking about the
24 process. We are talking about this process.

25 MS. PETERSON: And I'm talking about the

1 process too.

2 MS. PENDERGRASS: Right.

3 MS. PETERSON: The process is: Mr. Tisdell
4 said he only had one application.

5 MS. PENDERGRASS: Okay.

6 MS. PETERSON: That was Mr. Palega's. We
7 reviewed that application --

8 MS. PENDERGRASS: So this is coming from the --

9 MS. PETERSON: -- and approved it.

10 MS. PENDERGRASS: Okay.

11 MS. PETERSON: It was brought to the full
12 Board.

13 MS. PENDERGRASS: Okay.

14 MS. PETERSON: Now it is to be voted on.

15 MS. PENDERGRASS: All right.

16 MS. HARRISON: Point of clarification.
17 Question?

18 MS. PENDERGRASS: Okay. This discussion is
19 going to have to only take five minutes. So please
20 don't reiterate -- Please just make your comments. And
21 we need to start right here. Yes, ma'am, Dr. -- yes.

22 DR. SUMCHAI: My name is Ahimsa Sumchai for
23 those of you who I've not had an opportunity to meet.
24 Sulu and I go all the way back to, you know, high school
25 at Woodrow Wilson, and he knows that I respect him in --

1 in the highest regard.

2 I do, you know, want to emphasize that this is
3 not a time-constraint issue that it took me personally
4 six months to get on the Board despite an application,
5 and I think that there's no pertinent argument that
6 could be made, you know, that this needs to be done
7 tonight; and there are people who certainly have
8 submitted their application prior to Mr. Palega's who
9 not, you know, received the appropriate respect in
10 process that is due them.

11 MS. PENDERGRASS: Miss Harrison, did you want
12 to add something to that?

13 MS. HARRISON: Actually, I think that she just
14 about summed it up for me.

15 And I just will add to this that this is not a
16 personal thing. This is not about not adding a Pacific
17 Islander to the Board. This is about giving everybody
18 due process, and there are still folks within the
19 audience now that had their applications on file. We
20 had this conversation before. And at that time I was
21 told that we could not move forward with placing these
22 folks because someone lost their applications.

23 MS. PENDERGRASS: That's exactly what happened
24 last meeting.

25 MS. HARRISON: So I think until we get those

1 folks who were here first resolved, that we need to just
2 do this.

3 And remember the positions. Mr. Tisdell has
4 reminded me of the positions that were available to be
5 filled. If we have positions and we're sticking to
6 that, then we need to stick to the positions that need
7 to be filled.

8 MS. PENDERGRASS: All right. I know we're
9 operating on Robert's Rules of Order here, and I know
10 that there's some other discussion. But just kind of to
11 get to the crux of this, we had the same discussion last
12 time regarding some other members; and I appreciate the
13 fact that this person has gone through the review
14 process, but it probably should come as a total review.

15 What we need to do is -- and I would make a
16 suggestion so that somebody might want to make this
17 motion -- is that we go ahead and make -- give the
18 directive to the subcommittee that's handling
19 nominations and so forth to meet, review, and bring a
20 slate for vote for the next meeting. And I think --

21 Mr. Tisdell, was that not what you were doing
22 at our last committee?

23 MR. TISDELL: [Indicating.]

24 MR. TOMPKINS: That was supposed to have happen
25 at the last meeting.

1 MS. PENDERGRASS: And so since that meeting
2 didn't happen, you didn't have your meeting, if I'm
3 not --?

4 Okay. So the meeting will be December 13th,
5 and all applications should go there.

6 MR. MANUEL: I second that or offer that motion
7 too.

8 MS. PENDERGRASS: Okay. Do we have a second to
9 that?

10 MS. PETERSON: Motion's on the floor.

11 MR. MANUEL: I'm actually --

12 MS. PENDERGRASS: No, sir, you are not on
13 this --

14 MR. MANUEL: I'm actually --

15 MS. PENDERGRASS: -- RAB at this point, and you
16 can't have --

17 MR. MANUEL: I'm saying I'm offering that as a
18 motion. I was being facetious with seconding it. I
19 offer that as a motion. I agree, in all fairness,
20 everyone is trying to get to where these meetings move
21 along. I think we should do it in a orderly way, and
22 fair is fair.

23 Anybody else who's waiting -- and -- and I like
24 this man. It has nothing to do -- I'm like everybody
25 else: It's not personal, but we can't just, you know,

1 say we're going to move these meetings along and then
2 hand-pick somebody and then go somewhere else. So I
3 ma- -- I offer that as a motion.

4 MS. PENDERGRASS: All right.

5 MS. ESPINOZA: You can't.

6 MS. RINES: I second that motion.

7 MS. PENDERGRASS: Okay.

8 MR. TOMPKINS: Second.

9 MS. PENDERGRASS: We have a second for that.
10 We have a motion. We have a second on that.

11 What are you saying?

12 MS. ESPINOZA: We have two main motions.

13 MS. PENDERGRASS: We have two mations [sic]
14 on -- motions, all right. I got a parliamentarian over
15 here.

16 The -- the first motion that's on the floor --
17 let's just make sure we get it all clear. The first
18 motion on the floor was actually to have this -- to
19 accept him have this motion.

20 So we've gotten some discussion. We need to
21 call the question or either withdraw the question. So
22 we need to call the question.

23 MS. PETERSON: Call for the question.

24 MS. PENDERGRASS: I'll call for the question.
25 The question -- and let me just make sure I phrase it

1 correctly. The question on the table right now is to
2 accept Mr. --

3 MR. PALEGA: Palega.

4 MS. PENDERGRASS: -- to vote on Mr. Palega
5 joining the Board. That was the question that's on --
6 that's on the table --

7 MR. TOMPKINS: Madame Chair --

8 MS. PENDERGRASS: -- and we had discussion.

9 MR. TOMPKINS: -- point of clarification. It
10 was moved in the last meeting when the issue --

11 MS. PENDERGRASS: Mr. Tom- --

12 MR. TOMPKINS: -- came up it was to refer to
13 Keith's committee.

14 MS. PENDERGRASS: Okay. Well, I understand
15 that, but we -- we have this motion still on the table.
16 Regardless of whether it makes sense, it's on the table.

17 So if -- if -- your opportunity to disagree
18 with that motion is to now when we vote, which we're
19 going to call for the vote, how many in favor of having
20 an election tonight to add Mr. Palega? Say yes -- Say,
21 "Aye." How many agree to do that?

22 MS. PETERSON: That was not my --

23 MS. PENDERGRASS: That was your motion.

24 MS. PETERSON: No. I was -- My motion was to
25 vote him on the Board now, not have an election. We

1 have already voted him on the Board.

2 MS. PENDERGRASS: To add -- to add him to the
3 Board --

4 MS. PETERSON: Yeah.

5 MS. PENDERGRASS: -- to vote him onto the
6 Board. That's the question. Please forgive me if
7 I've -- I got that wrong.

8 MS. PETERSON: Yes.

9 MS. PENDERGRASS: Okay.

10 So I'm calling for the question. All in favor?

11 MS. HARRISON: Did it get a second?

12 MS. PETERSON: To add him to the Board
13 suggestion --

14 MS. PENDERGRASS: Add him to the Board tonight.
15 That's the question that's open on the table right now.

16 MS. PETERSON: And it was seconded?

17 MS. PENDERGRASS: And it was seconded.

18 MS. PETERSON: Yes.

19 MS. PENDERGRASS: Okay.

20 MS. PETERSON: Okay.

21 MS. PENDERGRASS: So I'm calling the question.
22 How many in favor of adding Mr. Palega to the Board
23 tonight?

24 MS. PETERSON: Say, "Aye."

25 THE BOARD: Aye.

1 MS. PENDERGRASS: All not in favor of that?

2 (RAB members raise their hands.)

3 MS. PENDERGRASS: Okay. We have a majority
4 that's not in favor, so that motion did not carry.

5 At this point we have another --

6 MS. PETERSON: Did we have any abstains?

7 MS. PENDERGRASS: Huh?

8 MS. PETERSON: Abstains?

9 MR. TOMPKINS: Abstentions.

10 MS. PENDERGRASS: Even if you have abstains, we
11 have majority.

12 So the -- the ne- -- we'll move on, then, to
13 the second question that was posed by Mr. Manuel, which
14 is to have the subcommittee leader, Mr. Tisdell, present
15 a slate of people and review applications and have all
16 that done by the next -- and ready for voting by the
17 next meeting. Is that clear enough for everybody? So
18 that was the motion. Who had seconded that motion?

19 MR. MASON: I second it.

20 MS. PENDERGRASS: Okay. We have a second on
21 that motion.

22 So barring no more discussion, can we go ahead
23 and call --?

24 MS. PIERCE: I have a question for
25 clarification. I am one of the people whose application

1 is pending, and I just want to be clear, am I to appear
2 before that committee? And how will I get notice of
3 when that committee is going to meet and where? Because
4 I just --

5 MS. PENDERGRASS: I can answer that question --

6 MS. PIERCE: I was told I should have been at
7 the last one; but the night of the meeting I was told I
8 did not have to be there.

9 MS. PENDERGRASS: There's going to be a meeting
10 on December 13th, and you can check with Mr. Tisdell
11 after this meeting tonight to talk about any other
12 particulars. And I will trust that Mr. Tisdell will
13 contact anybody who has applications in.

14 Again, I'm calling for the -- for the question.
15 We had a motion on the floor that was seconded, and I'll
16 reiterate the question; and that is to have this slate
17 offered and have elections for new RAB members at the
18 next RAB meeting in January.

19 All in favor of that, say, "Aye."

20 THE BOARD: Aye.

21 MS. PENDERGRASS: All opposed?

22 (No verbal response elicited.)

23 MS. PENDERGRASS: Very good.

24 We're moving now -- We had community co-chair
25 announcements or reports. We're moving down to review

1 of the bylaws and some discussion regarding that.

2 Now, who's the Bylaws Committee --?

3 MR. TISDELL: Hello, everybody.

4 MS. HARRISON: You feeling that good?

5 MR. TISDELL: Yes. I'm ready to go.

6 Okay. All right. We did not have membership
7 meeting -- what's this month? -- this month because I
8 was gone out of town, and -- okay.

9 Now, I just been handed the app- -- these
10 applications, these 11 missing ones. And I got dates
11 that they was submitted. And if they are here --
12 they're here, could you please raise your hand. Mildred
13 Thomas-Bruno?

14 (No verbal response elicited.)

15 No.

16 Mark -- Mark [sic] Anthony?

17 (No verbal response elicited.)

18 Nope.

19 Lani Asher?

20 MS. HARRISON: Lini [phonetic].

21 MR. ATTENDEE: Lani.

22 MR. TISDELL: Lini.

23 MS. HARRISON: Le- -- Lani.

24 MR. TISDELL: Okay. Could you be at the
25 meeting December 13th?

1 MS. ASHER: Yes.

2 MR. TISDELL: Okay.

3 Richard Ganley? Ganney?

4 (No verbal response elicited.)

5 Okay.

6 Thomas Lacey?

7 (No verbal response elicited.)

8 Pat Mitchell?

9 (No verbal response elicited.)

10 I see Georgia over there, Georgia Olivia [sic].

11 Olivia?

12 MS. OLIVA: My mother's having an aneurysm

13 opera- -- operation, so I don't think I'm going to be

14 able to be there on the 13th.

15 MR. TISDELL: Okay. So would you like me to

16 just -- to hold onto your application until time you can

17 get back and --?

18 MS. OLIVA: No. I -- Can I -- can I --

19 MR. TISDELL: -- just withdraw it, period?

20 MS. OLIVA: No, no. What can I do?

21 MS. PENDERGRASS: Can I stop this discussion

22 for just a moment? The reason you have subcommittees is

23 so that you take care of these kinds of things, like the

24 list and the applications and all of that, and then you

25 bring a slate. I think that it's -- our time is too

1 valuable here tonight, since we only meet once a month,
2 to go through this part of -- of what a subcommittee
3 needs to do. Am I being --? Am I overstepping my
4 bounds with you, Mr. Tisdell?

5 MS. HARRISON: May I make a suggestion, a
6 friendly suggestion?

7 MR. TISDELL: You know what, I'm through with
8 the job. You all can have it. Bye.

9 MS. PENDERGRASS: That wasn't my intent by
10 interrupting your -- your presentation.

11 (Mr. Tisdell subsequently leaves
12 momentarily.).

13 What I'm asking, though, is: I know that there
14 are a lot of people who want to be, and there are --
15 there's an application process, and you have bylaws to
16 do that.

17 MR. PALEGA: Can I --

18 MS. PENDERGRASS: So what I'm s- --

19 MR. PALEGA: -- clarification?

20 MS. PENDERGRASS: What I'm proposing -- please
21 just one second.

22 MR. PALEGA: Okay.

23 MS. PENDERGRASS: What I'm proposing is that we
24 meet with Mr. Tisdell or talk to Mr. Tisdell after this
25 meeting to make sure that your name is on the list and

1 that you can meet with him and the committee to get --
2 to move this along.

3 MR. PALEGA: Can I --?

4 MS. PENDERGRASS: That's what I'm proposing.

5 MR. PALEGA: -- point of clarification?

6 I was here at the August meeting. There was a
7 meeting scheduled for August 17th at the library. I
8 think Mr. Tisdell made it quite clear whoever was
9 interested to please show for that meeting. Jesse Mason
10 was there, Mr. Tisdell; Dorothy Peterson was at the
11 meeting, and there was one other person.

12 MS. PETERSON: Barbara and Charlie Dacus.

13 MR. PALEGA: I was one of the only people that
14 showed. I think there was another gentlemen that was
15 there.

16 MS. PENDERGRASS: I --

17 MR. PALEGA: Wai- -- wait a minute. Let me --
18 let me get this clear, right.

19 And at the meeting prior to that, you know --
20 you talk about Robert Rules of Order, so let's get some
21 clarification.

22 You know, at the meeting prior to that, it was
23 said because there was a discussion here -- Richard was
24 part of that discussion -- that there was only certain
25 seats available and you had to fit into those

1 categories --

2 MS. PENDERGRASS: That's right.

3 MR. PALEGA: -- to be able to get nominated for
4 this board.

5 Now, what I'm hearing is totally different. If
6 you submit your application, you should be automatically
7 considered. You have to fit into a category. Not once
8 did I hear that. Not once did I hear that, that there
9 is categories established that you have to be fitted in
10 in order to be recommended to this board --

11 MS. PENDERGRASS: I understand.

12 MR. PALEGA: -- okay?

13 So I'm not -- I just want a little bit of
14 clarification.

15 You know, I went through that. I came to this
16 meeting. I've been at -- at what I've supposed to be
17 at.

18 And now I come back and hear some more of this
19 bureaucracy stuff that's laid on me about waiting. I've
20 been coming to meetings. I've been sitting here
21 patiently, and you know, it's getting annoyed.

