



**Naval Air Station  
South Weymouth, MA  
Restoration Advisory Board  
Summary of RAB Meeting – March 8, 2007**



NAS South Weymouth Website: <http://nas-southweymouth.navy-env.com>

**I. INTRODUCTIONS/ APPROVAL OF PRIOR MEETING MINUTES**

Mary Skelton Roberts opened the meeting at approximately 7:00 PM. She requested that all attendees, including RAB members, regulators, and audience members, introduce themselves. She noted that the meeting agenda, handouts and the sign-in sheet were available on the back table. The sign-in sheet for the meeting is provided as Attachment A to this meeting summary. M. Skelton Roberts asked if everyone had time to read the meeting notes from the prior RAB meeting (January 2007) and the February 2007 cleanup update memo, and asked for comments on them. The February summary/update was sent out with the January minutes in lieu of a February meeting.

M. Parsons stated that there was a section missing from the January minutes regarding her comments that you could not see through one inch of water to see French Stream's banks. She stated that Bill Brandon had commented that that could make a good study.

M. Skelton Roberts then reviewed the ground rules for the meeting and reminded the meeting attendees that the focus of the meeting is cleanup issues; redevelopment issues will be placed on the 'parking lot.' She stated that the 'parking lot' process was still being developed and that J. Cunningham and K. Hayes were working on it. She asked them to give a brief update on their progress.

J. Cunningham stated that a subcommittee was formed but there was difficulty in getting everyone together at the same time. So a letter with the parking lot issues from January will be sent to South Shore Tri-Town Development Corp. (SSTTDC), and it will include any additional issues from the March 8<sup>th</sup> meeting. D. Barney stated that he had talked to SSTTDC and asked how they would respond to the letters with the parking lot concerns. A SSTTDC representative indicated that they would respond in writing to the RAB in a timely fashion.

M. Skelton Roberts reviewed the purpose of the parking lot. The purpose is to document any important issues related to redevelopment, and not clean-up, and compile them in a letter to SSTTDC, with the hope that these issues would be addressed by the development corporation. She asked if there were additional parking lot issues. Issues suggested by meeting attendees were noted on the parking lot sheets of paper on the wall.

M. Skelton Roberts reviewed the guidelines for the meeting. She reminded the participants when asking questions to wait to speak until they are acknowledged, to state their names and affiliations, and to speak into the microphone when they have questions. M. Skelton Roberts then reviewed the agenda and presentations scheduled for the meeting. The Agenda for the meeting and the Action Item Tracking List are provided as Attachment B to this meeting summary. In accordance with the agenda, the presentations would be followed by the Updates and Action Items portion of the meeting.

## 2. PRESENTATIONS

M. Skelton Roberts introduced D. Barney who was giving a presentation on the Finding of Suitability to Transfer (FOST) Process and the FOST 3 and 4 Update. The following paragraphs summarize the presentations and include references to selected presentation slides in Attachment C. The complete presentation is available in color on the NAS South Weymouth web site: <http://nas-southweymouth.navy-env.com>.

The FOST is a culmination of all the environmental work. Assertions are made of what is acceptable and those assertions are put into a FOST report. Concerns over health and safety risks associated with proximity to Superfund sites will be addressed. The FOST is one of three things, along with NEPA and a conveyance mechanism, which need to be in place before the land can be transferred. The conveyance mechanisms considered for the Base are Economic Development Conveyance (EDC) and Public Benefit Conveyance (PBC). Other mechanisms for conveyance are private sale, public sales and a few other options. Even though the property is found to be suitable for transfer, it can not be transferred if these other two components are not complete.

A FOST is composed of multiple parts, or enclosures (Slides 2 and 3). The first part is a Memorandum for the Record, which is basically an open letter that summarizes what is going to be discussed in the document, and includes a signature from an authorized official that certifies the findings. One enclosure includes the Environmental Baseline Survey to Transfer, where the information on the sites to be transferred is discussed in detail. Another enclosure covers environmental covenants, conditions, reservations, and restrictions which is the legal component of the FOST document. This section states that if any CERCLA contaminants are found in the future it is the Navy's responsibility to clean it up.

