

**MARE ISLAND NAVAL SHIPYARD  
LENNAR MARE ISLAND PUBLIC PRESENTATION AND RESTORATION ADVISORY  
BOARD (RAB) MEETING MINUTES  
HELD THURSDAY, JANUARY 12, 2006**

The Restoration Advisory Board (RAB) for former Mare Island Naval Shipyard (MINSY) held its regular meeting on Thursday, January 12, 2006, at the Mare Island Conference Center, 375 G Street, Vallejo, California. Prior to the official RAB meeting, Lennar Mare Island made a presentation on the remedial action plan for investigation area C3. The meeting started at 7:10 p.m. and adjourned at 8:55 p.m. These minutes are a transcript of the discussions and presentations from the Lennar Mare Island presentation and the RAB Meeting. The following persons were in attendance.

**RAB Members in attendance:**

- Myrna Hayes (Community Co-Chair)
- Kenn Browne (Community Member)
- Michael Coffey (Community Member)
- Jerry Karr (Community Member)
- Henry Chui (DTSC)
- George Leyva (RWQCB)
- Carolyn d'Alemlida (EPA)
- Jerry Dunaway (Navy Co-Chair)
- Neal Siler (Lennar Mare Island)
- Dwight Gemar (Weston Solutions)
- Michelle Trotter (DTSC)
- Steve Farley (Lennar Mare Island)
- Sheila Roebuck (Lennar Mare Island)
- Gil Hollingsworth (City of Vallejo)

**Community Guests in attendance:**

- Bob Bancroft
- Jeff Morris (CH2MHill)
- Alexa Stamets (CH2MHill)
- Bruce-Sean Reshen (MGP Group)
- Bob Kinsey
- Tommie Jean Damrell
- Diana Krevsky
- Peter Zimmerman

**RAB Support from CDM:**

- Darlene McCray (CDM)
- Doris M. Bailey (Stenographer)
- Wally Neville (audio visual support)

**I. LENNAR MARE ISLAND PRESENTATION: *Remedial Action Plan for Investigation Area C3*  
Presentation by Ms. Michelle Trotter, DTSC and Ms. Alexa Stamets, CH2MHill**

MS. TROTTER: I want to welcome everyone. I'm not going to use a microphone. My name is Michelle Trotter, most of you know me, I work with the Department of Toxic Substances Control. I'm part of the team with Henry Chui. And tonight we're going to talk about the presentation for investigation area C3, the remedial action plan. Alexa Stamets is here from CH2M Hill. She's going to be doing the Power Point presentation. We would like to ask you to hold your comments until the end of the presentation. And if I could actually ask everyone to go around the room just to

see who's in the audience, if you wouldn't mind? And we'll start with Jerry -- if you don't mind -- just your name and your affiliation.

(Attendees introduced themselves as requested).

MS. TROTTER: I think that's it. I'm going to turn it over to Alexa again. If you could hold your comments until the end of the presentation, we'll appreciate it. Thank you.

MS. STAMETS: As Michelle mentioned, I'll be presenting tonight the remedial action plan for investigation area C3. Investigation area C3 is one of the eight investigation areas located within the eastern early transfer parcel of Mare Island. All the information presented tonight is included in the remedial action plan which is included -- which is provided for review and comment at the JFK library, as well as the DTSC office in Berkeley. The public comment period for the remedial action plan began on December 13th and continues through January 27th. You may provide comments on the remedial action plan tonight, or you may send them to Henry Chui at DTSC through January 27th. In addition to the remedial action plan, an initial study has been developed for the project activities that are proposed in the remedial action plan. DTSC has determined that the project activities proposed in the plan do not pose an adverse effect on the environment; and therefore, DTSC plans to issue a California Environmental Quality Act negative declaration for those project activities.

The initial study is also available for review at the JFK library as well as the DTSC office in Berkeley. In addition, both the remedial action plan and the initial study can be viewed on line at [Www.mareisland.org](http://www.mareisland.org). To go through the agenda for this evening. I'll present a description of investigation area C3, also referred to as IA C3. We'll go through the purpose and scope of the remedial action plan, which is also referred to as a RAP. Present the findings of the RAP. And present a summary of the cleanup actions selected in the remedial action plan for the sites in IA C3. We'll then summarize the RAP for IA C3, and present the schedule for IA C3. At the conclusion of the presentation we'll invite you to ask questions and make comments.

Investigation area C3 is located on the eastern side of Mare Island, and is adjacent to Mare Island Strait as shown in purple on the figure here. IA C3 encompasses approximately fifty acres and includes four dry docks, three building ways, one pier, and ten berths. Historically IA C3 has been used for industrial purposes related to construction of ships and submarines, as well as repair and maintenance of ships and submarines. Construction of ships in IA C3 commenced in the 1890's when the first dry dock -- dry dock number one -- was constructed. This photo was taken in 1949. It presents the types of construction and maintenance activities that were performed on ships in the vicinity of dry docks number one and two. Construction of submarines in IA C3 commenced in the 1920's. This photograph was taken in 1933, and presents maintenance activities being performed on two submarines in dry dock number one. In the future IA C3 will continue to be used for industrial purposes.

Examples of the types of activities that will be performed in IA C3 include construction of small ships in the dry docks. In addition, dry dock number one and ways one and two, which are located on the northern portion of IA C3, will be preserved for their historical significance, and may be

developed into a museum to educate the public on the types of activities that have historically occurred at Mare Island Naval Shipyard.

The purpose of the RAP is two-fold. It is to identify the sites in IA C3 that pose a potential significant risk to human health or the environment, and therefore require cleanup action. And secondly, it is to propose cleanup actions to address the contamination at those sites. The RAP presents background information that was evaluated in selecting the cleanup options for the sites in IA C3. An example of the background information we've provided in the remedial action plan includes a summary of previous investigations and evaluations performed at the sites in IA C3. As you can see in this timeline, environmental investigations commenced in 1980 and continued through 2005. During that period, an initial assessment study was performed as well as a preliminary assessment and site inspection, and multiple phases of remedial investigation.

And that brings us to 2006, where we are today, at the stage of selecting the remedies for the sites in IA C3 in the remedial action plan. And remedy selection will facilitate remedy implementation and site closure in 2006 and 2007. Additional background information that is presented in the remedial action plan includes a comparison of contaminant levels to established health based criteria. A summary of the results of human health and ecological risk assessments. A summary of the cleanup options evaluated for the sites in IA C3, as well as the rationale for the remedial actions that are proposed for the sites in the remedial action plan.