22 It's getting annoyed, because when I went to
23 the nominating committee, they said they were going to
24 make this nomi- -- this recommendation.

25 So I just want to make sure that while you're

1 talking about people getting on the Board, you also --
2 Richard is talking about the certain categories that
3 people can fit into that would make them eligible to
4 become members of this board.

5 MR. MACH: That's what --

6 MR. PALEGA: And --

7 MR. MACH: That's what the vote nomina- --
8 That's what the vote just was was, to send back to
9 subcommittee, because you're right, we didn't -- no one
10 here talked about that. The subcommittee didn't bring
11 that forward. They have the list. They have the list
12 of categories.

13 MR. PALEGA: But --

14 MR. MACH: They -- they now have all the
15 applications.

16 MR. PALEGA: And I want clarification.

17 MR. MACH: Wait. Please let me finish.

18 MR. PALEGA: Okay.

19 MR. MACH: They -- they haven't gone through
20 and tried to match up the names to the positions yet.

21 And so the reason they didn't vote you in --
22 you do fit in one of those categories -- is because
23 there's ten other applications out there that they don't
24 know who's going to fit into which one.

25 And although you may fit into one category,

1 there may be three other people that fit in that same
2 category in which case they would have to come forward
3 and say: "Look, there's two positions for this one
4 category. There's four people that are qualified to fit
5 it." And then the Board is going to have to vote which
6 two people they want, and they haven't done that
7 systematically yet.

8 And so that's why they're saying, "Don't vote
9 one person in without looking at everyone else --"

10 MR. PALEGA: And I don't have a problem with
11 that, but I just think that just what you just said
12 needed to be stated, because no one stated that.

13 MR. MACH: The Navy does not attend the
14 subcommittee meetings.

15 MS. PENDERGRASS: Okay. I -- I think -- I
16 think that -- that we just need to -- we need to can
17 this conversation because, really, this is not moving us
18 forward at this point.

19 We have bylaws that tell us how to do this. We
20 are not operating within that guideline.

21 And at this point we're not taking any more
22 comments from the audience until we move through the
23 agenda. So I'm -- I'm sorry. I'm not going to
24 recognize your comment at this time.

25 MS. PIERCE: Well, I'm going to give it anyway.

1 We need to at least list --

2 MR. MANUEL: You know what --

3 MS. PIERCE: -- who those applications are so
4 that we know all of the people who have submitted have
5 an application in now.

6 MS. PENDERGRASS: I think that you need to talk
7 with the committee chair, Mr. Tisdell.

8 MS. PIERCE: He just quit.

9 MS. RINES: I'll step in.

10 MS. PIERCE: He just resigned.

11 MS. RINES: I will step in.

12 MR. RATCLIFF: He'll be back.

13 MS. PENDERGRASS: And we have to -- please,
14 let's understand, we're all coming here; everybody wants
15 to be involved. This is a fabulous part of the process
16 to have so many people want to be on this board and be
17 involved. That's a good thing.

18 What we don't need is people to be elected or
19 be on the Board that the -- that we don't have consensus
20 about the process.

21 So please, everybody be patient.

22 And Mr. Tisdell has -- has every right and, I'm
23 sure, a reason for -- for running out or leaving us
24 tonight. I'm sure he's under some stress because he's
25 had some family problems. So, you know, I'm -- he's

1 been a committed member of this board for a long time,
2 so we're going to excuse him for leaving here tonight,
3 and hopefully we'll get him back and -- and get this
4 committee moving forward.

5 We're going to stop the conversation about this
6 right now. If there's any other committee -- community
7 comments, that will be at the end of the agenda. Whew.

8 So at this point we don't have any bylaws
9 revisions. We're still using --

10 MR. MACH: Wait, wait. The -- the bylaw -- the
11 bylaws were handed out at the meeting last month to be
12 voted on this month.

13 MS. PENDERGRASS: To be voted on.

14 Do we have --? Since Keith isn't here, was
15 there somebody else on the committee that can continue
16 on with -- with this presentation?

17 MS. HARRISON: I think he's --

18 MR. MASON: I think he's --

19 MS. HARRISON: -- outside --

20 MR. MASON: -- talking to him now --

21 MS. HARRISON: -- talking to him now.

22 MR. MASON: -- the alternate is.

23 MS. PENDERGRASS: Well, then, I'll tell you
24 what we can do. Why don't we just skip that and bring
25 it back later.

1 MR. MASON: There you go.

2 MS. PENDERGRASS: Let's move on.

3 MR. MASON: There you go.

4 MS. HARRISON: Please.

5 MS. PETERSON: So you can't have the co-chair
6 elections without --

7 MR. MACH: You can't have the co-chair election
8 unless you vote on the bylaws.

9 MR. MANUEL: That's right.

10 MS. PENDERGRASS: Well, you know what, then I
11 tell you what. It is -- it's almost 7 o'clock. Why
12 don't we have --

13 MS. PETERSON: -- a break.

14 MS. PENDERGRASS: Why don't --?

15 No, we're not having a break.

16 Why don't we move into -- because the -- the
17 election part's going to take a little time, and we've
18 got some -- some meeting information that needs to be
19 presented tonight.

20 But let's go through with the committee -- the
21 other committee presentations that we have, 'cause we
22 have an Economic Subcommittee, and I think Mr. Tompkins
23 wanted to -- had something to say. So we could do that.
24 That would be great. Why don't we give him a moment to
25 collect himself?

1 Jesse?

2 MR. TOMPKINS: Back to finish up the --

3 MS. PENDERGRASS: Just a moment. Jesse? Is

4 Jesse Mason here?

5 MR. MASON: Yes, I am. I'm here.

6 MS. PENDERGRASS: Okay. So could you briefly

7 give us your report?

8 MR. MASON: Well, you know, un- --

9 unfortunately, we had no subcommittee meeting. The

10 meeting was for November 13th. No one on the Economic

11 Subcommittee showed up. So there's no report.

12 So the -- the next Economic Subcommittee

13 meeting and all those members that are a part of it, I'm

14 going to post it on the board that we like to have it

15 December 11th at the Bayview Advocates office at

16 5 o'clock. All those that are involved with the

17 Economic Subcommittee, would you please show up --

18 MS. HARRISON: Can I ask a question, please?

19 MR. MASON: -- 5021 Third Street. And --

20 MS. PENDERGRASS: And that's the Economic

21 Committee meeting --

22 MR. MASON: -- subcommittee.

23 MS. PENDERGRASS: -- not the subcommittee.

24 MR. MASON: And what I'm going to do is this:

25 I'm going to pass around a sheet of paper, and all those

1 that were on that, that -- on my committee, on the
2 committee, would you put your phone number on there so I
3 can call you and remind you.

4 MS. PENDERGRASS: Okay. All right. Mr. Mason,
5 are you -- is -- are you finished?

6 MR. MASON: Yes.

7 MS. PENDERGRASS: All right. Can we move to
8 the next --? What next subcommittee report did we have?
9 We had -- let's see. We have technical review? Did you
10 have --?

11 MS. SHIRLEY: Okay. I'll just -- I'm brief.
12 The meeting was supposed to be November 7th, but nobody
13 showed up.

14 So I was going to do it the 11th too, Jesse, so
15 we have a conflict.

16 I can do it the 4th of December, however, if
17 that works for people.

18 MR. ATTENDEE: (Speaking inaudibly.)

19 MS. SHIRLEY: Yes.

20 And I just want to briefly say, I want to talk
21 about removal actions as a strategy for cleaning up the
22 base and how it's being used here, and I want to talk
23 about groundwater -- a summary of groundwater activities
24 at the base.

25 MS. PENDERGRASS: Okay. So I'm -- I'm sorry,

1 Miss Shirley.

2 MS. SHIRLEY: I'm going to move it the 4th of
3 December.

4 MS. PENDERGRASS: So we're talking about the
5 Technical -- is that what you're --?

6 MR. MACH: Yes.

7 MS. PENDERGRASS: -- Technical Review
8 Subcommittee meeting will be December . . . 4.

9 MS. SHIRLEY: Four.

10 MS. PENDERGRASS: December 4.

11 MR. MACH: What time?

12 MS. SHIRLEY: Six o'clock.

13 MS. ATTENDEE: Where?

14 MS. SHIRLEY: At 833 Market Street.

15 MS. PENDERGRASS: 833 Market Street?

16 MS. SHIRLEY: Yes.

17 MS. PENDERGRASS: Okay.

18 MS. SHIRLEY: Eleventh floor.

19 MS. PENDERGRASS: And what time? Six p.m.,
20 okay.

21 MS. SHIRLEY: Six.

22 MS. PENDERGRASS: All right. Then the next
23 committee that we would have would be Risk Review?

24 MR. TOMPKINS: Yes. We did meet. I do have
25 minutes, a brief minutes. We also had elections of our

1 officers for that. First, those who were present:
2 Lynne Brown, Maurice Campbell, Jesse Mason, Jim
3 Rodriguez, and myself. Two members who were not able to
4 attend: J. R. Manuel and Mr. [sic] Wright.

5 At this meeting we, one, voted in chairperson.
6 It was a four-to-four in favor, and no negative votes
7 for myself as chairperson.

8 On voting on secretary, Miss Wright was
9 unanimously voted in. We asked her prior to the meeting
10 for her consideration. She had agreed. We are very
11 grateful that she would take on the duties and
12 responsibilities of the committee.

13 Is Mr. --?

14 MS. WRIGHT: Excuse me. Point of
15 clarification. The conversation that you and I had,
16 Ray, was not presented to me in that way, and I actually
17 feel that this -- this -- this notice here that I was
18 voted in as secretary came to me as a complete surprise.

19 The way you presented to me at the Treasure
20 Island workshop, that was not my understanding of what
21 you were saying to me.

22 MR. TOMPKINS: I apologize if I made
23 misrepresentation.

24 MS. WRIGHT: That's a good word. That's how I
25 feel, it was misrepresented.

1 MS. PENDERGRASS: Okay. Well --

2 MR. TOMPKINS: And therefore

3 MS. PENDERGRASS: Does this affect the --?

4 MR. TOMPKINS: Okay.

5 MS. PENDERGRASS: Is this going to affect --

6 I'm sorry. Go ahead. Mr. Tompkins.

7 MR. TOMPKINS: For clarity, Miss Wright, would

8 you consider being our --?

9 MS. WRIGHT: I don't think we really should

10 discuss that --

11 MR. TOMPKINS: Okay --

12 MS. WRIGHT: -- in this --

13 MR. TOMPKINS: -- privately.

14 MS. WRIGHT: -- forum. But I --

15 MR. TOMPKINS: Thank you.

16 MS. WRIGHT: -- think it's important.

17 MR. TOMPKINS: Okay. We'll deal with that.

18 Thank you.

19 MS. PENDERGRASS: Mr. Tompkins, as part --

20 MR. TOMPKINS: Yes.

21 MS. PENDERGRASS: -- as part of your report,

22 did you have any substantive issues or --

23 MR. TOMPKINS: Yes, ma'am.

24 MS. PENDERGRASS: -- recommendations to report?

25 MR. TOMPKINS: Yes, I do. Thank you.

1 Is Mr. Chein Kao from the State . . . ?

2 (Mr. Kao raises his hand.)

3 MR. TOMPKINS: In our discussions that we had,
4 we had particular questions that we had with --
5 regarding particular parcels from B, C, and also E. And
6 as members had -- I'll ask Mr. -- Chein, and I'll ask
7 the questions.

8 One, in regards to Parcel B in terms of the
9 manganese that was discovered, what are the issues that
10 the State have that may be in conflict in terms of view
11 of the Navy?

12 And secondly, members of the committee also had
13 questions about the holes, the trenches that are dug on
14 Parcel B. Some felt that they were being expanded. Is
15 there any validity to that?

16 MR. KAO: I didn't quite hear the second part.
17 Let me answer the first part --

18 MR. TOMPKINS: Yes, sir.

19 MR. KAO: -- in terms of manganese issues.
20 That the Department of state -- State Department of
21 Toxic has a informal dispute resolution ongoing with the
22 Navy right now.

23 Basically, Navy had during their remediation
24 Parcel B has -- came up with -- has found a lot more
25 manganese contamination than they have anticipated. And

1 subsequent discussion then they have -- they -- I don't
2 know how to use the word, but they -- they decided
3 that -- that those manganese are coming from -- mostly
4 coming from natural-occurring rocks, which are chert and
5 basalt.

6 And -- and therefore, they -- they didn't feel
7 that it's their responsibility to clean up that portion
8 of it.

9 The Department's position at this point is:
10 Natural-occurring manganese or -- or any chemicals, in
11 that matter, are -- if they -- if the -- if they have
12 altered the form of natural occurring, then it would not
13 consider as natural occurring anymore.

14 In other words, if it's bedrock; if you have
15 manganese in the bedrock, in the rock formation, it's
16 natural occurring. But if you crushed it into a
17 different form, which presents a risk to the human or
18 ecology -- the environment, then we would not consider
19 that natural occurring. And that's where basically
20 dispute originally started.

21 And further management-level meeting took
22 place, and we both decide to set that issue aside and
23 looking at side by side specific levels and see if we
24 can resolve that.

25 At this point that both sides have taken

1 positions that -- that hadn't been resolved. So -- so
2 in short, that we are in informal dispute process.

3 MR. TOMPKINS: Then the quick -- For point of
4 clarification, the manganese, in other words, if it's in
5 a lump sum, but when it was ground up, it increased the
6 surface area? Therefore, it would -- if it was flooded
7 or whatever, contamination would be at a higher level?

8 MR. KAO: In our view --

9 MR. TOMPKINS: In the State's view.

10 MR. KAO: It's -- it's inhalation problem, but
11 you can't inhale the rock. But if you grind it down
12 into a powder, that becomes -- you can inhale the -- the
13 dust. Then becomes exposure. So -- so that's our
14 position.