The next enclosures are summaries of the various types of sites on the Base from the MCP, CERCLA (e.g. IR, AOCs) and EBS (e.g. Review Item Areas) programs. A solid waste inventory enclosure is included. The final enclosure is a responsiveness summary which is a response to all comments received on the document.

Slide 4 shows the areas already transferred as well as the FOST 3 and FOST 4 areas that are pending transfer. The white areas on the map are areas that are in various stages of the clean-up process, either administratively or via the CERCLA process. The hatched area at the north end of the Base is the Phase 1A waiver boundary, or the area currently approved for development.

FOST 1 was comprised of 22 subparcels and approximately 487 acres (Slide 5). There was a public comment period from April 2001 to June 2001 and the FOST was signed August 16, 2002. The property was transferred and the planned use was commercial open space, institutional, special planned use district, and senior residential.

FOST 2 was signed about 6 months after FOST 1 (after the mall plan was abandoned); both FOSTs supported the phased development. FOST 2 was signed on January 26, 2003 and 7 subparcels were transferred on May 15, 2003 (Slide 7).

FOST 3 had two comment periods (2003 and 2006); Navy plans to sign the FOST in April 2007 (Slide 9). The first comment period was during CDR, ESCA, etc. time frame and the FOST was shelved until a new plan was developed by the LRA. The second comment period was to revisit and update the document.

FOST 4 was prepared in 2004 at the end of the early transfer process. After the early transfer process option was off the table the Navy decided to issue the document in late 2004. Comments were received on the document but since there were changes in the reuse plan Navy put it in abeyance. FOST 4 has been revised. The public comment period is planned for March/April of 2007 and Navy plans to sign the FOST in May 2007 (Slide 11). The zoning and also the FOST has become more complex due to the transfer of discrete parcels of land as they become suitable for transfer. Slide 12 represents the current reuse/zoning plan. There is a slight change (reduction) in acreage from the 2004 FOST to the new FOST but an increase in the number of subparcels. The new FOST better matches the new zoning boundaries.

D. Galluzzo asked if there was any additional zoning changes made since the 2005 vote. D. Barney stated that he was not aware of any additional changes.

D. Barney then described three specific zoning subparcels included in FOST 4 and the sites within each, i.e. Review Item Areas, MCP, AOCs (Slide 13). The magenta colors show subparcel boundaries. The OS-WEY3 parcel contains wetlands and is zoned as open space. MUVD-3 is a mixed use village district. Environmental sites from various programs, for example, Installation Restoration Site 1, RIA-78E, and AOC 55B are shown within or near the subparcel. To find out information on a specific subparcel in this area, Figure 6 in the revised FOST 4 will show what sites have been investigated in the area.

H. Welch asked a question about the various types of sites, IR, RIAs, etc. D. Barney explained the major investigations at the Base since its closure, including the EBS process and the CERCL IR program.

In 1996 an Environmental Baseline Survey (EBS) was performed. Interviews were conducted with people who used to work on the Base, for example the public works department. The sites were physically inspected, photographs and video were taken. Aerial photographs were studied and compared with present day, and if a question arose about an area, it became a RIA. Slide 14 shows an example summary table of the history and current conditions in the OS-WEY-3 subparcel. Slide 15 is an example summary table of CERCLA AOCs in the subparcels shown on Slide 13. Slide 15 includes a list of references where the information can be found in reports on the AOCs. Slide 16 is an example of solid waste debris identified in a group of subparcels.

The Memorandum for Record includes a summary of the contents of the FOST (Slide 17). It also has a list of references and enclosures. The environmental conditions are summarized. The authorized signature is included with the statement: "I hereby find that this property is suitable to transfer under the terms and conditions of this FOST." The terms and conditions are discussed in the legal section of the FOST. The FOST is incorporated in the deed.

The Environmental Baseline Survey to Transfer enclosure describes details for each subparcel, including the environmental condition of property (Slide 18). The environmental covenants, conditions, reservations, and restrictions enclosure is the section that states the Navy is still held responsible for any future CERCLA issues related to Navy activities (Slide 19). This falls under the reservation of access rights post transfer so the Navy can return and fulfill their obligation if needed.