Based on the previous activities that have occurred in IA C3, as well as the results of investigations that were performed by both the Navy and Lennar, 129 sites of potential environmental concern have been identified in investigation area C3. These 129 sites include underground storage tank and polychlorinated biphenyl sites which fall under the jurisdiction of the water board and EPA respectively. However, DTSC has requested that we include these sites in the remedial action plan for completeness. So, of the 129 sites in IA C3, the remedial action plan identifies 16 of the sites as requiring cleanup action. In addition, the remedial action plan identifies three sites as requiring additional investigation to verify that these areas are safe for human health and the environment. And the remaining 110 sites in IA C3 do not pose a potential significant risk to human health or the environment. Therefore, no further action is required at these sites. These sites are appropriate for the future intended land use which, as I mentioned earlier, is industrial. So the sites in IA C3 that require cleanup as identified in the remedial action plan are IR09, which is a former paint shop. And there are six additional sites that are within the boundaries of IR09 and were consequently evaluated with that site. And they include an oil water separator, a former paint varnish plant, and four underground storage tanks. In addition, IR12 a former electrical substation requires cleanup, as does the building 108 area which is a former machine shop. And finally, seven polychlorinated biphenyl sites require cleanup. The sites that are identified in the RAP as requiring additional investigation include IR14, the industrial wastewater collection system, as well as two underground storage tank sites. So the remaining portion of this presentation will focus on the sources of contamination at these sites, as well as the actions that are proposed in the remedial action plan for these sites.

IR09 is located adjacent between dry dock number two and Mare Island Strait. There are several sources of contamination at IR09. And they include a former paint shop at building 334. Building 334 is shown here in this photograph. Between 1918 and 1974, the activities that occurred at

building 334 include paint spraying, silk screening, and mirror manufacturing, as well as other activities related to paint shop activities. In addition, an oil water separator is located immediately east of building 334, which supported the paint shop activities that occurred inside that building. Wastes were collected to the oil water separator and collected at that location. The Navy decommissioned the oil water separator in 1983.

An additional source of contamination at IR09 are four USTs which are located at the southwest corner of building 334. These USTs also supported the activities that occurred inside the building. The types of materials that were stored inside the tanks include alcohols, linseed oil, turpentine, and paint wastes. The Navy removed these four USTs in 1987. An additional source of contamination at IR09 is a former paint varnish plant where paints were manufactured during the 1920s and 1930s.

So to evaluate these sources of contamination at IR09 numerous environmental investigations were performed over a period of over twenty years by the Navy and Lennar. During those investigations, over 250 soil and groundwater samples were collected and analyzed for a broad range of constituents, including petroleum hydrocarbons, metals, volatile organic compounds, semi-volatile organic compounds, PCBs, and pesticides. Based on analytical data collected during those investigations, as well as subsequent evaluation of that data through human health and ecological risk assessments, it was determined that lead is present in soil at IR09 at concentrations that pose a potential significant risk to human health. In addition, petroleum hydrocarbons were detected in soil at IR09 at concentrations that pose potential odor concerns. So the existing maximum concentrations of lead and petroleum hydrocarbons in soil at IR09 are presented on this slide. And they are 20,000 milligrams per kilogram for lead, 16,000 milligrams per kilogram for TPH gasoline, 1,500 milligrams per kilogram for TPH diesel, and 5,900 milligrams per kilogram for TPH motor oil.

So in order to address the elevated levels of lead and petroleum hydrocarbons in soil at IR09, six cleanup options were evaluated in a feasibility study. Those six cleanup options include no action. Implementation of institutional controls. Under this cleanup option, the contaminated soil would remain in place, but land use restrictions would be implemented to prohibit uncontrolled excavation of the soil, as well as to restrict future land uses to commercial and industrial.

The third cleanup option involves containment. Contaminated soil would also remain in place under this alternative, however an asphalt cap would be maintained at the site over time to prevent exposure of future receptors to the contaminated soil beneath the cap. A land use restriction would also be required under this -- or for this cleanup option to restrict future land uses to commercial and industrial.

The fourth cleanup option evaluated for IR09 is excavation with off-site disposal. Under this cleanup option, all soil with contaminants exceeding conservative risk based criteria would be excavated and disposed of off-site at a landfill. Land use restrictions limiting future land uses to commercial and industrial would also be appropriate under this cleanup option.

The fifth cleanup option evaluated also involves excavation. However, under this cleanup option excavation is limited to those areas that contain the greatest concentrations of contaminants, and

also those areas that are the most accessible. Although the volume that would be excavated under this cleanup option is less than that that would be excavated under cleanup option number four, the residual risk would still be -- be lowered to acceptable levels for the future receptors at the site.

The sixth and final cleanup option evaluated in the feasibility study is excavation with off-site disposal. However, under this cleanup option, excavation would occur to more stringent cleanup levels such that the site would be appropriate for unrestricted land use following excavation. So under cleanup option number six no land use restriction would be required in the future.

So these six cleanup options were evaluated in the feasibility study and compared based on the criteria of overall protection of human health and the environment; short and long-term effectiveness and permanence; implementability; reduction of volume and mobility and toxicity of contaminants; compliance with applicable regulations; as well as cost. And based on comparison against those criteria and through collaboration with DTSC, it was determined that cleanup option number four, excavation with off-site disposal, is the most appropriate cleanup option to address the contamination at IR09.

So consequently, the remedial action plan proposes excavation with off-site disposal, which is cleanup option number four, as the proposed cleanup option for IR09. So the remedial action plan proposes excavation in the areas that are outlined in blue on this photograph, for a total of approximately 1,000 cubic yards of soil being excavated. Following excavation, the soil will be hauled off-site to a landfill, and confirmation soil samples would be collected to verify that the cleanup levels that are specified in the remedial action plan were attained. And those cleanup levels are shown on this slide. And they are 750 milligrams per kilogram for lead. And for petroleum hydrocarbons in shallow soil they are: 500 milligrams per kilogram for TPH gasoline, 1,000 milligrams per kilogram for TPH diesel, and 2,500 milligrams per kilograms for TPH motor oil. So following verification that these cleanup levels had been attained, the excavation areas would be backfilled with clean import soil and site restoration would be performed.

The next site that requires cleanup at IA C3 is IR12, which is a former electrical substation. IR12 is located immediately south of IR09 and also falls between dry dock number two and the Mare Island Strait. The prime structure at IR12 is building 516 which was constructed in the 1920's. Transformers were located inside this building starting in 1941 and were used to provide power to the dry docks as well as other structures in the area. The prime source of contamination at IR12 is a release of PCB oil from one of the transformers located inside building 516, which occurred in 1981. That release resulted in PCBs in both concrete and soil inside the building and surrounding the building. So this source of contamination was evaluated during investigations performed during a period of over twenty years. During those investigations, over 290 soil and groundwater samples were collected and were also analyzed for constituents, including petroleum hydrocarbons, volatile organic compounds, semi-volatile organic compounds, PCBs, metals, and pesticides. Based on the results of those investigations, and subsequent evaluation of the data, it was determined that lead and PCBs are present in soil at concentrations that pose a potential significant risk to human health. The existing maximum concentrations of these constituents in soil is 420 milligrams per kilogram of PCBs, and 1,300 milligrams per kilogram of lead. In order to address these elevated concentrations of PCBs and lead in soil, the six cleanup options identified for IR09 were also

evaluated for IR12. And again, those cleanup options are no action; institutional controls; containment; excavation; limited excavation; and then excavation for future unrestricted land use.