15 MR. TOMPKINS: Okay. Thank you.

16 MS. PENDERGRASS: Mr. Tompkins, excuse me. And
17 just please -- please forgive me for my ignorance on
18 this; but as a -- as a subcommittee report, your report
19 needs to be condensed down into all of the discussion
20 things that you -- you've done at your subcommittee
21 meeting.

22 So your report here tonight is basically just a
23 synopsis of what you all talked about unless -- unless
24 you brought forth a presentation from some experts or
25 something like that. So is that the understanding of

1 the full Board?

2 MS. PETERSON: Yeah.

3 MR. TOMPKINS: Well --

4 MS. PENDERGRASS: I just want to make sure I
5 understand, because otherwise, we are trying to jam too
6 much into a very short agenda.

7 MR. TOMPKINS: No.

8 MS. ATTENDEE: I -- I just thought --

9 MS. PENDERGRASS: This isn't working. This
10 isn't working.

11 MR. TOMPKINS: I need to address it. You
12 wa- -- wish me to address this?

13 MS. PENDERGRASS: Yes, I would like you to.

14 MR. TOMPKINS: By -- Given that the State and
15 the expertise of the matter that we brought up these
16 questions, and we'd like them for clarity -- because
17 there's so many misrumors [sic] --

18 MS. PENDERGRASS: Right.

19 MR. TOMPKINS: -- we wanted clarity and present
20 to the Board from an expert in the field from the State
21 of California --

22 MS. PENDERGRASS: Right.

23 MR. TOMPKINS: -- Toxic what is going on, what
24 is the State's position, what are they in conflict so
25 that the rumors end. That's why we during our meeting

1 then asked, and I called him to address these issues.

2 MS. PENDERGRASS: Okay.

3 MR. TOMPKINS: We don't have the expertise.

4 The State is at dispute. We'd like to know what it is,

5 what is their standard position --

6 MS. PENDERGRASS: Yeah.

7 MR. TOMPKINS: -- and that is our

8 presentation --

9 MS. PENDERGRASS: Okay.

10 MR. TOMPKINS: -- for this segment of the --

11 MS. PENDERGRASS: Okay.

12 MR. TOMPKINS: -- of our meeting, which took a

13 significant amount of time.

14 MS. PENDERGRASS: Well, mi- -- Mr. -- Mr. --

15 MR. TOMPKINS: And I have questions --

16 MS. PENDERGRASS: -- Tompkins, let -- let me

17 just -- let me just make sure I got this right.

18 I think that what you're trying to do is

19 exactly what we want for the RAB members to do.

20 However, the way we're doing this doesn't allow for

21 people to be able to understand that kind of technical

22 information, the issues, and what the implications are

23 in this forum.

24 What needs to happen to that information that's

25 coming from your subcommittee, which is rich, that

1 information needs to come in just the way you bulleted
2 it, and it needs to come prior to the meeting so that
3 people can be prepared to ask your committee a question
4 or two and then to -- to hear your recommendations.

5 And I'm not trying to add on a level of
6 bureaucracy here. I'm just trying to make it so that
7 everybody here can understand what's going on and be
8 able to move and make decisions intelligently. But this
9 is too much information for this short time and
10 particularly if we have everyone would be doing that in
11 their committee, which we do have other committees.

12 So I -- I apologize if I'm -- if I -- if I
13 don't have that correct.

14 MR. TOMPKINS: No. It -- it -- If the Navy
15 has one perspective, this is trying to be an organized
16 rather than having debate or discussion --

17 MS. PENDERGRASS: Right.

18 MR. TOMPKINS: -- that if there's counterviews
19 to be presented, just as you have in the latter part of
20 the agenda --

21 MS. PENDERGRASS: Right.

22 MR. TOMPKINS: -- that that is the intent of
23 the Risk Committee, to look at to investigate and to
24 present, not to sway anyone other way. That is why
25 we're asking him to present on these particular parcels

1 that we have been discussing.

2 MS. PENDERGRASS: Right.

3 MR. TOMPKINS: And there is a lot of misrumors.

4 So therefore, I have several quick questions to
5 ask the expert, who is also part participating member of
6 this board, to answer and address the issues.

7 MS. PENDERGRASS: Okay.

8 MR. TOMPKINS: That was our committee. That's
9 what we wanted to put forth rather than one individual
10 trying to deal --

11 MS. PENDERGRASS: But do you think that that --

12 MR. TOMPKINS: -- with the experts.

13 MS. PENDERGRASS: -- would have been fair
14 for -- to make sure that those were in writing so that
15 we could respond correctly to the correct -- I mean,
16 when I say "we," that -- that whoever's direct -- you're
17 directing a question to can respond to you, you know, in
18 a way.

19 MR. TOMPKINS: But we're -- we're asking the
20 State their perspective. It is not in terms of rebuttal
21 or from the Navy to do. It is what the State and to
22 give clarity.

23 MS. PENDERGRASS: Okay. I -- I'm feeling a
24 little bit hung out to dry here in that the co- -- I'm
25 here to help this process move forward. It's not --

1 it's not my agenda, and it's not my way of operating.

2 So what I need is for -- if I am wrong in that
3 way, then I won't facilitate this way and make sure that
4 we allow enough time.

5 But if I am correct, then we need to -- we need
6 to come to some consensus so that we don't take the
7 whole agenda on the next two committee items.

8 Yes, Mr. Manuel.

9 MR. MANUEL: Two -- two points I'd like to
10 make. One, I think you're -- you're absolutely correct
11 on there needs to be something condensed so we all --
12 everybody can consider it.

13 Two, state law does not supersede CERCLA law,
14 which is federal. And CERCLA law clearly states that
15 preexisting substances are not contraband.

16 And so we need to do this in a way so we don't
17 waste a lot of time going to the State when we have EPA
18 people right here. So we need to do it in a different
19 way so we can get to the bottom of it and move on
20 instead of going through the State and the State will
21 then be trumped by EPA, I mean, so . . .

22 MS. PENDERGRASS: Mr. Tisdell, did you have
23 something else to add to that discussion?

24 MR. TISDELL: Yes, I did.

25 And I -- my personal opinion, you're wrong in

1 three left shoes for the simple reason of, okay, we're
2 trying to get clarity and an understanding, you know.

3 And, like, with Ray make his -- his asse- --
4 his assessment and turn around and ask expert in which I
5 think he said what everybody can understand, but -- and,
6 you know, it's just like you don't want to hear all of
7 it, just like you didn't want to hear all of my
8 presentation, you know. If you don't want to hear it,
9 then why ask -- why ask people to speak on it?

10 MS. PENDERGRASS: And I think since that
11 question is pointed to me directly, I need to clarify my
12 position. And that is, I am as citizen here would love
13 to hear everything, and that's not the issue. The issue
14 is point of process. And we have two hours or -- from
15 6:00 to -- three hours to go --

16 MS. PETERSON: Two hours.

17 MS. PENDERGRASS: -- two hours to go to this --
18 this agenda of items. That doesn't allow for -- for
19 long presentations, and you all have been struggling
20 with this for a while in terms of not being able to get
21 heard and get through the agenda.

22 Therefore, you've set up subcommittees that
23 will do the process work, meaning that we'll distill
24 down the issues, get the key points and facts out to be
25 presented to the larger board. That's -- that's --

1 That is the substance of the subcommittee.

2 So if I'm in error on that, I -- I do stand --

3 MR. MANUEL: You are not.

4 MS. PENDERGRASS: -- corrected --

5 MS. PETERSON: You're not in error.

6 MS. PENDERGRASS: -- and --

7 MR. MANUEL: They won't meet or do the work,

8 and that's what the problem is here.

9 MR. TISDELL: How you going to say she's not in

10 error?

11 MR. MANUEL: She's not in error --

12 MR. TISDELL: According to you.

13 MS. PENDERGRASS: Excuse me. Now we're

14 having --

15 MS. HARRISON: Excuse me. Point of

16 clarification, please?

17 MS. PENDERGRASS: Yes, Miss Harrison.

18 MS. HARRISON: If memory serves me correctly,

19 wasn't the committees supposed to have fifteen minutes

20 of each meeting to give their reports to ask whatever

21 questions and get whatever answers, and then perhaps set

22 it for an agenda item for the next time, if -- if time

23 permitted or if they weren't able to complete what has

24 been asked as the question and answer part?

25 I -- I really thought that was what we were

1 supp- -- it was supposed to happen with the committees.

2 If I am in error, then correct me.

3 MS. PENDERGRASS: Well, I --

4 MR. ATTENDEE: You are not.

5 MS. PENDERGRASS: I don't see a ten minutes for
6 that. But -- but, you know, I'm -- I'm -- I could be
7 wrong.

8 Yes, sir.

9 MR. BROWN: And to go along with what Marie
10 said, seeing how the Technical Committee didn't have a
11 meeting, that was fifteen minutes. And also the
12 Economic Committee didn't have a meeting. That's thirty
13 minutes that Ray should have.

14 MS. ATTENDEE: Huh-uh. No, no, no, no.

15 MR. TOMPKINS: I could have been done in
16 fifteen minutes in compliance if not interrupted.

17 MS. PENDERGRASS: Okay, but it's not -- it's
18 not a point of the time --

19 MR. MANUEL: Fifteen --

20 MS. PENDERGRASS: -- because the --

21 MR. MANUEL: -- minutes originally.

22 MS. PENDERGRASS: -- agenda --

23 MR. TOMPKINS: I know.

24 MS. PENDERGRASS: -- doesn't have a
25 fifteen-minute time frame.

1 But I -- I'm -- I'm really just trying to get
2 us to consensus on where -- how we can move this along.
3 And -- and I have no problem -- I personally have no
4 problem with listening to everybody. That's not the
5 issue.

6 Yes, ma'am. Barbara, I'm sorry. Miss
7 Bushnell.

8 MS. BUSHNELL: I just wanted to say, Marie
9 Avery was -- spoke at beginning that the reason they set
10 the agenda this way was because they wanted to try to
11 move through things and because we haven't been doing
12 it, and we, in fact, voted on and allowed people the
13 time to be on it, even though they hadn't made
14 arrangement.

15 But what she's suggesting is that people have
16 sub- -- you have a subcommittee meeting. You come in;
17 you bring your notes so that everybody can have it
18 possibly ahead of time if you can so that everybody has
19 sort of the same level of information so that we can
20 learn from what -- what -- the work and the efforts that
21 everyone has gone through in their subcommittee.

22 MS. PENDERGRASS: Very good.

23 MR. MACH: Can I make a suggestion that might
24 get us moving?

25 Maybe if we let Ray read -- read through the

1 questions, then he can submit them to -- to Chein, and
2 Chein can re- -- can reply to them.

3 And then also, because there was a motion
4 passed last month to -- to award a TAPP grant to review
5 the manganese document that we are about to issue that
6 came from the Technical Subcommittee, we could also take
7 those questions and amend it to the scope of work that
8 is going to be sent -- if I ever get to update -- is
9 going to get sent out next week for -- for a contractor
10 to also do a third-party review.

11 Would that be fair?

12 MS. PENDERGRASS: Okay. Let's -- We have
13 another --

14 MS. PETERSON: Excuse me.

15 MS. PENDERGRASS: -- comment.

16 MS. PETERSON: Why don't we keep saying that we
17 are going to have subcommittees? And we are supposed to
18 meet at these subcommittees and bring back reports from
19 what was discussed in the subcommittees.

20 MS. PENDERGRASS: Okay.

21 MS. PETERSON: And that is so that we are not
22 wasting time. It is condensed. If you want to have a
23 two-hour subcommittee meeting, that's fine. But you
24 don't have a two-hour subcommittee meeting here.

25 MS. PENDERGRASS: All right. So at this point,

1 Mr. Tompkins, do you mind going ahead and reading
2 through your report and -- at this point and . . . ?

3 MR. TOMPKINS: I would like --

4 MS. PENDERGRASS: Without the discussion, I
5 guess.

6 MR. TOMPKINS: I would like to present the
7 questions as it was -- if I was not interrupted, we
8 would have been far within our time limit to
9 Mr. Tisdell.

10 One, secondly, question: What is the view of
11 the State on Parcel B and Dry Dock 4? Could you please
12 address that, please?

13 MS. PETERSON: Wait a minute.

14 MR. MANUEL: That's not what we're talking
15 about.

16 MS. PETERSON: No.

17 MR. TOMPKINS: You're changing my report. You
18 are changing the agenda items on how we constructed, and
19 now I'm getting another --

20 MS. PETERSON: No --

21 MR. TOMPKINS: -- rule --

22 MS. PETERSON: -- no.

23 MR. TOMPKINS: -- saying do this and only do
24 that.

25 MR. MANUEL: What I heard Richard say -- well,

1 maybe I'm out of order. If I am, I'll shut up.

2 But what I heard Richard say is: Read off all
3 your questions.

4 MR. BROWN: Right.

5 MR. MANUEL: They will be submitted --

6 MR. BROWN: Right.

7 MR. MANUEL: -- so they will be all answered
8 and all addressed in an orderly way --

9 MR. BROWN: Right.

10 MR. MANUEL: -- because there's many people in
11 the audience and on the Board who have other reports and
12 other things. We're only going to be sitting here
13 dealing with this if we don't do it in an orderly way.

14 This way you have an expert. The grant that's
15 going to be issued to have those same questions on it to
16 be answered by experts, independent experts, so
17 everything that you're asking can be answered by experts
18 without any interruption from anybody or anything else.

19 And that's what I heard. Maybe I missed
20 some -- left something out --

21 MS. PENDERGRASS: Does that --?

22 MR. MANUEL: -- but that's pretty much what I
23 heard.

24 MR. MANUEL: I think it's fair.

25 MS. ATTENDEE: Yes.

1 MR. MANUEL: It's not a bias.

2 MS. PENDERGRASS: Is that fair to you --

3 MR. MANUEL: It's fair.

4 MS. PENDERGRASS: -- Mr. Tompkins?

5 MR. TOMPKINS: Would you be willing to submit
6 your response in writing to the Board?

7 MR. KAO: (Nods.)

8 MR. TOMPKINS: I thank you for that.

9 MR. MANUEL: That's fair.

10 MS. PENDERGRASS: Thank you very much.

11 Did you have some --?

12 MR. TOMPKINS: The third question on this, why
13 is there not air monitoring on -- or sampling on
14 Parcel E?

15 Underground that -- that -- thank you. Next
16 part, J. R., underground complex bunker underneath the
17 Shipyard. We had questions, previously had asked
18 Richard, you will address that at a later point?