M. Bromberg stated that he understands that the Navy will go back to deal with CERCLA issues after the transfer, but what about other contamination issues - who would be responsible for those? D. Barney stated that the list of contaminants the Navy would return for is the CERCLA hazardous substance list, 40 CFR Part 302, which is a very lengthy list of compounds.

M. Parsons asked about any future discoveries - is there going to be an independent observer. The reservation of access also applies to the EPA and DEP so they can also access the site post-transfer. D. Barney stated that there are no plans for an independent observer and that reporting any findings is left up to the developer. B. Olson commented that there was typically good cooperation by the military to go back post-transfer to deal with newly found issues and that the EPA would continue to be involved.

D. Punchard stated that he had to wear asbestos suits while putting out fires on the base, during training events and that there was probably a good deal of residue due to the training sessions. D. Barney agreed that there were a lot of hazardous wastes left in the ground.

D. Barney stated that Navy will not transfer any areas if there was any question that they are contaminated. If there was contamination on a site that could not be reached, use limitations were put on the area to restrict future activities. Two of the four activity and use limitations (AUL) in place on the Base are on already transferred property and are recorded in the FOST 1 deed. The receiver of the property thus knows that contamination is present, and the boundaries of the area, and is also aware that provisions must be made for any future use of the area that will disturb the contamination. An example of a situation that might result in an AUL is if contamination is found in a specific area around a building, and the only way to remove the contamination would undermine the foundation and cause damage to the building. In this case the contamination was delineated, left in place, and restrictions were put on the area. If the new landowner wanted to change the property in a way that affected the AUL then an LSP must be involved and a soil management plan would have to be in place before doing any work.

A. Malewicz stated that DEP would release the AUL if there was data to support the claims and if the documentation is appropriate. The Licensed Site Professional (LSP) would submit a report to DEP which DEP reviews. DEP can audit sites, which is another check in the process.

H. Welch asked if there was a problem with having/requiring an LSP to be available during development under the FOST deed. R. Kleiman from LNR stated that they have an LSP on call and an environmental monitor on site regularly during construction. In addition, SSTITDC has environmental staff conducting daily inspections, and EPA and DEP make periodic inspections as construction is going on. The construction workers must have OSHA training and if they find something that may be contamination there is a notification process. The environmental monitor is notified and then the LSP, etc. during this process. R. Kleiman described the process that the developer is required to hire a LSP to make sure that the project is in compliance with the MCP and the other environmental laws and regulations. The LSP program under the MCP is a privatized system. They hire independently licensed professionals and those professionals have the responsibility that goes with having a license to comply with the regulations and laws.

J. Cunningham asked about the white areas within the Phase 1 area. D. Barney stated that those areas were AOC 53 and the former Sewage Treatment Plant (STP) site and they are not yet suitable for transfer. After the Proposed Plan/Record of Decision administrative process is complete for the two sites, they will be ready for transfer. For the STP site there is an appropriate buffer surrounding the site to protect the area that has been transferred.

J. Cunningham asked how long it will take until the white areas are ready to transfer and who will sign the deed. D. Barney said that the sites are in various phases in the cleanup process and that some of the sites still have many steps remaining. The authorized signature on the deed will be Greg Preston (real estate officer, BRAC Program Management Office, Northeast in Philadelphia) and the FOST will be signed by David Drozd (Director of the BRAC Program Management Office, Northeast).

D. Galluzzo asked if land could be transferred at less than a residential use standard. D. Barney responded in the affirmative. D. Galluzzo stated that the concern shown by the attendees of the RAB meetings stems from worries over the level of qualification of those who will be put in charge of any unforeseen contamination found in the future. Is it reasonable to believe that even an OSHA-trained construction worker would stop work and do the right thing? He also believes that any consultant being paid by LNR will be pressured to not stop construction and ignore any future problems. D. Barney stated that the Navy does try to get properties to the level of unrestricted residential standards. FOST 1 and 2 are at unrestricted residential standards, except for the two areas with AULs. FOST 3 and 4 parcels are unrestricted. It may not be possible in all situations, like the closed landfill, to reach unrestricted residential standards because of the waste that is left in place. But with an AUL or land use controls in place there should be no risk of exposure to any contamination.

A question was asked whether state agencies receive a copy of the land transfer, or is it just between the Navy and the person receiving the property. D. Barney stated that the DEP and EPA will have a copy of the FOST.