Through the evaluation presented in the feasibility study and a comparison against criteria including protection of human health and the environment, and compliance with regulations, and short and long-term effectiveness, and cost; it was determined that cleanup option number four, which is excavation with off-site disposal, is the most appropriate cleanup option for addressing the PCB and lead contamination at IR12. So based on the results of the feasibility study, the remedial action plan proposes excavation with off-site disposal for IR12.

This photograph identifies the areas that are proposed for excavation in the remedial action plan. They're identified in blue -- or outlined in blue. A total of approximately one hundred cubic yards of soil would be excavated under this cleanup option. Following excavation, the soil would be transported off-site for disposal at a landfill. And confirmation soil samples would be collected to verify that the cleanup levels specified in the RAP have been attained. The cleanup levels that are identified in the RAP for PCBs and lead in soil are 3.6 milligrams per kilogram for PCBs, and 750 milligrams per kilogram for lead. After the confirmation samples verify that these cleanup levels had been attained, the excavation areas would be backfilled with clean import soil, and site restoration would be performed.

The next site in IA C3 that requires cleanup as specified in the RAP is the building 108 area. The building 108 area is located immediately north of IR09 and IR12, and immediately south of dry dock number one. This photo shows dry dock number one as well as building 108. Building 108 was used as offices and machine shop operations between 1911 and 1996. The types of machine shop operations that occurred in this building include grinding and drilling and cleaning and fabrication of small metal parts.

An additional source of contamination at the building 108 area are historic waterfront dumpsters, which were located in this area between dry dock number one and building 108. The types of materials that were stored in the waterfront dumpsters include paint, paint brushes, paint cans, and metal fragments. These dumpsters supported the activities that occurred at the dry docks, and also received wastes for the oil water separator that I mentioned was located in IR09. In order to address these sources of contamination at the building 108 area, environmental investigations were performed over a period of over twenty years. And during those investigations over 250 soil and groundwater samples were collected from the site and analyzed for petroleum hydrocarbons, PCBs, metals, pesticides, volatile organic compounds, and semi-volatile organic compounds.

Based on the results of those investigations, and a human health and ecological risk assessment, it was determined that lead is present in soil at concentrations that pose a social significant risk to human health, and that petroleum hydrocarbons are present in soil that pose potential odor concerns. The existing maximum concentrations of lead and petroleum hydrocarbons in soil are 4,500 milligrams per kilogram of lead, 110,000 milligrams per kilogram for TPH diesel, and 43,000 milligrams per kilogram for TPH motor oil.

Six cleanup options were evaluated to address the elevated levels of lead and petroleum hydrocarbons in soil at the building 108 area in a feasibility study. The same six cleanup options

that were evaluated for IR09 and IR12 were also evaluated for building 108. And again those include no action; institutional controls; containment; excavation; limited excavation; and finally, excavation for an unrestricted land use. Through the evaluation presented in the feasibility study, it was determined that excavation with off-site disposal is the most appropriate alternative to address the lead and petroleum hydrocarbon contamination at building 108 area. So based on those results, the remedial action plans proposes excavation in the areas outlined in blue in this photograph. A total of approximately 1,800 cubic yards of soil would be excavated under this cleanup option, and would be disposed of off-site at a landfill. Confirmation soil samples would then be collected to ensure that these cleanup levels had been attained, which are 750 milligrams per kilogram for lead. And for petroleum hydrocarbons in shallow soil, 1,000 milligrams per kilogram for TPH diesel, and 2,500 milligrams per kilogram for TPH motor oil. And again, following verification that these cleanup values had been attained, the excavation areas would be backfilled, and surface restoration would be performed.

The final group of sites that require cleanup as specified in the RAP are polychlorinated biphenyl or PCB sites. PCB sites were historically identified at locations where transformers containing PCB oil were previously located, or at locations where PCB spills were documented. A total of 104 PCB sites are located within investigation area C3. The Navy commenced investigations and cleanup actions at these PCB sites in 1994. The types of cleanup actions that were performed by the Navy at these sites include scabbling and excavation of soil, concrete, and asphalt. At this point in time there are seven PCB sites that still require cleanup. This figure shows the locations of those seven sites. So you can see they're kind of scattered throughout IA C3.

The cleanup actions that are proposed for these seven PCB sites include removal of concrete, asphalt, and soil. Three of the seven PCB sites are actually located at building 516, and cleanup action is actually currently underway at this site. This photograph shows the removal of some concrete adjacent to building 516, which this photo was recently taken.

As I mentioned before, the remedial action plan identifies three sites that require additional investigation in IA C3. They are IR14, the industrial wastewater collection system, as well as two USTs. So the industrial wastewater collection system was used to collect, convey, and pretreat industrial waste across Mare Island from 1972 to 1996. A total of approximately 26,000 of IR14 pipeline is located in Mare Island. However, only a very small portion of that is located in IA C3. Only 550 feet of IR14 pipeline is located in IA C3 and is shown in magenta on this photograph. So in 1996 the Navy performed an investigation to flush the IR14 pipeline to remove all wastes that were located inside the pipeline. Additional investigations were performed to investigate soil and groundwater surrounding the IR14 pipeline. And during investigations performed over ten years, soil and groundwater samples were collected from locations surrounding the portion of IR14 in IA C3. And based on evaluation of data collected during those investigations, it was determined that constituents in soil and groundwater at IR14 do not pose a potential significant risk to human health or the environment; and, therefore, no further action is needed to address soil or groundwater at IR14.

However, DTSC has requested that inspection be performed of the interior of the pipeline to confirm that no wastes remain inside the pipeline. And, in fact, CH2M Hill completed this investigation -- or performed this investigation in 2005 at the same time as performing that

investigation in other parts of the eastern early transfer parcel. The results of that investigation indicated that wastes are no longer present inside the pipeline, however additional evaluation is required to confirm that no further action is required to address the pipeline at IR14 in IA C3. There are a total of twelve underground storage tank sites in IA C3. Six of those twelve sites are -- do not require further action.

As I mentioned earlier, there are four UST sites located in IR09 that require cleanup action and will be addressed with that site. The remaining two UST sites in IA C3 require additional investigation, and those are UST sites 102 and 142. An additional investigation will be performed at these two UST sites under the direction of the water board, and will be performed in accordance with the Board order that has been issued for the site.

In summary, the RAP proposes the following actions for the sites in IA C3. The RAP proposes excavation for IR09, IR12, the building 108 area, and seven PCB sites. And proposes additional investigation for IR14 and two UST sites to verify that these sites are safe for human health and the environment. In addition, the RAP proposes a land use covenant in IA C3 to commercial and industrial land uses. The land use covenant would prohibit future land uses of the site that would include residences, schools for people younger than eighteen, hospitals, and daycare facilities. The land use covenant would be attached to the deed for the land, and would be recorded with Solano County. A land use covenant operations and maintenance plan has been developed for IA C3 and identifies the requirements for reporting, inspection, and enforcement of the land use covenant. This O&M plan is provided as an appendix to the remedial action plan. So, as I mentioned at the beginning of the presentation, comments on the remedial action plan are due on January 27th. And following receipt of those comments we will work with DTSC to respond to those comments and provide responses to the comments in a final remedial action plan which is scheduled to be submitted in February. After that remedial action plan is approved, excavation is scheduled to occur this summer, and the land use covenant for IA C3 would then be recorded later this year. And finally, closure for IA C3 is scheduled to occur next year in 2007. So that concludes the presentation and I now invite you to ask questions or make comments related to the remedial action plan. Yes.