19 MR. MACH: If we get to my presentation --

20 MR. TOMPKINS: Thank you.

21 MR. MACH: -- I will address that.

22 MR. TOMPKINS: Lynne, you want to deal with the
23 issue or the question --

24 MR. BROWN: Yeah.

25 MR. TOMPKINS: -- fourth in terms of National

1 Guard?

2 MR. BROWN: Yeah. We want to know how come
3 there's not any National Guard or any kind of protection
4 down there on the landfill, because during this time we
5 do have terrorists, and they can blow it up.

6 And I also sent it to Frank Murkowski from --

7 MR. ATTENDEE: Alaska.

8 MR. BROWN: -- Alaska to bring that up about
9 landfill terrorism too.

10 MR. MANUEL: We have terrorists, all right.

11 MR. BROWN: He's a republican.

12 MR. TOMPKINS: Now, motion or action items for
13 consideration before the Board, one, again, we'd like to
14 reemphasize the fact that a community-base-driven health
15 assessment study needs to be done here at Hunters Point,
16 that they take into account all factors dealing with the
17 TI report of -- that I attended under the man who was
18 making the offer. I forget his name right now. Senior
19 moment.

20 MR. MACH: Michael Pound.

21 MR. TOMPKINS: Michael Pound made clear that --

22 MS. PENDERGRASS: What's the question,
23 Mr. Tompkins?

24 MR. TOMPKINS: -- sub -- that -- that a
25 community-base-driven risk assessment study, including

1 subset population and risk factors for people of color
2 or women under his presentation that was supposed to be
3 taken to account.

4 What I have reviewed of documents, that has
5 not. If it has been, can we please have forthcoming the
6 methodology and procedures that were shown to include
7 people of color and subset populations and risk factors?

8 MS. PENDERGRASS: Okay. Is that question?

9 MR. TOMPKINS: Secondly, the second action
10 item --

11 MR. MACH: I understood it.

12 MS. PENDERGRASS: Okay.

13 MR. TOMPKINS: -- air monitoring, we would like
14 to have that to be established in this community and
15 where people have lived so that we can then have true,
16 accurate measurements of what people are breathing.

17 Thank you.

18 MS. PENDERGRASS: Excellent.

19 What committee did -- did we list -- leave off?

20 MR. MANUEL: Bylaws.

21 MR. ATTENDEE: The Bylaws Committee.

22 MR. MANUEL: Bylaws.

23 MR. ATTENDEE: No, it's not.

24 MS. PENDERGRASS: Did we have radiological
25 issues too?

1 DR. SUMCHAI: Yes.

2 MS. PENDERGRASS: Dr. Sumchai.

3 DR. SUMCHAI: Yeah.

4 It would be feasible to have a subcommittee
5 meeting for the Radiation Committee on December 12th,
6 presuming that the HRA is going to be published and
7 released on time.

8 MR. MACH: It's probably not going to be out on
9 the 3rd, but it will probably be within a week of that.
10 They -- they are having some problems getting everything
11 finalized.

12 DR. SUMCHAI: Okay. Then having a meeting on
13 the 12th without an appropriate period for review of the
14 HRA probably isn't going to be a good use of our time.

15 MS. PENDERGRASS: Do you want to --

16 DR. SUMCHAI: So --

17 MS. PENDERGRASS: -- pick a date beyond that
18 to -- so that -- that everybody would be advised today?

19 DR. SUMCHAI: We could tentatively schedule it
20 for the Wednesday after the 12th. That would be what?
21 The 17th.

22 MS. ATTENDEE: 19th.

23 MS. ATTENDEE: 19th.

24 DR. SUMCHAI: 19th. 19th.

25 MS. PENDERGRASS: In -- in January?

1 DR. SUMCHAI: December.

2 MS. PENDERGRASS: December. I'm sorry.

3 DR. SUMCHAI: And we could tentatively say
4 10 a.m., and we can try either for the library or for
5 the Shipyard, either the artist's auditorium or the site
6 where we have been meeting.

7 MR. MACH: I -- I -- I will check -- I will
8 check with RASO and see if they are available to come
9 out that week; but with the Christmas holidays, I'm not
10 guaranteeing anything. I'll get back to you real soon
11 on that.

12 DR. SUMCHAI: Okay.

13 MR. MACH: If not, do you want to make an
14 alternate date for sometime in January so I can check
15 with both of them?

16 DR. SUMCHAI: I think certainly by the first
17 week in January, we should be going forth.

18 MS. PENDERGRASS: That Wednesday would be the
19 2nd, and the following Wednesday would be the 9th.
20 Which of those dates would work?

21 DR. SUMCHAI: Let's say January the -- well,
22 the 2nd is the holiday. So let's say January 9th.

23 MR. MACH: Go with the 9th.

24 MS. PENDERGRASS: The 9th is a Wednesday. All
25 right.

1 MR. MACH: Okay.

2 MS. PENDERGRASS: Okay.

3 DR. SUMCHAI: I do want to take you --

4 MS. HASEGAWA: I was wondering, if it means I
5 take off in the morning from work, do you have any
6 meeting time that would be in the evening?

7 DR. SUMCHAI: I work every evening --

8 MS. HASEGAWA: Oh.

9 DR. SUMCHAI: -- except Friday.

10 MS. HASEGAWAS: Okay.

11 DR. SUMCHAI: It might be possible to do
12 something, you know, in the noontime hour or a little
13 later in the afternoon.

14 MS. HASEGAWA: Okay.

15 DR. SUMCHAI: We actually have had pretty good
16 attendance. There has been a -- a nucleus of people who
17 have attended. We've never had to cancel a meeting
18 except in the face of the September 11th terrorist
19 incident.

20 So we'll consider some alternative times. But,
21 you know, I think that we may be hooked into that. If
22 you have an alternate representative could be there, you
23 know, for you, that's an option.

24 I do just want to take two minutes of your
25 valuable time to talk about an incredibly important

1 issue that's occurring on a national and international
2 level that's going to have immediate and direct impact
3 on the Hunters Point Shipyard in the Bayview-Hunters
4 Point community.

5 This [indicating] appeared yesterday in the
6 science section of the NEW YORK TIMES, and it is talking
7 about an effort to try to relax federal standards for
8 human exposure to ionizing radiation.

9 It is very, very clear that the effort is being
10 generated out of our own government partially driven by
11 the reality that there are 100 nuclear power plants that
12 need to be relicensed to be brought on line, that we're
13 dealing with a shortage of fossil fuels and that there
14 are costs that are associated with maintaining stricter
15 standards for human radiation exposure.

16 So the General Accounting Office, which is the
17 investigative arm of Congress, issued a report last year
18 in which they challenge the standards administered by
19 the Environmental Protection Agency and the Nuclear
20 Regulatory Commission to protect the public health from
21 low-level radiation stating the standards do not have a
22 conclusive scientific basis despite decades of research.

23 I want everyone to -- to understand that the
24 EPA currently advocates the standard for all radiation
25 exposure from a single source at 15 millirems a year

1 with no more than 4 coming from groundwater.

2 The argument that's being used is that
3 scientists say that background average radiation
4 exposure for Americans is 350 millirems a year from
5 sources like cosmic rays and groundwater sources and
6 medical diagnostic and screening tests, like chest
7 x-rays and electron beam, CT scans.

8 For those of you who are -- who are smokers,
9 you should know that cigarette smoking contains a
10 radioactive element polonium; and that if you smoke a
11 pack and a half a day, that that is the equivalent to
12 being exposed to four chest x-rays a day.

13 So the argument for relaxing the standards that
14 is being made is that people are exposed to so much
15 background radiation that in our efforts to more
16 stringently restrict their exposure to sources that we
17 can control, that, you know, we can't justify, you know,
18 the cost.

19 The point that I just want to leave with you is
20 that the soundness of the scientific foundation for our
21 attempts to control those sources of ionizing radiation
22 exposure to human populations is expressed in the
23 opinion of Dr. John Evans, who is a risk analyst at the
24 Harvard School of Public Health.

25 And this is a pertinent point for this

1 audience, because we hear "background levels,"
2 "background levels," all the time, especially in
3 relationship to ionizing radiation levels at the Hunters
4 Point Shipyard. And his point is that why should the
5 level of background radiation matter to the question of
6 how much additional risk from human-generated sources is
7 acceptable?

8 And this is a point that I think that Ray will
9 agree with me on. Scientifics currently rely on a
10 mathematical model in estimating radiation risk, and the
11 most widely used model is known as the linear
12 nonthreshold-dose-response model. And it assumes that
13 there is no safe dose of radiation and that the risk of
14 getting cancer or genetic damage increases along with
15 radiation exposure.

16 And this is the model that's adopted by the
17 Environmental Protection Agency, and it's used to ensure
18 that risk from radiation is within the agency's
19 allowable range from all toxic chemicals, which is 1 in
20 10,000 to 1 in a million chance of developing cancer.

21 Now, let me just very quickly close --

22 MS. PENDERGRASS: Dr. --

23 DR. SUMCHAI: -- by letting you know --

24 MS. PENDERGRASS: Dr. Sumchai --

25 DR. SUMCHAI: -- that this hypothesis is rooted

1 in some research in which a guy bombarded fruit flies
2 and found that there were gene mutations, and it was a
3 linear response; and the more you bombarded them with
4 radiation, the more gene mutations.

5 And in closure, there are hundreds of studies
6 that have demonstrated that the risk of getting cancer
7 from exposure to cancer increases with doses, including
8 the 80 to 90 thousand survivors of the atomic bomb
9 explosions over Hiroshima. The latest research shows
10 that 12,000 of these atomic bomb survivors have died of
11 cancer and that there is an excess cancer number of
12 700 cases.

13 So the immediate impact is that we need to
14 evaluate the Hunters Point Shipyard count-per-minute
15 standards for measuring ionizing radiation and convert
16 them to the EPA standards of millirems of exposure so
17 that we're talking the same language about the risk.

18 And secondly, there's a direct impact on the
19 health of this community if the federal government
20 relaxes standards and allows more radiation to be
21 acceptable.

22 And then the other impact is on congressional
23 allocation of funds for cleanup. If the standard
24 becomes relaxed, then we cannot count on the same level
25 of funding for cleanup.

1 So in addition to the HRA, this is clearly the
2 biggest issue that the subcommittee will have to contend
3 with, and I will be bringing information back to you on
4 progress in this area.

5 MS. PENDERGRASS: Thank you.

6 At this time we're going to take a ten-minute
7 break. And before we take our break, we're going to --
8 you know what is that; we'll let them eat cake. We want
9 to have a little cake and coffee celebration for the
10 passing . . . I'm just teasing, just teasing.

11 MR. TISDELL: Shall I shoot him now?

12 MS. PENDERGRASS: Try a little levity here.
13 We'll take -- take a break. Ten minutes, and we'll kind
14 of eat cake and drink coffee and then move through the
15 rest of the agenda.

16 (Recess 7:25 p.m. to 7:35 p.m.)

17 MS. PENDERGRASS: All right. At this point we
18 are going to do our presentation.

19 And Richard, why don't you go ahead, get up and
20 start talking.

21 MR. MACH: Where's Mike? Where's my -- where's
22 my camera man?

23 Okay. Can we -- can we dim the lights a little
24 bit? Time to go to sleep. We're actually going to talk
25 about the environmental cleanup program here for a

1 little while here.

2 Okay. What I've got here is a slide show. I'm
3 going to take you through all of the cleanup actions
4 that have gone on or are currently ongoing out at the
5 Shipyard right now. So hopefully, we'll get to see some
6 of the things that we're actually doing out there with
7 the \$60 million we have awarded last year that we have
8 been actively cleaning up.

9 So Mike, can you start going through?

10 I'm going to start off with Parcel B. There
11 was a question brought up earlier about do we have large
12 excavations on Parcel B, and are they expanding?

13 Well, the answer is yes. This is one right
14 here. This is IR-07. IR-07 has metals, some other
15 debris, some sandblast grit; and as we start to dig, we
16 continue to step out until we get to the end of the
17 contamination, and we've dug quite a bit of soil out of
18 there, about 120 cubic yards of soil.

19 So I'm going to run through a couple quick
20 photos here to show different areas. This is
21 excavation.

22 Mike.

23 MR. WANTA: 120,000.

24 MR. MACH: What did I say?

25 MR. WANTA: 120 cubic yards.

1 MR. MACH: I'm sorry. 120,000 cubic yards.

2 MS. HARRISON: Richard, is that the substance
3 he was talking about being crushed?

4 MR. MACH: Basically, all of Hunters Point,
5 except for Parcel A, is fill material. So everything
6 out there was either dredged from the bay and placed
7 there as fill or was cut out of the -- the hillside and
8 placed there as fill, just like most of the areas
9 throughout San Francisco are cut and fill when they do
10 residential construction.

11 And so, you know, I'm not going to get into
12 this debate with Chein right now about what we think is
13 background, what he thinks is background. But we -- we
14 can go there soon.

15 So here's some additional excavation happening.
16 we're loading it into large trucks that take it to
17 another area for stockpiling.

18 Here's an area where they are surveying it. We
19 have gone down to the depth of 10 feet.

20 And then we bring in clean backfill, and it's
21 basically just fill that comes in from either the BART
22 project where we were getting some free fill or other
23 types of fill material that we're paying for that's like
24 a Class II base material so we get compaction we need.
25 And then we go and roll it out, and we're done with that

1 area.

2 Also, there was a concern about the sandblast
3 grit and any radiation that might be there. Not only do
4 we scan the soil as we are excavating or before we
5 excavate it with radiation meters, we also go and we
6 scan the piles one more time before we load them into
7 trucks to haul them off site.

8 So there they are just scanning the piles. And
9 the material's loaded in the trucks. The trucks go
10 through, and they are weighed on different scales.
11 Scales tell you how much weight is in there so you know
12 what -- where you're taking it and how much you have to
13 pay for disposal.

14 We also have these scaffolds set up so that we
15 can put the tarps on before the trucks leave the site.
16 And then the -- the tarps are -- are tied down so that
17 everything's clean going off the base.

18 MS. OLIVA: Richard?

19 MR. MACH: Yes.

20 MS. OLIVA: Will we have access to these
21 radiation readings?

22 MR. MACH: Those radiation readings are -- are
23 field screening readings, and they will be discussed in
24 the closeout report when it comes out, but they are not
25 hard analyses that are being sent to laboratories.