MS. TYGIELSKI: My question's about the building 108 area, and it's the slide that shows the outlying target volume that's to be excavated, and a large portion of that is underneath building 108. I just want some details about how you excavate under a building. Do you take out the whole building and take it away or what?

MS. STAMETS: Well, we believe that we can complete the action and achieve the cleanup levels identified in the RAP without taking down the building. We'll be digging inside the building, and also at locations surrounding the building. So deconstruction of the building is not planned. But, if necessary to meet the objectives of the cleanup action, deconstruction may occur, it's possible.

MR. COFFEY: My question is, how much different is it to go from just carting away the dirt and having land use covenants on top of it than to go all the way and make it unrestricted? How big a difference is it? I mean if we're going to all the effort to extract dirt and take it away, why not go the extra step so that we don't have to have land use covenants and all the other things that go along with it? I mean is it that big a cost difference? And who would bear that cost?

MS. STAMETS: There is a significant cost difference. We did a -- as I mentioned, we did evaluate the unrestricted land use alternative in our feasibility study. It was -- the cost for the unrestricted land use alternative was more than five times as costly as the cleanup option that is proposed in the remedial action plan.

MR. COFFEY: Do you have any idea what that cost would be?

MS. STAMETS: In the remedial action plan for the unrestricted land use alternative, it's estimated at 11 million, I believe.

CO-CHAIR HAYES: Hi. Thanks for sending the -- your presentation by e-mail. I'm sorry I couldn't open it so I didn't -- I didn't respond. I'm very sorry. Just a couple of questions, if you could go back to IR14, the industrial wastewater collection system, I don't think that I fully understand. I just must have missed what you said about why that little section of the entire system was still an issue and what you were looking for there. And I understand that the Navy cleaned and flushed the whole system, it says, in '96, but why was that IR14 in this plan?

MS. STAMETS: Right. It's included in the remedial action plan because DTSC requested that we do additional inspection of the pipeline to confirm the results that -- of the investigation performed by the Navy. So it's to confirm that wastes are not present inside the pipeline.

CO-CHAIR HAYES: Well -- I'm sorry. I can see now it was just inside C3, that section of industrial waste pipe; right?

MS. STAMETS: That's what's proposed in this remedial action plan.

CO-CHAIR HAYES: Sorry. All that other blue line there confused me. Okay. And then I have a couple of other comments. One of them is on the PCB, the photo. By the way, this is a very nice presentation, I'm sure a bit pricey with all these color photos, but it certainly makes the presentation more useful.

MR. COFFEY: It's not \$11 million.

CO-CHAIR HAYES: Yeah. Especially for our archives, you know. Cause I pore over these in the evening after your presentation -- no. I just wanted to go back to that page because it brings up a point that I have been paying attention, sometimes, to PCB enclosures. I want to compliment Lennar and CH2M Hill on the development of closures for areas that have formerly not had fencing around them. However, there seems to be a bit of inconsistency yet. And I know we've had quite a bit of talk about PCBs and the land use covenants for leaving the -- some of those sites with PCBs in place. And this photo demonstrates what I've observed. And that is that some of the sites are locked, and this one doesn't appear to be.

MR. FARLEY: It's locked.

CO-CHAIR HAYES: It is? There's a lock hanging there?

MR. FARLEY: Yeah.

CO-CHAIR HAYES: It's really tiny. Okay, Jerry. Thanks. But some of them aren't locked. And also I'm just curious about how fast it would take somebody to pop over one of these fences. So whether this short fence is a really good remedy or if it actually is an attractive nuisance. My opinion is that it's an attractive nuisance but, so are little tiny locks, I guess, and so are great big locks. I don't know. It's an interesting place we live. But if those locks are what they are, I would think that maybe a complete cover on that would be a good idea. And then finally, can you just tell us a little bit about -- your schedule is to complete your excavation in the summer, and to hopefully go for -- once you have the land use covenant in place and recorded, does that mean that that property is cleared for transfer?

MS. STAMETS: I believe so. Is that true?

MS. ROEBUCK: That's usually the final step before getting the certification, that all the required actions have been taken.

CO-CHAIR HAYES: And will we learn something more at some point about the progress on the land use covenants? And the purpose of the Restoration Advisory Board is for involvement by the community -- all parties at the table in the development of, not only the cleanup strategy, but also I would think the final act in the cleanup strategy which is long-term monitoring of these sites. So I'm curious to know what folks are thinking in terms of when these land use control refinements that you're considering will come to the RAB for some review. And I guess I'm -- that may not be the -- this may not be the time to ask that question, but this RAP brings that question to my mind.

MS. ROEBUCK: And Myrna, we'll talk a little bit about that in the -- in the Lennar update.

MS. TROTTER: Any other questions? This concludes our presentation this evening. Just a little reminder for those of you who came in late. If you wouldn't mind signing the sign-in sheet so we have a record of you? And we thank you for attending. So maybe we'll take a small break before we go -- the RAB starts. Thank you.

CO-CHAIR HAYES: Before you get up I have a brief announcement. I don't know if Jerry has announced that he actually is going to be here with us. And we were planning a big celebration and a farewell for him leaving. So we canceled the cake. And then I got to thinking, wait a second, we ought to celebrate him staying. So I whipped over to Raley's and got a cake that says, "Not so fast."

(LAUGHTER AND APPLAUSE.)

(Thereupon there was a brief recess.)

## **II. RAB WELCOME AND INTRODUCTIONS**

CO-CHAIR DUNAWAY: We're going to try and get the RAB meeting started here. Okay. We're going to get the RAB meeting started. And although we did introductions earlier, I'm going to go back around the room and redo the introductions, and have some of the people that walked in late introduce themselves, a few people hadn't done that.

So, welcome to our first Restoration Advisory Board meeting for 2006. My name is Jerry Dunaway, I am the BRAC environmental coordinator for Mare Island. And I will turn over introductions to Myrna.

(Attendees introduced themselves as requested).

CO-CHAIR DUNAWAY: Okay. Thank you. We are just down to our second half of the meeting and going to run through some administrative business. First off, the December 1st RAB meeting, the last RAB meeting we had. The meeting minutes are in your packet. Any comments or corrections to those, please forward those to Myrna or myself. The next RAB meeting will be February 23<sup>rd</sup>. That meeting will be back at the JFK library. But for March, due to a conflict in scheduling there at the library, we will be back here on March 30th. So note that for your calendar. With that, why don't we jump right into the focus group reports. And we still have a vacant community focus group at the moment, so we'll jump past that to natural resources. And Jerry, do you have anything to report?

## **III. FOCUS GROUP REPORTS**

### **a) Community**

Vacant.

### **b) Natural Resources (Jerry Karr)**

MR. KARR: No. I just been trying to conserve myself here since October. I've been fighting a bit of cancer, but everything looks very positive. And I want to thank everybody for lots and lots of good support. So we're going -- we got 'em on the ropes and everything's going to be fine. So, thank you.

CO-CHAIR DUNAWAY: Thanks, Jerry, knock 'em out. Myrna, do you have a natural resources report?

CO-CHAIR HAYES: I sure do. Thanks to most of the people in this room we have a festival coming up. And the website is not current, and the print schedule is not done, and so my form of it, and the reason that I was late this evening -- besides getting Jerry a cake to wish him well and welcome him back is -- or thank him for not going away -- is that I have copies of the schedule in like four pages, double-sided here. And it's accurate as of about 3:00 a.m. this morning. So if you don't get one, give me an e-mail or let me know that you'd like to receive this by e-mail, and I'll be happy to send it to you in a PDF. And so that's Janary 27 through 29 if you didn't remember that.

I'm always looking for volunteers, silent auction items, cash. I want to thank Weston Solutions, CH2M Hill, Lennar Mare Island -- who have I missed? -- who have already signed on as sponsors for this year, and a host of others. But you are our big sponsors and our long-time friends, and we really appreciate it. It helps make the event free. And also to the City of Vallejo and the U.S. Navy and State Lands Commission for giving us access to places that we aren't supposed to go. We'll go there under escort with licenses all arranged and free rent for a couple of days.

Of course, the building doesn't have power or electricity, water, anything like that, so you get what you pay for. But anyhow, come on out and we'll look forward to seeing you there. And also always room -- a place to volunteer.

CO-CHAIR DUNAWAY: Thank you, Myrna. Onto the technical focus group. Paula, did you have any reports tonight?

**c) Technical (Paula Tygielski)**

MS. TYGIELSKI: Nothing to report.

**d) City Report (Gil Hollingsworth)**

CO-CHAIR DUNAWAY: Okay. Thank you, Paula. City report, Gil. At our last meeting I had indicated that on December 13th the city council would hold a public hearing on the dredge pond's environmental impact statement and environmental impact report and a number of other issues associated with it. And for those who keep up with such things, you're aware that that did not happen.

Basically I think the easiest way to explain it is we got challenged as to our procedures that we've been using in the city for any number of years and whether they were correct. And we could have gone ahead and held the meeting as we've been doing, and then we had the opportunity to explain it to a judge, or we could go ahead and do it the other way, and then we wouldn't -- we take some of the thunder away from the group that says we are wrong.

So anyway, we've reprogrammed that, and now we are intending to take the environmental impact statement and environmental impact report to the city council on January 24th.

And that will be followed up by, in the next month, in February with some series of actions by the planning commission. And then the specific plan amendment would go back to the city council after the meeting of the planning commission. I do not have the date on the planning commission yet because we're kind of waiting to see what happens at the council meeting on the 24th. As always -- and as I mentioned last week, and I'm going to mention it again, schedules change. And our last -- the information on the December 13th meeting is a prime example of that. So always check our website, www. -- oh, let me think, vallejo.ca.us.

CO-CHAIR HAYES: CI, there's a CI in there too.

MR. HOLLINGSWORTH: You're right. www.dot whatever -- CI, all those things.

(LAUGHTER.)

MR. BANCROFT: If you Google Vallejo, California, it has it.

CO-CHAIR DUNAWAY: Thank you, Gil. Onto the Lennar update. Steve.

**e) Lennar Update (Steve Farley)**

MR. FARLEY: Thanks, Jerry. Our normal handout is over there on the table, so if you didn't get one. I draw your attention to the lower left corner, some key documents that are either in review or upcoming RAPS for C3 IAB C2. We had our public meeting tonight. The public comment period for the C3 RAP, as Alexa mentioned, ends January 27th. Three PCB sites closed since the last RAB meeting, so that's always good news. There are four sites highlighted on the main body of the figure on the map. Some of these we talked about last meeting. Some we talked about even the meeting before. Let me start with pump station number four in the upper portion of IAC-1.

Last time I reported that that pump station had been removed and we were doing some excavation. Since then we've installed a groundwater monitoring well there to monitor groundwater quality around that old pump station. And so that will occur later on this month as part of the first quarter quarterly groundwater monitoring event that will occur sometime later on this month. Further down along the strait, building 516, I've mentioned that a couple of times now. We're doing some excavation of PCB contaminated soil inside. And on the outside of the building an old vault, that Alexa also mentioned during her presentation tonight. We're still doing some excavation inside that building to remove unacceptable levels of PCBs in the soil. Further on down, UST 742. Again, I mentioned this one last time. The former tank was removed a long time ago. We're doing some soil excavation to remove TPH contaminated soil. We've run into a little bit of a snag with the heavy rains and stuff. But we've been doing transport and disposal of some of the contaminated soil. Last month we hauled off about eight hundred cubic yards of contaminated soil from that site. We're also managing some of the surface water that's been getting into that excavation. And it's been really tough. The only other thing, just to mention, is building 1310, sort of in the middle of the figure. We've got some PCB contamination and some concrete that we're dealing with there. It's relatively small, but it is a site that we're working on.

And then lastly I mentioned the groundwater monitoring program that we're going to be conducting this month. We also are finalizing a list of groundwater monitoring wells that need to be properly abandoned because: A, they're no longer needed. And B, if they're not properly abandoned, they can actually create problems down the road. So that's all I have to report. Anything --

MR. SILER: Actually Myrna brought this up, but I wanted to talk a little bit about the land use controls, and what we're doing as far as implementation and enforcement of those and we're negotiating that.

CO-CHAIR HAYES: While you're passing those out, Neal. I guess you ran out of ink for the color by putting it on this?

MR. FARLEY: I didn't have any fancy schmantzy photos for these so I did it in black and white.

CO-CHAIR HAYES: A photographer without photos, ooh.

MR. FARLEY: Myrna, it hurts. It hurts.

CO-CHAIR DUNAWAY: Neal, you can come up here and go over it.

MR. SILER: Well, as Myrna stated, and we had talked about a little bit earlier this week, we wanted to give you an idea of where we are on the implementation and enforcement of land use controls that will be part of the remedy for the EETP site of Lennar Mare Island. What I passed out is a matrix. And what we've been doing is that Lennar and the City of Vallejo, the Department of Toxic Substances Control, and a number of other entities, we've been working together to try to put together a matrix of what we feel we can do and what parties can take on what responsibilities. And that right there that I've passed out is our draft of how that's coming along right now. So we're working with a number of different agencies to try to come up with all the tools that we need to implement and enforce the land use controls as we go into the future. One of the other things that came out of what we've been doing for the last few months, and actually this came out of a focus group meeting that we had at our office on the island, about land use controls, was to try to get entities who could actually work with us to enforce those land use controls. And -- with Jerry's help, and then also with the ratification and recommendation of the RAB, we started talking to a very good organization which is the Guardian Trust. And right now we're working with the Guardian Trust, I've spent all day with them, we're trying to work together with some contractual issues. We're trying to work together the other areas that potentially they would be doing implementation and enforcement of land use controls at the site. And that's really about it that I have to say about the land use controls at this time. So I didn't do anything really detailed, I just wanted to give you an idea. If you'd like, have any questions or comments that you'd like to ask me I would be glad to talk about them, and I can do that in detail at the next RAB meeting.