1 Yes.

2 MR. POTTS: Oh, Richard, the picture before
3 where they had the employee there with the -- it looked
4 like a --

5 MR. ATTENDEE: Geiger counter.

6 MR. POTTS: -- Geiger counter --

7 MR. MACH: Right.

8 MR. POTTS: -- in measuring the count, that
9 employee right there is not in the proper PPE for
10 doing -- for checking for radioactive.

11 MR. MACH: Yes, he is.

12 MR. POTTS: He is?

13 MR. MACH: Yes.

14 MR. POTTS: For . . .

15 MR. MACH: We have full-blown health and safety
16 plans for all of our work out there.

17 MR. POTTS: Can I ask you a question?

18 MR. MACH: Okay.

19 MR. POTTS: Isn't that one of the paper suits?
20 Isn't that a paper suit?

21 MR. MACH: Yes, but he's not detecting
22 radiation.

23 MR. POTTS: Oh, he's not?

24 MR. MACH: No.

25 MR. POTTS: But if there was there, he would be

1 glowing now, right?

2 MR. MACH: No, he wouldn't. The levels out
3 there are, although Dr. Sumchai may not like this,
4 within background. So --

5 DR. SUMCHAI: And what is background?

6 MR. MACH: Background in this area is about 7
7 to 8 thousand counts per minute.

8 DR. SUMCHAI: That's a lot of background,
9 Richard.

10 MR. MACH: That's what background is throughout
11 all of California.

12 MS. RINES: Seven to eight thousand?

13 MR. MACH: Seven to eight thousand counts per
14 minute. And we can get into different discussions at
15 another time about what that number means.

16 Okay. Here -- here's another type of
17 excavation that's going on, and it's a little smaller
18 excavation, and they're verifying again to the correct
19 depths.

20 And then there was also a pipeline that was
21 hit, one of the sewer lines. So they had to go into
22 that excavation and repair the pipeline after it was hit
23 so that they can backfill it.

24 And there was also a concern do we have
25 contamination that has migrated off site, which is

1 basically off of Parcel B towards the Ferrari [phonetic]
2 brothers' property. And so we went outside of our fence
3 line, and we took samples to verify that we didn't have
4 anything going off site.

5 We also did a little extra records checking,
6 and that we found that there was one drawing in the
7 1950s-'60s time frame that they called out this drain
8 line as a sanitary sewer line. And when we found some
9 earlier 19- -- late 1940s, early 1950 records, it was
10 actually called an industrial drain line.

11 And this industrial drain line drained all the
12 way over to IR-07 where you saw before, and that whole
13 area of IR-07 used to be the bay. That whole area was
14 filled in by the Navy back in the late 1940s, early
15 1950s. So it used to drain into what was then the bay.

16 So we found this line, and we have gone out
17 there, and we started removing it. We are in the
18 process right now of removing it, and it should be done
19 in the next couple of weeks.

20 So there's a couple of pictures of us getting
21 into the excavation, removing parts of the pipeline, and
22 hauling it off to another area to stockpile them,
23 pulling up the pipeline here.

24 This is an area where they are actually going
25 in and taking samples beneath where the pipeline was to

1 verify what the levels of contamination are and that
2 we've met our cleanup goals.

3 And this is what the -- the trench looks like.

4 MS. RINES: That's on "B"?

5 MR. MACH: That was all on "B."

6 MS. HARRISON: Richard, what was the
7 contamination level on that -- on that trench?

8 MR. MACH: We don't have the results back yet.
9 This is just ongoing right now.

10 Yes, Jesse.

11 MR. MASON: You know, Richard, you know, I'm
12 looking at all of the work out there, and I -- I didn't
13 see anyone from the community. That was one of the
14 biggest problems that I had, because I was out there the
15 other day when you guys were going through that section
16 on "B," and I didn't see anyone from the committee --
17 community doing any remediation work. I didn't see
18 anyone from the community doing anything on "B" either.

19 I understand -- I -- I want you to understand
20 some -- one thing, though, that -- that -- that what's
21 going on with IT and the Navy is, of course, some of the
22 trucking concerns, some of the trucking concerns, that's
23 good, because some of the truckers are getting that --
24 those benefits.

25 But the remediation where our community young

1 people have been trained to do some of that, I haven't
2 seen too many of them out there. You know, I know some
3 were out there in the evening, but I haven't seen any
4 of -- any of them out there during the day, and I didn't
5 see any in that -- in that picture, any of those slides.
6 So that's a concern that I do have.

7 MR. MACH: Okay. And if you'd like to discuss
8 it more in your subcommittee, I'd be more than happy to
9 talk to you about it there.

10 MR. MASON: I will.

11 MR. MACH: Okay.

12 Okay. If you recall, last year we talked about
13 doing a removal action on Parcel C and D for steam lines
14 and for soil.

15 This is a steam line. You can see that there
16 were concrete pipe chases. There's several different
17 names for them: utility corridor, utilidors for short.
18 So basically, it was almost a secondary containment for
19 the steam lines.

20 When Triple A was out there, they were nice
21 enough to have within Dry Dock 4 hooked up a fire main
22 pump system, welded it into a steam line, which the
23 steam power plant was over on Parcel E, and the oil
24 disposal ponds were on Parcel E. They were able to use
25 the fire main pump to pump the waste oil and different

1 things through the steam line over to Parcel E fairly
2 easily to illegally dispose of it. Well, we're now
3 cleaning it up.

4 So this is an area that the steam lines are
5 asbestos wrapped. You can see we have gone in there and
6 contained the asbestos with the plastic, and we removed
7 the pipelines.

8 Not all of the pipelines they used for
9 disposal. They were very -- They were pretty
10 systematic in how they did it. They wanted to get at
11 Parcel E, so they shut off valves in different areas.

12 So most of the stuff on "D" and most of the
13 stuff on "C" is clean. But we did go in there and we
14 sampled all of them. We checked them to make sure that
15 there was no waste in there, and areas where there was
16 waste we cleaned it out or removed the pipelines or
17 both.

18 Yes.

19 MR. GAVRICH: Real quickly, Richard, but you
20 said they piped it all over to "E," but isn't "E" a
21 parcel that the Navy wants to keep in place and cap?

22 MR. MACH: No. That's only -- that's only the
23 landfill part.

24 MR. GAVRICH: Okay. So these areas that this
25 stuff is pumped --

1 MR. MACH: All -- all of the remedial
2 alternatives for Parcel E will be evaluated in the
3 feasibility study, including potentially removing the
4 landfill and potentially capping it, potentially doing
5 other things to it as well as all the other contaminated
6 sites out there.

7 MR. GAVRICH: But the end of the pipe is not
8 the landfill? The end of the pipe is someplace else --?

9 MR. MACH: Right. It's the oil disposal ponds
10 over by the old boiler house, steam house.

11 MS. PENDERGRASS: Mr. Mach --

12 MR. MACH: Yes.

13 MS. PENDERGRASS: -- can you continue your
14 presentation and answer questions at the end?

15 MR. MACH: Okay.

16 Okay. So next, so here we are vacuuming out
17 from -- from those pipelines that we talked about. They
18 had to go in there and tap into the pipelines, remove
19 any pressure.

20 And some of them were still full of oil or
21 other water viscous solution. So we had to remove that
22 instead of capping them.

23 And you can see they have additional protective
24 gear on for getting into these areas. See the nice oily
25 sludge that -- that we remove out of some of these

1 pipelines?

2 There were also some pipelines that were direct
3 buried. Most of these were fuel lines, but we did go
4 and -- all the fuel lines we did remove. Some of the --
5 some of the steam lines, if they were clean and were
6 never used for waste disposal, we cleaned them out and
7 just left them in the utilidors.

8 But all fuel lines were removed, unless they
9 were under, like, a building or a railroad track, and we
10 cleaned them out and just capped those couple 10,
11 20 feet of pipeline that we couldn't get without
12 destroying buildings.

13 We -- Also, if you recall the -- the
14 utilidors, we came and we excavated on the outside of
15 the utilidors in -- in several different pothole areas.
16 Wherever we saw staining on the inside of the utilidors
17 we went and excavated on the outside to check to make
18 sure that they hadn't leaked through the concrete. So
19 this is an area where we did that.

20 This is that area where I talked about in the
21 dry dock where they had the fire main pumps over here.
22 There's a big manway chase that goes along the full side
23 of the dry dock, and this was the -- the pipeline that
24 went out and over to Parcel E. And so they are removing
25 the fuel from in that pipeline that was hooked up to the

1 fire main system.

2 And this -- you can see how long that manway
3 is. The dry dock's about a thousand feet long. That
4 manway is about a thousand feet long; and it's got all
5 the other pipelines in there, the water lines,
6 everything that supported the dry dock operations. So
7 they are removing the fuel from within that pipeline.

8 Okay. Now, we did pipelines. We are also
9 doing soil cleanup. So this is on Parcel D. It's in IR
10 site 8, and this was a PCB contaminated area. This was
11 over in the area where the police station over near
12 Building 606. So this was a large excavation where we
13 removed soil down to 10 feet for PCBs.

14 This is additional excavation in that area.
15 Excavation all kind of looks the same. Doesn't matter
16 whether you're on "D," "C," "B." We're still digging.

17 This area was actually on Parcel C, and we had
18 additional utilities going through there, so we had to
19 dig it out. And then because we were at the water level
20 and we had to maintain this sanitary sewer line, we
21 filled it with a lot of rock on the bottom so that the
22 utilities that are in place can still be maintained.

23 There's an area over on Parcel C, a large
24 building, Building 231 out by the piers, out by Dry
25 Docks 2 and 3; and there was an area there that had a

1 lot of petroleum down by the water table that we
2 excavated.

3 And there was all this rubble buried in there.
4 That's why some of it was so stable, because there was a
5 whole bunch of rocks and different things that we had to
6 remove in order to get the contaminated soil out.

7 This is one local truckers we use. There he
8 is.

9 Okay. This is Dry Dock 4. Some of you may
10 have heard that we did very recently an emergency
11 removal action. The Action Memorandum for that will be
12 coming out next week, and I believe that Saul Bloom
13 mentioned it at the end of last month's meeting.

14 So I will tell you what we did. We have a
15 tenant out there, AMC, who has a subco- -- or is a
16 subcontractor to SDR. SDR is the major ship breaking
17 company that has contracts with the Navy to dismantle
18 old Navy ships.

19 They had a contract -- SDR had a contract with
20 the Navy to do the last three ships you may have seen in
21 there. They went in the dry dock last March, and they
22 just finished up the last of them.

23 SDR does not have a current contract right now.
24 They may get one, but currently they don't have one, and
25 they are about to leave. When they leave, they take the

1 pumps with them that dewater this.

2 So what's going to happen is: This dry dock is
3 going to fill up with water. Either we're going to
4 flood it, or it's going to fill up just naturally
5 because groundwater does seep into it; rain falls into
6 it. And that caisson in the back is not watertight. It
7 does leak in. It's going to fill up.

8 There are culverts located underneath this area
9 [indicating] and this area [indicating]. And basically,
10 the whole dry dock drains to the back. So you can
11 actually dewater it and pump all the water out of there.

12 There is those drainage swales on top, and
13 underneath them, 1 to 2 feet of concrete deep, is
14 another drainage pipe that goes from this end to that
15 end to help it dewater faster.

16 Well, after 40, 50 years of operating,
17 sandblasting ships, cleaning out ships, all this,
18 sandblast grit, material, different stuff has
19 accumulated in these culverts and pretty much plugged
20 them up.

21 We tried to remove that stuff back in 1997,
22 1998. We were going to try and just pressure-wash it
23 out. It didn't work. They went in there with
24 jackhammers, couldn't get it out with jackhammers. So
25 this stuff is not moving. It's bound up. It's like

1 rock in there.

2 So because we know that it's there and it does
3 have contaminants in it; and if you leave that flooded
4 and all the fish come in and everything else, they will
5 be exposed to that, and you will have immanent risk.
6 And so we said, "Okay, fine, we're going to do something
7 about it right now."

8 So we went through; we pressured-washed all the
9 new silty stuff that's in there out of there, and then
10 we're going to -- we filled them with concrete.

11 So I'm going to show you a few pictures of what
12 we did. We have used big cranes to lower down big
13 pieces of equipment into the dry dock. We -- we got
14 them down there so they can move, set them in, different
15 things around, different pieces of equipment. We lower
16 down these big vacuum trucks to go through and vacuum
17 out all that stuff I talked about that -- that was
18 inside the -- the culverts which were underneath these
19 little swales. There they are sucking away.

20 And you go through; they do the final cleanups.
21 This is the size of them, 48-inch diameter; and they go
22 down to the other end, which is about 24-inch diameter.

23 So we want that to be rock solid full of
24 concrete. So they built these forms to -- to put down
25 there to -- so the concrete will stay in.

1 Here's all the concrete trucks coming lined up.
2 So we are going to do all -- we're going to do it all in
3 one single pour because we don't -- we don't want to
4 have cold joints; we don't want to have it so it doesn't
5 stick to everything. We want it all one nice neat pour
6 all at one time.

7 So we had a concrete pumper truck up on the
8 surface, and all -- all the concrete trucks came up,
9 pumped the concrete into the pumper truck. It pumps it
10 down into the dry dock.

11 Now, we cored holes about every 15 --
12 15 feet? -- about every 15 feet. The holes were about
13 every 60 feet in the past that the water would fall
14 into.

15 But we wanted to make sure that we got all the
16 void space. We don't want to leave anything down there.
17 We want to make sure the concrete got through the whole
18 thing, whole thing encapsulated. So we drilled extra
19 holes to make sure that we'd get all that concrete down
20 there.

21 And then the -- these are -- these are pictures
22 of the roll-off bins where the sediment that we did
23 remove from the -- from within the culverts was.

24 And what -- One thing that's going to happen
25 is: This is a removal action. This is not the final

1 action. When we go to Feasibility Study of Parcel C, we
2 have to evaluate how effective this action was and
3 whether anything else is needed.

4 And so one of the things that we are going to
5 try and do is -- that is the solidified hard material
6 that I was talking about that was in there that we
7 couldn't get out that was bound up in concrete. We went
8 through those bins, and we collected as many of those
9 chunks as we could, and we sent them off for laboratory
10 analysis. And we -- we are saying:

11 Okay, analyze this stuff. Tell me
12 what's going to happen if -- if it's exposed to
13 bay water. Is it going to leach stuff out? So
14 if there was an earthquake and it cracked open
15 and that was now exposed, would the fish, would
16 the sediments, would anything else be exposed
17 to anything with the long-term effect from
18 this -- of this remedy?