CO-CHAIR HAYES: Okay.

MR. SILER: Okay.

CO-CHAIR HAYES: Oh, all right. And that's -- this is.

MR. SILER: What that is -- the other thing I handed out is a map that shows the areas where there will be land use controls in the investigation area that we're going to be closing here early, later this year in the first quarter, and that's D1 .2. So there -- there's an area of commercial industrial use, and that area is the stapled area that's on the map. And there's also fifteen PCB sites that will have land use controls on them. And there's also ten LUC's associated with those fifteen PCB sites.

CO-CHAIR HAYES: Can you tell us -- well, like just -- I mean I know you want to give a presentation next month -- and I think that would be okay, I don't know what else we'll have on our agenda -- but for example, these hatch marks. I'm paying attention to this triangle right here because that looks like St. Peter's Chapel.

MR. SILER: That's St. Peters Chapel, that's correct.

CO-CHAIR HAYES: And it has a land use control?

MR. SILER: It has land use controls on it, that's right.

CO-CHAIR HAYES: Is that something that's come before the RAB in the past? I know I found green sand there one day -- and you went out and cleaned that up -- just kicking it with my shoe there. And so I don't think -- maybe I missed something there. And I know I haven't read every single word of your millions of documents, but --

MR. SILER: You haven't read every word of our documents?

CO-CHAIR HAYES: Or maybe not even ninety percent of them. They're pretty pictures. But what -- can you -- I mean, I don't want you to -- I know we have other items on the agenda here tonight, but can -- I guess I'm missing something. I didn't think that a park would have a land use control on it. So of course when I see that triangle, that's something that's very near and dear to my heart, as you might know, \$30 million worth of Tiffany glass breaking as we speak, and a tree just fell down there. So what's up?

MR. SILER: I can tell you why the land use control is there. Because there's restrictions on how you can develop that property. We wouldn't want to put a -- allow to have a McDonalds or a tire shredder that would be right next to Chapel Park, because obviously that would be right next to St. Peter's Chapel, so we want to make sure that nothing comes in to interfere with the use of the land as it occurs right now.

CO-CHAIR HAYES: But a land use control -- I thought that that would be a planning decision that you're just talking about. But a land use control, as I'm experiencing them in this context, has to do with something, an environmental issue. Am I wrong?

MR. SILER: Not necessarily. Because of the way that the -- that the property has been cleaned up, okay, the certain levels -- like in this area it's commercial industrial use. We don't want to have other types of use that would be incompatible with the use of the property as it is right now, so that has an environmental component to that land use control.

CO-CHAIR HAYES: Okay. Maybe this will be my last question. But I didn't know that that was a commercial industrial designation on that. I thought that was park.

MR. SILER: Go ahead.

MS. ROEBUCK: Myrna, what the land use covenant does, it doesn't say it's commercial industrial, and it doesn't say that it's recreational, it says it prohibits other sensitive uses. So it wouldn't allow for residential, it wouldn't allow for daycare centers, it wouldn't allow for --

MR. SILER: Hospitals.

MS. ROEBUCK: -- hospitals and for schools for children under eighteen. So those are the sensitive uses it prohibits. And in some recreational areas, for example, where you have a restriction against those sensitive uses, the risk assessment that allows it to be used for recreational considers those uses in arriving at the risk assessment, but all really that designates is that unrestricted use with any of those sensitive uses wouldn't be allowed. It doesn't say that it's commercial industrial.

CO-CHAIR HAYES: Okay. Well, maybe you can use that site as an example. Or it looks like all of Alden Park is also categorized that way. Maybe you can use that as an example next time around -- just to humor me -- when you give a more detailed presentation.

MS. ROEBUCK: Sure, we can describe and tell why, each of the areas why that's what we call them more than just a single site and what they are.

MR. COFFEY: Don't forget the pretty pictures.

CO-CHAIR HAYES: I can supply some.

MR. SILER: Thank you, Jerry.

**f) Weston Update (Dwight Gemar)**

CO-CHAIR DUNAWAY: Thank you, Neal. Onto the Weston update. Dwight.

MR. GEMAR: Thanks, Jerry. I'm filling in for Cris tonight since he's a little under the weather. The first paragraph deals with the progress on our draft final feasibility study for investigation area H1. We received comments from DTSC on that document, and we are reviewing those comments. And we'll be meeting with the agencies to go over some proposed responses to the comments in order to finalize that document.

At the same time we're also preparing the draft remedial action plan, which we plan to issue next week to summarize the alternatives evaluated under the FS, and to propose a final remedy. But the actual public review document will be the draft final RAP, which probably won't come along until late April.

The next item is the -- some activity gearing up at the Western Magazine area. I don't have a separate map, but if you look in the background photo you can see a couple of rows of buildings on the south part of the island on the photo, and that's the magazine area. What we're planning to do there is to follow up on a removal action the Navy did in the late 1990s by completing another geophysical survey of that area. And this one will be digitally mapped so that any anomalies of metals that are detected underground will be located precisely. And then we'll meet with the stakeholders and go through review of the geophysical data in order to select anomalies that everyone thinks requires investigation; i.e., to be dug up and determined what the items are.

The industrial wastewater treatment pipeline similar to what was discussed during the previous presentation. There is a section of the IR14 wastewater treatment plant pipeline that enters

investigation area H1, about 2,100 feet. We also completed a video monitoring of that pipe and a cleaning of the pipeline, and sampled and analyzed the rinseate. And from the analytical results, all of the objectives were met for cleaning that pipe. So we'll be preparing a final report later this month, submitting it to the agencies, and hopefully be able to obtain closure for the IR14 pipeline within investigation area H1.

We continue to operate our groundwater extraction system that surrounds the seventy acres of the containment area which includes the old landfill, the industrial wastewater treatment plant, and the old oil sump area. And we've collected over eight million gallons to date. And the flow rates have picked up considerably, from only about five GPM prior to our recent storm events, to over 40 GPM from the rainfall that is infiltrating and being collected by the extraction system. So it's operating quite well, and doing what it's designed to do, and that is to eliminate any outward migration of the shallow groundwater from the landfill containment area. And then, finally, I have a couple photos on the right-hand side of some activity we did in September related to some cleanup work we did under a separate contract with the Navy for the historic outfall. You might recall that we recently completed the removal of over a thousand munitions items, most of them the 20 millimeter, 40 millimeter type anti-aircraft munitions.