19 So we are -- we are in the process of
20 evaluating this data or getting this data so we can
21 evaluate it.

22 Okay. That's it on the dry dock. This is
23 Building 364. This is one of the radiation cleanup
24 buildings. There was an area that we had cleaned up on
25 the outside of the building. It was called the peanut

1 spill area. We talked about that several times in the
2 past.

3 We cleaned up the peanut spill area, but we
4 started finding additional drain lines that went back
5 into the building. So we started basically blasting out
6 holes in -- in the building where there was radiation
7 detected on the side walls and also removing different
8 pipelines that went into and under the building, and
9 we're still in the process of finishing up the last bits
10 of that removal.

11 So this is just a few pictures of the building
12 itself. This is looking out from inside, same picture,
13 opposite direction.

14 This is another picture of the same hole, and
15 these are the type of pipelines that we were talking
16 about that we're removing.

17 Additionally, if you recall, we did the removal
18 action for four different sites. Three of them were on
19 Parcel E, which were done. That one on Parcel D, which
20 is almost done.

21 We also went out and we gridded off the entire
22 shoreline of Parcel E, and we took samples all along
23 there to see if there's any additional radiation in the
24 shoreline of Parcel E.

25 When the removal action closeout report comes

1 out for this action, we will document the different
2 pieces that we found out here as well.

3 Okay. Parcel E landfill. You can see the
4 landfill cap. This is as we are putting down the
5 plastic liner after the fire.

6 Here it is after we've gotten on the
7 geo-synthetic clay layer.

8 We planted grass out there. Most of it grew up
9 pretty well. There were a couple dead spots that didn't
10 grow as well as possible. We made the contractor have
11 the subcontractor come back out and redo the seeds
12 again.

13 So they basically went out and they harrowed it
14 and so that the existing seeds from the current growth
15 would be put back into the soil. And then they also
16 reseeded it, went out there and reirrigated it. And
17 that's pretty much what it looks like today.

18 Well, next page. We have geese now too.

19 Okay. Some of you have seen a lot of trucks
20 coming into the Shipyard. With the BART expansion
21 project that's going on, they are digging lots of big
22 holes, and they don't need all that soil. They were
23 going to pay to dispose of it somewhere else. We were
24 having to pay to bring in clean fill to backfill all our
25 holes.

1 We made agreements with the BART projects and
2 the subcontractors on that project. They are giving us
3 all their dirt for free.

4 So we're stockpiling a whole bunch of dirt out
5 there. We are using it for backfilling existing holes,
6 and we're stockpiling in preparation for any additional
7 holes that we have to dig. And it would fill in the
8 landfill if we remove it. It would also extend the cap
9 if we leave the landfill there.

10 So the material is there for whatever we do.
11 If there's any material left over, the City gets to have
12 it as part of their redevelopment, and they can use it
13 to regrade whatever they'd like.

14 MR. POTTS: Rich.

15 MR. MACH: Can -- can we wait -- can we wait to
16 the end, please?

17 MR. POTTS: Okay.

18 MR. MACH: Thank you.

19 Okay. So you can see pile is getting really
20 big. We make sure that it's dry.

21 They also go through, and they -- they put --
22 they put a water emulsifier substance down there, which
23 essentially is like a -- a very light concrete mix so
24 that it keeps the dust down.

25 So it -- once it's there, instead of putting

1 plastic on top of it, because these piles are so big,
2 people will get blown away if the wind picks up the
3 plastic, we've actually put down this emulsifier so that
4 it just keeps it all -- it keeps the dust down.

5 So they are -- they're putting the -- the soil
6 down. Pile's getting bigger. And there she is.

7 Okay. One last thing. Everything we talked
8 about is under the CERCLA hazardous waste cleanup
9 program.

10 Oh, wait. Sorry. Parcel F. Parcel F is the
11 offshore parcel. And if you recall, back in May we went
12 out there and collected sediment samples, which we sent
13 to different laboratories to check for contaminant
14 levels within the sediment; and we also ran additional
15 analyses, basically put little critters in it and see if
16 they survived.

17 It's all part of the -- it's all part of the
18 environmental hazard verifying that there is no
19 ecological risk or verifying how much ecological risk
20 there is and what footprint of sediment we may need to
21 clean up.

22 So here's some pictures of the boats that are
23 out there collecting the samples. You see that they are
24 putting the devices down to collect the sediment
25 samples. This is actually off of Parcel E.

1 They bring -- they bring the sample -- the
2 sample device back up. You see the nice little sediment
3 here that they are going to remove and put into
4 different containers to send out to laboratories. Okay.
5 Now, that was all the CERCLA hazardous waste cleanup.

6 We also have a petroleum program out there.
7 Where we had underground storage tanks that held fuel
8 oil where there were pipelines, anything that had to do
9 with just gasoline, oil, petroleum products, that comes
10 under the TPH program, and that we deal with the Water
11 Board much more closely than with Water Board, EPA, and
12 DTSC.

13 So we're out there right now on "C," "D," and
14 "E" doing additional sampling and investigation for
15 areas where we know there has been petroleum in the
16 past. We need to verify how much is there and how much
17 we need to clean up. So that was a soil-boring
18 location.

19 This is a geo probe rig. This is essentially a
20 hydraulic ram that will push this probe down in the
21 ground, and it will collect soil samples.

22 He's getting ready to push.

23 MS. PETERSON: He's pushing.

24 MR. MACH: Okay. So they -- so they pu- --
25 they pulled out this sleeve. This is what they drove

1 down, and that's full of soil right now. And what he's
2 got right there is a PID or an OVA. It's basically
3 looking for can you smell any gasoline or any other
4 volatile vapors that come from petroleum.

5 MS. PETERSON: What's a PID?

6 MR. MACH: Photoionization detector.

7 MS. PETERSON: What's the other one?

8 MR. MACH: OVA, organic vapor analyzer. Whew.
9 Got 'em right.

10 Okay. So they take the samples out. Actually,
11 this is a -- an EnCore sampler. So they drive the
12 EnCore sampler in. That's a special sampling device so
13 your volatiles don't escape. So they drive that in
14 there to collect the sample to -- to look for the
15 volatile organic compounds that could be associated
16 mostly with gasoline or with other solvents; but on the
17 petroleum program, it's mostly for gasoline.

18 And that's it.

19 MS. PENDERGRASS: All right.

20 MR. MACH: Wait. Aren't there any questions?

21 MS. PENDERGRASS: Wait a minute.

22 MR. ATTENDEE: It's 8 o'clock.

23 MS. PENDERGRASS: Wait a minute.

24 MR. ATTENDEE: It's 8 o'clock.

25 MS. PENDERGRASS: Wait a minute.

1 MS. VAUGHN: It's 8 o'clock.

2 MS. PENDERGRASS: Okay. It is -- it is
3 8 o'clock.

4 Thank you, Miss Vaughn.

5 It is 8 o'clock. We do have -- We can -- we
6 can as the RAB here decide what to do with the rest of
7 this agenda, because what we do have still kind of
8 hanging here is a question-and-answer period and future
9 agenda items in addition to question and answers.

10 So do we want to -- do we want to ask a few
11 questions limited to fifteen minutes and get out of here
12 at 8:30, or do we want to con- -- adjourn now and
13 continue this to next meeting?

14 MS. ATTENDEE: Ask questions.

15 MR. MANUEL: Let's ask a few questions for
16 fifteen minutes.

17 MS. PENDERGRASS: 8:30?

18 MS. HARRISON: Richard may not be here.

19 MR. MASON: I make a motion to continue 'til
20 8:30.

21 MR. MANUEL: I second that.

22 MS. ATTENDEE: Second.

23 MR. TOMPKINS: Second.

24 MS. PENDERGRASS: Does anybody else want to do
25 that? Okay. Do --?

1 MS. HARRISON: Question?

2 MS. VAUGHN: Excuse me.

3 MS. PENDERGRASS: Yes, ma'am.

4 MS. VAUGHN: Because I have to leave, I want to
5 leave at 8 o'clock.

6 MS. PENDERGRASS: Everybody wants to leave.

7 MS. VAUGHN: No, but I'm going to leave at
8 8 o'clock, and I want to. So --

9 DR. SUMCHAI: There is a motion on the floor.

10 MR. MANUEL: In other words --

11 DR. SUMCHAI: Point of order.

12 MR. MANUEL: Exactly.

13 MS. PENDERGRASS: Exactly. Do we want to stay
14 until 8:30, or do we want to adjourn at 8 o'clock?

15 MR. MANUEL: It's been seconded already.

16 MS. PENDERGRASS: Has it been seconded? I call
17 for the question.

18 MR. TOMPKINS: Call for the question.

19 MS. PENDERGRASS: The question is: Do we want
20 to stay until 8:30? All in favor say, "Aye."

21 THE BOARD: Aye.

22 MS. PENDERGRASS: All right. Those in fa- --
23 opposed?

24 (No verbal response elicited.)

25 MS. PENDERGRASS: Okay. Can we let Miss Vaughn

1 have her question first?

2 MS. ATTENDEE: Yeah.

3 MS. PENDERGRASS: Thank you so much.

4 MS. VAUGHN: What I want to say is: There's
5 sometimes I cannot stay beyond 8 o'clock. When I do
6 6:00 to 8:00, I have to go.

7 MS. PENDERGRASS: Yes, ma'am, I understand.

8 MS. VAUGHN: So one of the things I would like
9 to do is: I -- I don't think -- whatever locale we have
10 on this Board to me is as a community you should share
11 it. And I want to nominate Palega for my stand-in for
12 the time I can't be here, and we'll talk to each other
13 and get -- share the information, and I trust him to do
14 what's right for the community.

15 And so that's who I nominate, and so -- and
16 then I will leave.

17 MS. PENDERGRASS: I don't know how that's
18 addressed in the bylaws.

19 MR. MACH: That -- that's fine.

20 MR. TOMPKINS: That's fine.

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

22 MR. TOMPKINS: Have as she wishes.

23 MS. PENDERGRASS: All right. Very fine.

24 MS. VAUGHN: Well, do we need to vote on it, or
25 is that --?

1 MR. ATTENDEE: No.

2 MR. TOMPKINS: No, ma'am.

3 MS. PENDERGRASS: I don't think so. I think
4 it's in the bylaws.

5 MR. TOMPKINS: That's your choice.

6 (Ms. Vaughn departs.)

7 MS. PENDERGRASS: All right. So we've -- we've
8 agreed to stay an extra twenty-five minutes.

9 And so I think Miss Harrison had her hand up
10 first.

11 MS. HARRISON: Yeah.

12 Richard, the pipe that you left in there --

13 MR. MACH: Yes.

14 MS. HARRISON: -- you said you capped them?

15 MR. MACH: Right.

16 MS. HARRISON: What happens when th- -- when
17 there's building that starts? I mean, you know --

18 MR. MACH: When --

19 MS. HARRISON: -- there's --

20 MR. MACH: When --

21 MS. HARRISON: -- there's --

22 MR. MACH: When -- when there's building that
23 starts -- say, for example, there's a -- a fuel line
24 that we left 10 feet because it went underneath railroad
25 tracks and we are not going to destroy the railroad

1 tracks -- if in the city's redevelopment they destroy
2 the railroad tracks and if they don't dig that deep,
3 it's not an issue. It can stay there.

4 If they dig that deep; the pipeline is clean,
5 they can just send it to a regular landfill, or they can
6 recycle the metal. It -- it is fine -- it is clean. We
7 have sampled the soil that is clean around it.

8 MS. HARRISON: Okay. And what is actually in
9 that emulsifier? I know I'm saying it wrong. That
10 stuff that you spray over that stuff.

11 MR. MACH: Do you know -- do you know what's in
12 that?

13 MS. BUSHNELL: Calcium carbonate?

14 MS. RINES: Do you have the name of it?

15 MR. MACH: Oh --

16 MS. BUSHNELL: That's cement.

17 MS. HARRISON: I mean, you said that it -- it
18 cuts --

19 MR. MACH: I'm asking IT behind you.

20 MR. BREEDLOVE: I don't know.

21 Do you?

22 MR. AKIYAMA: I don't know the contents, but
23 it's called soil cement.

24 MR. MACH: It's called soil cement. So if --
25 so if -- if it's okay with you, I will verify the name;

1 and when I write the meeting minutes, I will make sure
2 that it's in the minutes what the name of it is.

3 MS. HARRISON: What's the name of it and
4 what -- what is actually in it.

5 MR. MACH: Okay.

6 MR. ATTENDEE: Right.

7 MR. MACH: I know that we had to get an MSDS
8 for it, so . . .

9 MS. PENDERGRASS: We had -- Dr. Sumchai was
10 next.

11 MR. MACH: One -- one quick thing.

12 MS. PENDERGRASS: Okay.

13 MR. MACH: I -- I forgot -- thirty seconds on
14 the agenda -- the TAPP grant. I meant to update on the
15 TAPP grant.

16 We have taken the a- -- the two applications
17 that were voted on last month. We have done all the
18 paperwork on them. We've gotten them through Chief of
19 Naval Operations Office.

20 They are sitting in our commanding officer's
21 office right now to be signed. They may have even been
22 signed today. We don't know, because we were up here
23 all day. They should be signed by the end of this week,
24 and solicitations for those contracts should be going
25 out early next week.

1 MS. PETERSON: Excuse me, Richard. When do we
2 decide who we were going to --? Is ARC Ecology going to
3 be do doing the TAPP?

4 MS. SHIRLEY: No.

5 MR. MACH: No, no, no, no.

6 MS. PETERSON: Okay, but -- well, who were the
7 names and when do we decide?

8 MR. MACH: When -- when you guys voted on the
9 applications, Chris had already provided a list of
10 several different potential vendors, and we're going to
11 submit it to them.

12 MR. ATTENDEE: Three.

13 MR. MACH: There was three, right.

14 MS. ATTENDEE: There were three?

15 MS. PENDERGRASS: All right.

16 MS. PETERSON: Okay.

17 MS. PENDERGRASS: Okay.

18 MR. MACH: Right.

19 MS. PENDERGRASS: Dr. --

20 MS. PETERSON: I know the last time --

21 MR. MACH: She -- she'd given two at the
22 meeting.

23 MS. PETERSON: No.

24 MR. MACH: She -- she got me a third.

25 MS. PETERSON: The last time we had the names

1 that were going to be --

2 MR. MACH: Right.

3 MS. PETERSON: -- presented --

4 MR. MACH: The applications had --

5 MS. PETERSON: -- but we didn't have --

6 MR. MACH: -- that you voted on had two of
7 them, had two of them last month; and she faxed me the
8 third one because I told her I needed a third one.

9 MS. PENDERGRASS: Okay.

10 DR. SUMCHAI: I just had three quick concerns.
11 One was -- is my concern about the contaminant levels of
12 the backfill dirt from the BART expansion in view of
13 reports last year that there was arsenic in the soil
14 found in San Mateo and Santa Clara County.

15 Secondly, about building --

16 MR. MACH: Can -- can I answer them one at a
17 time?

18 DR. SUMCHAI: Sure.

19 MR. MACH: Okay. We do sample all the material
20 that comes in from BART, and we do compare it to all of
21 our cleanup levels. And there's been nothing -- there's
22 only been one load that came back that had an e- -- what
23 we consider to be an erroneously high level, but we told
24 them to take the -- the soil back.

25 DR. SUMCHAI: Erroneously high level of what?

1 MR. MACH: They -- they took a four-point
2 composite, and they analyzed it, and they -- it actually
3 came back with arsenic at f- at 15. And when they ran
4 the four individual samples that made up that composite,
5 all of them came back, like, 3, 4, and 5. So it's like,
6 well, how did -- how did your average of 3, 4, and 5
7 come out of 15?

8 So we -- we didn't like the data. We said,
9 "You know what, just take your soil back."

10 DR. SUMCHAI: Okay.

11 Chris, you may want to think about what's going
12 on here.

13 But the second issue was: We keep going around
14 and around about Building 364, and so we're back going
15 around. Found some pipes that go back into the building
16 that have high levels, so that means that your report
17 that the inside of the building was okay is not accurate
18 now, right? Are you revisiting the --?

19 MR. MACH: The- -- these are underneath the
20 subfloor, so you couldn't detect it from the inside of
21 the building for results that we had before. So we are
22 chasing those under the building and to a sanitary sewer
23 line.

24 DR. SUMCHAI: Okay.

25 And then the third point is that you're saying

1 that the Parcel E shoreline radiation levels -- you'll
2 report them in the closeout report. I could presume
3 that that means that they are high.

4 MR. MACH: Just like when you were out there,
5 we had all those different flags that were out there
6 where there were elevated ra- -- levels of mostly
7 radium-226; yes, we will report those.

8 DR. SUMCHAI: Okay.

9 MS. PENDERGRASS: Excuse me. Excuse me. We --
10 we need to get the questions from the RAB board before
11 we go to the community. So we have one on the end
12 there.

13 (Attendee speaks inaudibly.)

14 MS. PENDERGRASS: Yes, and you.

15 MR. RODRIGUEZ: Okay. During the risk health
16 assessment meeting, the topic of bunkers came up. And
17 apparently, there's archive pictures that show bunkers.
18 Before you answer, let me go ahead --

19 MR. MACH: Okay.

20 MR. RODRIGUEZ: -- and make the complete
21 question here.

22 Parcel A is the only parcel that is actually
23 not landfill. It makes sense that if there were going
24 to be bunkers there, they would be underneath Parcel A,
25 which is slated for the residential.

1 If -- if, in fact, there are bunkers, which
2 apparently there's a photograph to show evidence of,
3 what would be inside of those bunkers?

4 MR. MACH: Okay. There's only one bunker that
5 I'm aware of, and it is on Parcel A, and it was a small
6 arms ammunition locker.

7 Essentially it's -- it's called S 807. It is a
8 dirt mound that is about 8 to 10 feet high. It's about
9 a 50 feet by 20 feet big oval, and Building 808's here.
10 The hillside of Parcel A is here. There is a doorway
11 right here. It's about 4 feet high, two sliding doors.
12 The bunker goes in 2 feet deep, 8 feet wide, 4 feet high
13 where they stored bullets for .45s, for shotguns.

14 That area has been cleaned out, and all the
15 dirt on the other side is the bunker to make sure that
16 if any of those rounds went off prematurely, they didn't
17 go shoot into the buildings. They didn't have to have
18 the bunker on -- They didn't have to have the -- the
19 soil on the other side because there was a rock on the
20 other side.

21 MS. PENDERGRASS: Okay. Did we have another
22 question over here from the RAB board? And then we have
23 Manuel, Mr. Manuel.

24 MR. MANUEL: Lynne has one.

25 MS. PENDERGRASS: Oh, okay. Sorry.

1 MR. BROWN: My question is still: When are you
2 going to address the July 6th fire over there on
3 Parcel E?

4 MR. MACH: We have already addressed it in the
5 subcommittee that you've been at. It's also going to
6 be -- it's also -- it's also going to be in the HR- --
7 It's going to be discussed in the HRA.

8 MS. PETERSON: It is? How great.

9 MR. BROWN: But still, still the community
10 inhaled that fire, Richard, and the police didn't know
11 it was a radioactive anomaly?

12 MR. MACH: We've also -- We have already said
13 that -- that there w- -- you know, we have no reason to
14 believe that there would be radiation in that fire.

15 The -- the two anomalies that were buried were
16 buried underneath rock, and that they are radium-226.
17 They are not volatile, and you would not have been
18 exposed to them.

19 MS. PENDERGRASS: Okay.

20 MR. MACH: We have already discussed this in --
21 in the subcommittee meeting.

22 MS. PENDERGRASS: Okay. Mr. Manuel is next.

23 I'm sorry.

24 MR. MANUEL: Okay. Speaking of bunkers and et
25 cetera, I think that it's only fitting that Richard get

1 the appreciation of the entire Board. Everyone here on
2 this Board has signed this. We are going to miss you
3 greatly. You deserve a Purple Heart for --

4 MS. PETERSON: Medal of honor.

5 MR. MANUEL: -- medal of honor. Everybody
6 would -- they're all laughing. Everybody will agree
7 from the West Bank and from Gaza over here that you
8 deserve a lot, and I want to thank you on behalf of
9 everybody that you've never quit; you've answered the
10 questions; you've taken the cheap shots, and you're
11 still standing, and I want to say that we appreciate it.

12 MS. PETERSON: Takes a licking and keep on
13 kicking.

14 (Applause.)

15 MS. PETERSON: Congratulations --

16 MS. PENDERGRASS: Okay.

17 MS. PETERSON: -- partner.

18 MS. PENDERGRASS: Miss -- Miss Harrison, did
19 you have another question?

20 MS. HARRISON: Yeah, I do have a question.

21 Richard?

22 MR. MACH: Yes.

23 MS. HARRISON: Back to business. You can't
24 leave without that. I won't let you.

25 MR. MACH: I wouldn't want it any other way.

1 MS. HARRISON: Don't worry about it. I
2 wouldn't let it happen.

3 Richard, was there any outside of the fence
4 storage for -- for shells and things?

5 Because we have actually located a deteriorated
6 big old m- -- I don't -- they're calling it a mortar --
7 I -- I don't know what the heck it was -- a mortar in
8 one of the backyards of one of the -- actually, in
9 Wendy's backyard as we were digging for a -- a gard- --
10 not a garden. What do you call it? It was a garden.
11 Forget it. Yeah. Herb garden. It wasn't that deep.
12 We did not go that deep, and yet it was there.

13 MR. MACH: It was how -- how deep?

14 MS. HARRISON: We did not go that deep. Maybe
15 about 2 or 3 feet when we actually hit it.

16 MR. MACH: I -- I have not found any records of
17 any other ammunitions other than small arms.

18 MS. HARRISON: Do you know of anything that was
19 stored outside --

20 MR. MACH: I have not --

21 MS. HARRISON: -- the fence?

22 MR. MACH: No. I have not found anything that
23 said anything about anything outside the fence.

24 How long ago did this happen?

25 MR. TOMPKINS: Maybe three, four years ago.

1 MS. HARRISON: About three years ago.

2 MR. MACH: Who -- who disposed of it?

3 MS. HARRISON: Who disposed of it?

4 MR. MACH: Yeah.

5 MS. HARRISON: We did.

6 MR. MACH: You --?

7 MS. HARRISON: We brought it to the RAB's
8 attention when we were meeting on Evans Street, and they
9 kind of tush-tushed it off into nothingness. And at
10 that point --

11 MR. MACH: What did you do with it?

12 MS. HARRISON: What did we do with it?

13 MR. MACH: Yeah.

14 MR. TOMPKINS: Who did you give it to?

15 MR. MACH: Wa- -- was it still live?

16 MS. HARRISON: No. Actually, it was like I --
17 like I said, it was decayed. It was cracked. It was
18 open.

19 MR. TOMPKINS: It might still be live, girl.

20 MS. HARRISON: It was in bit pieces with holes,
21 and --

22 MR. MACH: Was it just the casing or did it
23 have --?

24 MS. HARRISON: I -- I thought it was just the
25 casing now. It was cracked. It was open from one end.

1 The bottom looked like it was -- it had rotted all the
2 way through.

3 MR. MACH: Don't ever do that again.

4 MS. HARRISON: Well, in the beginning until we
5 actually started, we first started tossing over to the
6 side 'cause we didn't know what it was until we had so
7 many pieces that were big enough to start putting
8 together. So, you know, at that particular point we
9 started to realize what it was.

10 That's why the question again was: Are you
11 sure that there was no off-site storage?

12 MR. MACH: I -- I have no information about
13 ever having anything off site for storage or that we
14 ever disposed any off site.

15 THE REPORTER: Excuse me. Excuse me. I have
16 to add paper.

17 (Colloquy off record.)

18 THE REPORTER: Back on the record?

19 MS. PENDERGRASS: We are back on the record
20 now.

21 Okay. So we have Caroline, and we have -- I'm
22 sorry -- Mr. --

23 MR. MASON: Jesse.

24 MS. ATTENDEE: Mr. Mason

25 MS. PENDERGRASS: Mr. Mason, okay.

1 So Caroline?

2 MS. WASHINGTON: With all this digging and
3 everything you've done --

4 MR. MACH: Right.

5 MS. WASHINGTON: -- does that mean that we
6 cannot put basements in these buildings that we have put
7 there now? We'll have to build everything from ground
8 up?

9 MR. MACH: No. We're putting clean fill back
10 so you can dig in it.

11 MS. PENDERGRASS: Mr. Mason?

12 MS. WASHINGTON: What about that building that
13 was 815?

14 MR. MACH: 815 is not our building anymore.
15 It's already been transferred.

16 MS. WASHINGTON: Is there any way that we can
17 get that building taken out of there?

18 MR. BROWN: It's hard to move.

19 MR. MACH: It's not -- not our building.

20 MR. BROWN: Defense sites.

21 MS. PENDERGRASS: Mr. Mason, can we have your
22 question?

23 MR. MASON: You know, talking to some people in
24 the community on Parcel A, there's about a 4-foot vent
25 hole that drops -- maybe not 4 feet -- vent hole that

1 drops down to about 20 or 30 feet.

2 Now, when we talk about bunkers, you know, I'm
3 just kind of concerned what's in there, because I know
4 Keith has seen it, and I know --

5 MR. BROWN: I seen it.

6 MR. MASON: -- Lynne has seen it, and I know
7 that Theresa up on the hill has seen it. In fact, she
8 had some kids on a little outing one day, and the hole
9 was there, you know. So --

10 MR. MACH: Jesse, maybe you need to take me out
11 there some day --

12 MR. MASON: I will.

13 MR. MACH: -- and show -- show it to me.

14 MR. MASON: When are you leaving?

15 MR. ATTENDEE: You got to take Keith out there
16 and show him.

17 MR. MACH: How about both of you?

18 MS. PENDERGRASS: Okay.

19 MR. MACH: Actually --

20 MS. HARRISON: He'd rather take you.

21 MR. ATTENDEE: You.

22 MR. MACH: Actually, Jesse, I'm going to be
23 up --

24 MR. TISDELL: Take me.

25 MR. MACH: I'm going to be up here next week.

1 So -- so let's get together and see if I can go take a
2 look at it next week.

3 MS. PENDERGRASS: Okay. So we're going to take
4 these three questions here, and that's the -- that will
5 be the end of the community discussion, and we're going
6 to start with the gentleman in the brown. We're going
7 to -- thank you.

8 MR. POTTS: Richard, I have two questions.

9 MS. PENDERGRASS: You -- Please state your
10 name.

11 MR. POTTS: My name is Jimmie Potts.

12 MS. PENDERGRASS: Okay.

13 MR. POTTS: When you were showing us the dock
14 area, you mentioned something about an emergency cleanup
15 situation?

16 MR. MACH: Right.

17 MR. POTTS: What does that mean?

18 MR. MACH: Okay.

19 MR. ATTENDEE: Good question.

20 MR. MACH: With- -- within CERCLA there are
21 several different types of removal actions that you
22 could do: There's an emergency removal action; there's
23 a nontime-critical removal action, and there's a
24 time-critical removal action. I'm sorry. A
25 nontime-critical and time-critical.

1 It's a -- it's a little bit of a misnomer about
2 the nontime-critical and the time-critical because they
3 really have nothing to do with how toxic or how
4 hazardous the thing is that you're about to address. It
5 has to do with how long it's going to take you to do the
6 planning documentation to get in the field and do the
7 cleanup.

8 If you can -- if you can get all of your work
9 plans done in less than six months, it's a time-critical
10 removal action. If you will be taking more than six
11 months to get your planning documents done, it's a
12 nontime-critical removal action. So that's the one
13 piece.

14 Now, the emergency removal action is if there
15 is a potential or an imminent and substantial
16 endangerment.

17 And what we said was: If that dry dock gets
18 flooded and we don't have the means to remove the water
19 and the aquatic life that lives in the bay is now
20 exposed to those sediments, that would be an imminent
21 and substantial endangerment to the environment.

22 And so we have to do something right now to
23 mitigate that. And what we determined was the best way
24 to do that was encapsulating those culverts in concrete.

25 So that is a -- that is an emergency removal

1 action. The Navy has authority to do removal actions,
2 so we did it.

3 There is a requirement that says that you have
4 to produce an action memo- -- Action Memorandum, which
5 is your decision document, at least 60 days after
6 starting the field work.

7 So basically, you st- -- you can start the
8 field work as soon as you're ready to do it, and then
9 the paperwork comes afterward.

10 MR. ATTENDEE: Okay.

11 MR. MACH: And so that -- so that Action
12 Memorandum will come out next week.

13 MR. POTTS: Okay.

14 MS. PENDERGRASS: No, sir.

15 MR. POTTS: No. I have two parts to my
16 question, dear. Do -- do you mind if I get the other
17 part?

18 MS. PENDERGRASS: Yes, Mr. Potts, please feel
19 free.

20 MR. POTTS: Thank you.

21 Now, when -- is there a group of people that
22 you have that are already signed up with you to, like,
23 in case there's an emergency situation where they got to
24 come in and do X, that you have a list that you go to to
25 call these people to do this?