And in December, on three days, the 6th, the 8th, and the 9th, we performed thermal treatment by detonating these items in the OBOD range at the south end of the island. And you can see that basically the process is that the UXO techs place a number of items over a thin piece of explosives called data sheet. And then that data sheet is wrapped over the munitions items to form basically an explosive burrito. And then we -- but the difference is we attach a detonation cord to it, and a primer, and we blow it. And it's covered with six feet of sand to muffle the sound. And you can see in the bottom photo, that when you detonate the items you get a small puff of smoke, but what you see in this photo is primarily the sand being ejected from the pit during -- just after the detonation. And the UXO techs then inspect the pit to make sure all the items are completely destroyed, which they are, and get set up for the next shot. And typically you do, depending on the turnaround time, you know, three or four shots a day. And we were fortunate enough to, you know, not get any complaints from anyone that I know of, so we're glad that that went well. And we're -- we actually have another outfall that we're -- that we discovered late in our activities, that's on the north side of the rifle range. And we're going to be -- actually we're working on that now, and once that is completed we'll have another round out at the OBOD range, although it will probably only be a one day event most likely.

CO-CHAIR HAYES: Dwight, that photo of the sand cover ejection there reminds me that a lot of times people, graphic designers and others ask me for -- where they can get photos of Mt. Tam from Mare Island. And this is one of the nicer ones. It's very hard to find photos of Mt. Tam because usually there's kind of a haze and fog, and from Mare Island it's just kind of a long shot away. But this is up close and personal. So this could be valuable to the team in putting it on the Internet and getting your copyright on it. But I guess this is -- that would be a photo owned by the Navy; right?

CO-CHAIR DUNAWAY: I'm sure Weston could share it. I did have a dialogue with one of the sandy beach residents during that week also, and they were very cognizant of what was going on because of the fact sheet that Weston put out to notify the communities that would most likely be

affected by this. His wife was home the entire day the first time we were operating the range, and she didn't feel or hear anything. So they were very complimentary on the improvements we've made over the years.

MR. GEMAR: Most importantly, her dog didn't hear anything.

CO-CHAIR HAYES: Maybe the dog died already. I actually heard the first boom, but now we hear them -- it's hunting season, so we hear them all the -- every day of hunt, so -- yesterday being one of them. So we're used to those kabooms.

**g) Regulatory Agency Update (George Leyva and Henry Chui)**

CO-CHAIR DUNAWAY: Well, thank you, Dwight. And with that, why don't we move onto the regulatory agency update. We have George and we have Henry. Who would like to go first?

MR. LEYVA: I've got nothing, nothing to discuss.

CO-CHAIR HAYES: George has nothing. But he actually provided us a very good letter this past month covering -- must have been close to a dozen UST sites that dated back several years, so we do appreciate that.

MR. LEYVA: I guess I'll say something about that. That was a report that was dated 1998 -- June 12th, 1998, and I was given the report by Gary Riley. He said, "Look, they want this reviewed." "Ahh, thanks, man." Anyway, there's a lot of -- what I asked for is more data on a lot of the sites. There's one site that had been closed since the report was created, and another site -- tank site that is closable. And there was a total of nine. So that leaves seven of them that I still had some questions on, and that was basically the letter.

CO-CHAIR DUNAWAY: And actually that does help. I think some of those sites are within the areas we're talking about early transfer, so it kind of gives some idea for folks like CH2M Hill to figure out how to approach completion of those sites, so that is helpful. And we got one more closure out of it, too. So, thank you, George. Henry.

MR. CHUI: I think Steve pretty much covered what Lennar is doing, so nothing to add.

**V. CO-CHAIR REPORTS**

CO-CHAIR DUNAWAY: Okay. Well, thank you, Henry. Let's move on to our co-chair reports. And Myrna, did you want to start?

CO-CHAIR HAYES: The only thing that I have to report is that I have been invited to -- along with a number of other co-chairs from throughout the country -- to visit Viekas in February. And if you know what that is, an island off the coast of Puerto Rico that was used by the Navy for, I think, about 60 years as a training range and a bombing range. And it was recently -- in the last few years the Navy ceased those operations. It has a tremendous environmental cleanup project. I'm not sure that it has a whole lot of money, or that there's a whole lot of consensus about how that should be

approached. They do have a Restoration Advisory Board, and they are a U.S. EPA Superfund site just designated a few months ago. So the U.S. Fish and Wildlife Service, the Navy has transferred that property to them for management. And I think CH2M HILL is the contractor there on some of the work. But anyway, I'm not sure that we'll be able to offer a great deal of help, but it will be a great place to spend my 50th birthday, so what the hell. And I'll be happy to report back when I return.

CO-CHAIR DUNAWAY: Well, early Happy Birthday, Myrna.

CO-CHAIR HAYES: Thank you.

CO-CHAIR DUNAWAY: The Navy's co-chair report. The first item I wanted to touch on was responding back to Kenn on a question you had at the last meeting regarding the south shore park, potential leasing for the dredge ponds operations. The information I had gathered -- you had asked the question of is the truck traffic proposed in that project compatible with the regional park use. My understanding is the zoning allows for limited commercial use, and that the proposed plan for the dredge materials project expects 20 to 25 days of truck traffic. And I guess you'll have to make your own judgment on whether that is consistent with limited commercial use. But that's the information I got.

For the Navy's activities this month, we are finishing up work at the Marine Corps Firing Range with the work Dwight described earlier. The DRMO site is proceeding along, although it is a lot wetter out there. We are still proceeding with screening operations, that will be our work through the winter. We can continue to do that work even through the wet season. Rain, of course, will potentially stop operations when it is coming down. But we do have lots of soil that we've been able to really look at how best we can dispose of it in an economically smart way. We have been struggling with the PCBs because PCBs fall into a special category regulated under TSCA, and we cannot take that soil to the landfill, we determined in discussions with DTSC, because of that primarily.

And looking at disposal facilities around the country, there are specific permitting and authorized facilities to take PCBs over fifty parts per million because they are regulated by TSCA. So we've -- we had been working with our contractor, CH2M Hill, to carefully make sure we separate PCB contaminated soils from others that may not have PCBs, or at least less than fifty. And we are -- we literally just, in the past 24 hours, figured out a plan there to really save some money and get that project moving along. So we'll also be using trains or cargo cars on rail to transport soil to minimize truck traffic. We've had a fairly busy winter season or holiday season with documents going out and regulatory comments coming in. Those are summarized in section three, and you can read those at your leisure.

On early transfer, the status on that is we were scheduled for the end of January to receive a proposal from the City of Vallejo and Lennar for the cleanup work that would be remaining on the early transfer parcels. That is generally on schedule. Gil updated my boss last week saying that the City of Vallejo is going to take a little bit more time to look at that proposal before they forward it onto the Navy. So we think by February we'll have that in our hands and we'll be able to really see if we're close or we're able to get to an agreeable cleanup agreement. And then from that point, the

Navy is already contracting for and planning the finding of suitability for early transfer. If we feel we're close enough on the proposal for the cleanup work, we'll get that FOSET, that finding of suitability for early transfer, out to the agencies, get that through the review cycle, so that we can get it out for public comment and really show the public what this project is all about. Hopefully by the April timeframe. And with that --

MR. HOLLINGSWORTH: Jerry, has Schwarzenegger done an early transfer yet?

CO-CHAIR DUNAWAY: I think the Army presented one to him, possibly last year. I heard about that. But I don't know for sure. With that, that's the end of my report. Are there questions? Myrna.

CO-CHAIR HAYES: Jerry, do you -- can you explain briefly on this early transfer, given that there are ordnance issues -- and my understanding from your tutorial a few years ago, in 2000 -- 2000 -- on the requirements of a guaranteed fixed price agreement that the ESCA is based on, that the price to complete couldn't come in more than, on a guaranteed fixed price, more than the Navy's highest cost to complete estimate. What do you do on a situation like this with ordnance where you might -- I don't know if you have a highest cost to complete projection on that property? Or is there a different type of an agreement you make on this?

CO-CHAIR DUNAWAY: It's not a different type of agreement. But I believe what you're referring to back in 2000, the way the Navy was evaluating proposals for cleanup of early transfer parcels or work under an ESCA, we had a range of -- government estimate that was really a range. There's the kind of worst case scenario or what we call the pessimistic government estimate, and we had the optimistic --

MR. GEMAR: Not enough.

CO-CHAIR DUNAWAY: Which is usually not enough. And then the optimistic, which would be the cheaper or lower cost estimate that the government would use as the bracket, brackets for where we would like to see the proposal end up. It always would push toward the higher end. This time around we're not really taking that approach. We have our government estimate in development right now, but we're really looking at it from a single number standpoint. And when we get the proposal, it will be more of a direct comparison. We won't have a range that we'll use because we found that the range really doesn't help us much. We intend to use the higher number as the single number for comparison. So this time around we get the proposal, we look at the dollar amount, and we compare it directly with the estimate the government has put together. And we see if we can somehow bring the two together, if there is a distance.

CO-CHAIR HAYES: But you have sufficient characterization, you feel, to do a government estimate on the ordnance that may or may not remain, or the analysis that needs to be done on that? And does the early transfer proponent party feel that they have sufficient information on that?

CO-CHAIR DUNAWAY: We have a set of assumptions that we've shared with the city of Vallejo and Lennar. And that set of assumptions, we kind of call it a baseline remedial action project or scope of work. And we think with the experience of having cleaned up that site or those sites in the

past, that's really our best guess. It is an assumption, it's not fact or coming from direct characterization data, but is a set of intelligent assumptions based on our experience.

CO-CHAIR HAYES: Well I don't want to keep people here all night, but you know that I do like to ask questions, don't I, right at the end? Your -- the -- DTSC, is it going to be regulating this site? Yes.

MR. CHUI: (Nodded head.)

CO-CHAIR HAYES: And I realize, Henry, that -- I'm not going to ask you to answer this question because this isn't your site but, and that regulator isn't here tonight. However, the reason that I'm asking the questions I'm asking of you, Jerry, is because we have some experience with early transfers here at Mare Island. We're touted as having, you know, been the front runners and that we know what we're doing. And I've already observed that, on at least H1, and we certainly don't have all the investigation areas anywhere near complete on the eastern early transfer, and so this situation may come up here as well, there was -- is -- appears to be significant change between what DTSC imagined, or the assumptions, the leaning that DTSC was going towards in terms of what they would require for the closure of H1. And the best assumption that, based on that that could -- was -- ended up being what the price was for doing the remedial work at H1. So we now may have to blow into that insurance policy.

And I want to know what assurance we're going to have as a community, what assurance you're going to make to the early transfer proponent, what mechanisms you're going to put in place. And maybe this is a topic for another discussion. But these sound wonderful on paper. They sound wonderful, and people are giddy about them. But in the actual on the ground experience, which we now have, there's some problems. And I'm very concerned, for example, that the community is going to possibly have to pay for the long term monitoring. I brought that up last meeting, I'm going to continue to bring it up. I'm also afraid that sometime along the way the cost, you know, will exceed what you estimate by a very large number. That DTSC will come back around, and as Gil pointed out a few months ago, the discussions last year, somehow or another at DTSC was that you were going to have to clean it up to twelve feet for the park. Twelve feet's an absurd number as far as I know. I mean, in my experience and my knowledge of ordnance cleanup for that type of use.

So somewhere along the line while you're developing this early transfer package that you're going to promulgate to each other and to the agencies, I believe that the Restoration Advisory Board should be a part of the development of those packages. Just like your land use controls. I don't want you to go out and consummate a land use control, whether you're DTSC or whether you're the responsible party or whether you are the regulating or the agency that is going to enforce that land use control being the city. I don't want you to go out and do that without at least running it up the flagpole with us, getting our input. It's -- that's the only purpose of the RAB is early and often communication prior to the decisions being made. We cannot tell you what to do, we are advisory. However, we're advisory. And the U.N. advisors are important people. And remember that we are important people to you as well. We are going to make your project better. We're going to make it more successful. We're going to make it more enduring. And we're going to be able to market it, if you will, to the community. And we deserve, if we're going to sit here through these presentations

and try to get ourselves up to speed on topics that aren't our normal conversation around the dinner table, then you are -- it's beholden on you, as organizations and private parties and public agencies, to engage us. And I don't mean that to just be some sort of lecture, I'd really like to invite you to bring us to the table. I think it will be a better project.

CO-CHAIR DUNAWAY: Thank you, Myrna. I got out of that something that I will discuss with the early transfer proponents, and with -- primarily with Vallejo and Lennar if we find it suitable to present maybe the scope of the proposal, at least the cleanup portion of the proposal, so that you can understand what that scope is.

CO-CHAIR HAYES: Well, I think it would be really important to also have DTSC's regulator here, and his boss and his boss' boss and his boss' and his boss' boss. Because that seems to be what happened on H1 was a regulator did a look-see and a pretty careful analysis of what it was going to take to close the landfill. And then all those other chaps and gals on up the line have suddenly come back with a completely different recommendation. So let's try to prevent that. Because I don't think it's good for business, and I don't think it's good for the community to be heading one direction and then being asked to turn a completely different way. And it's costly and it isn't good business practice.

CO-CHAIR DUNAWAY: I believe between Dwight and I we agree with you one hundred percent. That's the million dollar question -- or at least in this case, from H-1's perspective, the \$2.5 million question. That's a hard one to answer. And unfortunately, DTSC is at the liberty of being able to have the flexibility to make the decisions when the time's appropriate.

CO-CHAIR HAYES: Well, they are, but I'd like to call them to the table. I mean they are not here very regularly, except for they had a public meeting tonight, so they had to come. But I'd really like the agency to be present in these discussions, and I believe that the community has a role to play in them as well.

CO-CHAIR DUNAWAY: We'll do our best to try and bring 'em here. But thanks for your comments, Myrna. With that, that was the end of the questions for my part, my co-chair report. Unless there's anything else, the meeting will be adjourned.

Thank you all.

#### LIST OF HANDOUTS

The following handouts were provided during the RAB meeting:

- Presentation Handout – Remedial Action Plan for C3
- Weston Solutions Mare Island RAB Update January 2005
- Navy Monthly Progress Report Former Mare Island Naval Shipyard January 2006

(Thereupon the foregoing was concluded at 8:55 p.m.)