1 MR. MACH: All of our contracts go through our
2 prime contracts, IT Corporation and then Tetra Tech; and
3 then they subcontract what they need to get the job
4 done.

5 And so we already had the time-critical removal
6 action for the pipelines and the soil ongoing on Parcel
7 C and D. All we did was modify that contract with IT to
8 go ahead and also do this piece of the removal action.

9 MR. POTTS: Okay. I understand what you said,
10 but for me you didn't answer my question.

11 MR. MACH: Okay.

12 MR. POTTS: My question is: When you go into
13 an emergency situation, like when -- what's --? the
14 hillside goes -- falls down and they got to get a bunch
15 of people out there to get it shored up so they can open
16 up the roadway, do you have a list of people that you
17 call from?

18 MR. MACH: We would go to IT.

19 MR. POTTS: Okay. IT. Okay.

20 MS. HARRISON: IT has the list.

21 MS. PENDERGRASS: Yes, ma'am. Yes, ma'am, in
22 the black there.

23 MS. ASHER: My name is Lani Asher. I'm an
24 artist out at the Shipyard. I want to also follow up on
25 the emergency action.

1 ARC Ecology has a lawsuit, am I not correct,
2 concerning this particular action?

3 MR. ATTENDEE: Yes, they have.

4 MS. ASHER: Yeah.

5 And I felt in -- in your lovely presentation, I
6 felt that you left that out. So I wanted to put that on
7 the record, and I wanted to ask Chris what the nature of
8 that lawsuit is.

9 MS. SHIRLEY: I don't think we filed it.

10 MS. ASHER: You did file it.

11 MS. SHIRLEY: Okay. I've been on leave the
12 last two weeks. So I hope that's the case.

13 MS. HARRISON: That it's been filed.

14 MS. ASHER: Okay. Do you know what the nature
15 of the objections are to the emergency action?

16 MS. SHIRLEY: I don't know.

17 MS. ASHER: You don't know.

18 MS. PENDERGRASS: All right. The lady in the
19 black here is our final question.

20 MS. OLIVA: Final question.

21 MS. PENDERGRASS: Final question.

22 MS. OLIVA: Richard, that was an admirable
23 piece of work you were doing and the slide show and
24 everything, but I do have two questions.

25 MR. MACH: Okay.

1 MS. OLIVA: The first question is: The
2 gentleman over there that Mr. Tompkins was referring his
3 questions to, Mr. Kayo [phonetic] --

4 MR. KAO: "Cow" [phonetic].

5 MS. OLIVA: -- Kao on the manganese, and he
6 brought up the issue that it is locked, it is fine; but
7 once it is -- it is crushed, it becomes -- goes into the
8 air.

9 On Parcel B it seemed from your slide show that
10 a lot of these -- a lot of this material that was in
11 chunks was crushed and was airborne. I'm not sure if --
12 was there sampling of any of that stuff to back up
13 Mr. Kao?

14 "Cow" [phonetic]?

15 MS. HARRISON: "Chow" [phonetic].

16 MS. ATTENDEE: Richard?

17 MR. KAO: "Cow" [phonetic].

18 MS. OLIVA: That's Question 1.

19 MR. MACH: Okay. Let me answer them one at a
20 time. Okay. So you -- you're -- you're asking if we
21 sample for manganese --

22 MS. OLIVA: -- for manganese that was crushed
23 on Parcel B.

24 MR. MACH: We didn't actually go out there and
25 crush chert and basalt. When -- when they -- you know,

1 when they put in the fill, there is a lot of material
2 that went in there. Some of it is chunks. Some of it
3 is crushed.

4 And quite frankly, if you drive anywhere in San
5 Francisco, you'll see that any of those red rocks that
6 are kind of squarish, that is chert fragments. And
7 it -- it is -- it is used for road base everywhere in --
8 in the City and County of San Francisco.

9 MS. OLIVA: But there's --

10 MR. MACH: So -- so it's -- so it's -- it's
11 everywhere, okay. There are -- there are manganese
12 mines in San Francisco because the San Francisco and the
13 Franciscan formation are so high in manganese
14 concentrations naturally.

15 We did a lot of sampling for manganese, both in
16 the air when we did the preliminary air monitoring
17 and -- and the health and safety air monitoring; and we
18 didn't find anything that was an issue --

19 MS. OLIVA: Was this after the backhoes went
20 in?

21 MR. MACH: This was the 365 days of nonstop,
22 from five different monitoring stations, air monitoring
23 that happened over the last two and a half years when
24 all the excavations happened, yes.

25 MS. OLIVA: But in the last one of those

1 photographs, the September 9th, 2001, do we have any air
2 monitoring on the manganese from September through
3 December and the activity that has been so exacerbated
4 on Parcel B?

5 MR. MACH: We do not.

6 MS. OLIVA: Okay. Question No. 2: In the dry
7 dock, which happens to be behind my studio, you had
8 mentioned that those large pipes that were filled with
9 some unknown substance, that had to be power-washed out.

10 In the late '40s and early '50s, you also
11 mentioned that ships were sandblasted, okay. I was
12 under the impression that many of those ships were
13 sandblasted because of radioactive material, which, to
14 my knowledge -- I wouldn't know -- maybe have got into
15 those large things.

16 And you did show that you pulled out a chunk,
17 and you were having it sampled. Are any --? Is any of
18 those chunks in the white bins, the 13 white bins?

19 MR. MACH: All of the material that was
20 removed, the chunks and the sediment, was put in the
21 bin. All of that --

22 MS. OLIVA: The white bins?

23 MR. MACH: Yes.

24 MS. OLIVA: The 13 white bins?

25 MR. MACH: There were eight white -- eight

1 bins? Twelve?

2 MR. ATTENDEE: Twelve.

3 MR. MACH: Okay.

4 MS. OLIVA: They come and they go.

5 MR. MACH: They -- they may be from different
6 projects.

7 But however many there were, 8 -- 8 or -- or
8 13, all that material was scanned for radiation, the
9 chunks and the sediments.

10 MS. OLIVA: You e-mailed me and said none of
11 those bins contained any radioactivity.

12 MR. MACH: Right, we did not find any
13 radioactivity from the material that was taken out of
14 the sediments, and I told you that none of the bins that
15 are over there were from the radiological removal
16 action.

17 MS. OLIVA: Right. However, you have a chunk
18 that you have -- have not -- are sending out for
19 sampling and will not be available until --?

20 MR. MACH: We -- No. We did field monitoring
21 with the same type of detector that you saw on Parcel B
22 on all that sediment that came out, including the
23 chunks.

24 MS. OLIVA: But you were going to s- -- you had
25 some kind of chunks sitting on something, and you were

1 sending that off somewhere.

2 MR. MACH: That was for other chemical
3 analysis. We were not sending that for radiation. We
4 were sending that for other chemical analysis.

5 MS. OLIVA: So you didn't use your Geiger
6 counter on this stuff?

7 MR. MACH: What did we use? Sodium iodide, two
8 by two or two by three --

9 MR. BREEDLOVE: Two by two.

10 MR. MACH: Two by two.

11 MS. OLIVA: And the results were . . . ?

12 MR. MACH: Nothing above background. I know
13 you don't like that term, but --

14 MS. OLIVA: I know. And so is that -- is
15 that -- is that going to be available on hard copy?

16 MR. MACH: That information will be provided in
17 the removal action closeout report in writing.

18 MS. PENDERGRASS: All right. Now, Richard has
19 said that he could make this available -- this
20 presentation available on the Web site if you all want
21 to -- want that to be there.

22 MR. MACH: We -- we --

23 How easy is it to --?

24 MR. SAUNDERS: We -- we can do it. What I
25 would like to do is add capt- -- written captions to

1 explain each picture.

2 MR. MACH: That -- that would take a little
3 while.

4 MR. SAUNDERS: I think --

5 MR. MACH: We -- we did that for tonight just
6 so we could actually get as much information out there.

7 MS. PENDERGRASS: Well, you have it verbatim.
8 You can lift it and go.

9 MR. TOMPKINS: I have a question. We only have
10 five minutes left.

11 MR. SAUNDERS: By the way, Richard, you got the
12 word that the CNP is --

13 MR. MACH: Yes. Yes.

14 Two -- two quick things. Actually, one quick
15 thing. The Community Notification Plan that we have
16 been talking about for so long is finally on the Web
17 page.

18 (Applause.)

19 MR. MACH: Finally got all the security
20 clearances, so it is on the Web page with all the other
21 stuff.

22 MS. PENDERGRASS: Okay. We -- we are ready to
23 adjourn; and before we take the two questions that are
24 on the floor, I want to just let you know that there is
25 a risk assessment meeting scheduled for --

1 MR. TOMPKINS: The 14th.

2 MS. PENDERGRASS: -- for the 14th at 6 p.m.,
3 and that was on 5021 Third Street.

4 In addition to that, are there any other items
5 that need to be on the agenda or suggestions to -- to go
6 on the agenda?

7 If we don't -- if we don't have them already,
8 they can go through the co-chairs. You could give those
9 to Caroline or to Dorothy, and we'll make sure that
10 those get on the agenda.

11 MS. SHIRLEY: I have one.

12 MS. PENDERGRASS: You have something?

13 MS. SHIRLEY: Yeah. Can you guys do a Reader's
14 Digest condensed version of that groundwater
15 presentation for the RAB?

16 MR. MACH: Oh, the one we just did this week?

17 MS. SHIRLEY: Yeah.

18 MR. MACH: We could do that, yeah.

19 MS. PENDERGRASS: Okay. So we'll take that and
20 put that on the further agenda.

21 MR. MACH: We -- we didn't really talk about
22 groundwater a whole lot here. But what Chris is talking
23 about, we had -- we had an all-day technical meeting
24 with the Water Board and EPA and several other members
25 that -- that we meet with on a regular basis this past

1 week to go through all the groundwater programs that we
2 have been doing monitoring and different things we
3 found. So we did do a presentation if you guys want.

4 MS. SHIRLEY: I thought it was really helpful
5 just to put it all in perspective.

6 MS. PENDERGRASS: All right.

7 So we have two other questions. And I'm -- I'm
8 sorry, Mr. Mason, you weren't in on those two questions,
9 one from Mr. Tompkins and --

10 MR. MASON: Talking about the agenda for next
11 time.

12 MS. PENDERGRASS: This is an agenda item?

13 MR. MASON: Yeah.

14 MS. PENDERGRASS: Yes, sir?

15 MR. MASON: I wanted to see if we could for
16 the Economic Subcommittee is concerned, you know -- and
17 I'm just thinking it myself, NAVSEA is a -- is a -- is a
18 contractor in -- in the yard that is doing some work
19 with Astoria Metals, meaning job opportunities for the
20 community. I'm wondering if we get them to -- to give
21 us a presentation at the RAB meeting about
22 opportunities.

23 MR. MACH: I think that would probably be a
24 better thing slated for the Economic Subcommittee
25 meeting to meet with them first.

1 And I guess -- John, I don't want to put you
2 on the spot, but would you -- would you be available to
3 meet with the Economic Subcommittee or have SDR or
4 someone else?

5 MR. PELOSI: Well, I can't speak for SDR, but
6 I -- I can be here, but . . .

7 MR. MACH: Okay. The NAV- -- John -- John --
8 John is the -- the NAVSEA rep who's on site who oversees
9 the contracts with SDR to do ship -- ship dismantling.

10 So Jesse -- you might want to talk to John to
11 see what you guys can coordinate.

12 MR. PELOSI: Okay.

13 MS. PENDERGRASS: Mr. Tompkins.

14 MR. TOMPKINS: Yes. Thank you.

15 Richard, go back sometime, I did ask for the
16 relationship where the accelerators were at in regards
17 to old Navy Road.

18 Also --

19 MR. MACH: That will be in the HRA report.

20 MR. TOMPKINS: Thank you.

21 Given the historical context in usage of the
22 research center that was on the Navy base, were there
23 not, then, rather than call them bunkers, were there
24 shelters? 'Cause I cannot see the United States risking
25 their leading scientist in nuclear medicine and research

1 and not have maybe a facility or protection or maybe a
2 shelter to protect them under attack.

3 Maybe it was the wrong terminology calling it a
4 bunker, but is there a shelter underneath the hill?

5 MR. MACH: I don't know about under the hill.
6 The only air raid shelter --

7 MR. TOMPKINS: Or wherever it is.

8 MR. MACH: -- is on Parcel C, and that's going
9 to be in HRA as well, because not only was it an air
10 raid shelter, but at some point NRDL stored something in
11 there, or there was allegations that they did, right?

12 MR. WANTA: I believe so.

13 MR. MACH: Yeah. That will be in the HRA as
14 well.

15 But other than that, I'm not aware of any other
16 bunkers, air raid shelters, or other things other than
17 that one on "C," that will be in the HRA, and the one I
18 just discussed.

19 MR. TOMPKINS: Could it be highlighted to help
20 us, 'cause I know that's going to be extremely huge
21 document when that's completed, so that at least if
22 we're looking for something, looking or searching for
23 the answer . . . ?

24 MR. MACH: If you call me after it comes out, I
25 can flip you to the page, but we're not going to

1 highlight stuff to send out. Everyone would want
2 something else highlighted.

3 MR. TOMPKINS: Okay. Thank you.

4 MS. PENDERGRASS: All right. Mr. Tisdell, you
5 have -- you are the final person to make a comment
6 tonight.

7 MR. TISDELL: This is to all RAB members and
8 wannabe RAB members who have applications in: Would you
9 show up at the meeting December the 13th at Third and
10 Revere, Anna E. Waden Library, 5:00 to 6:00.

11 MR. ATTENDEE: Please.

12 MS. PENDERGRASS: Thank you, sir.

13 MR. TISDELL: Please. Otherwise, don't
14 question at me.

15 MS. PENDERGRASS: All right. As always, it's
16 been a pleasure.

17 Is there a motion to adjourn?

18 MR. MANUEL: Motion to adjourn.

19 MS. PENDERGRASS: Second?

20 MS. ATTENDEE: Third.

21 MS. PENDERGRASS: Question. We move to
22 adjourn.

23 (Off record at 8:29 p.m., 11/29/01.)

24 ---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