D. Galluzzo asked if the safe distance from contaminated areas was just an estimation or is there a test to determine safe distances from a contaminated site. Is there a list of how far one should stay away from these areas? D. Barney stated that it was an estimation based on scientific information and the evidence available through the studies for each site. The specific distance depends on the contamination and based on available data and is base specific. B. Olson commented that the distance does depend on the contamination within an area. There are no acutely hazardous wastes at the Base and therefore the buffer would be based on specific contamination.

A. Hilbert stated that legislation was just introduced in the statehouse for a speedy permit process. How would that affect the Base? D. Chaffin responded that the big advantage of this process is that it would attract a commercial property owner to a site because it is a faster process. He noted that it's only a proposal but he understands that it would require expedited review but no shortcuts would be taken.

J. Cunningham asked again what the acreage is on the remaining area (white area) that is not suitable for transfer as yet. The remaining acreage that is not ready for transfer is approximately 545 acres.

M. Bromberg asked how the solid waste would be handled. D. Barney stated that the obvious concrete on the surface and also historic fill will be noted in the FOST. It will fall under the state's solid waste regulations if it is removed by future owners. R. Kleiman stated that the portion of FOST 3 that would transfer to LNR with remaining solid waste on it would be put to use by LNR. The concrete would be used in the road base on the Base so there wouldn't necessarily be any remaining. LNR plans to redevelop the area in accordance with the reuse plan. For solid waste that is suitable for reuse, the reuse will be performed per DEP and solid waste regulations.

M. Bromberg asked about in the ABC (asphalt, brick, concrete) areas. D. Chaffin stated the Navy has agreed to remove all solid wastes except the asphalt, brick, and concrete materials. DEP wants either Navy or the future property owner to clean up the ABC areas. It has been left open because it is a recycling opportunity so that the material could potentially be reused. It can be enforced if the two parties (Navy or future property owner) cannot come to an agreement.

D. Galluzzo feels there should be a table with a more definitive answer that tells one what safe distance from a contaminated site would be. B. Olson responded that he disagrees that there can be a table to do that. The information has to be studied because the contaminant is not the only concern. The concern is also about what type of media, i.e. soil or groundwater, the contaminant is in. The data has to be evaluated to come up with an appropriate buffer zone. EPA is there to protect public health but cannot offer any guarantees. He stated that the communities' concern for oversight is acknowledged and it will be looked into.

H. Welch stated his concern for the amount of water that development, particularly the new sewage treatment plant, will produce, and that flooding will become more of a problem. R. Kleiman explained that the current storm water management plan approach is infiltration so water will seep into the ground and alleviate some of the flooding of French's Stream. Also there will be detention basins to detain the water and hopefully prevent flooding. The sewage treatment plant flow is a fraction of the storm water flow and with the new management plan in place the total amount of water being added to French's Stream will be reduced.

J. Rakers asked why the EPA and DEP did not attend the CAC meetings. D. Chaffin stated that his office is not involved in the redevelopment (another part of DEP is working on the redevelopment issues), that they were involved in the clean-up. B. Olson said that he has offered to attend the meeting and agreed to attend the meeting on Tuesday, March 13, 2007.

### 3. UPDATES AND ACTION ITEMS

M. Skelton Roberts reviewed the four action items listed on the Action Item Tracking List (see Attachment B) for this RAB meeting:

1. Distribute monthly Navy program status/administrative items update – The February update has been distributed.
2. Copies of figures from Old Swamp River Study by Beta, Inc. - D. McCormack located the Old Swamp River Study by Beta, Inc. and will compare the figures to see if they are the correct ones.
3. Provide hydrogeologic technical memorandum to D. Galluzzo - D. Barney stated that copies of CDs with the presentation were provided to some individuals during the February meeting and additional CDs are available tonight for D. Galluzzo or anyone who wants a copy.
4. Provide vernal pools maps to J. Cunningham – S. Ivas responded that he planned to include in the response to the parking lot issues.

M. Skelton Roberts asked each of the Leads to provide updates to the list of Update Items.

RAB Administrative Actions: D. Barney stated there was no update.

MADEP Update: D. Chaffin stated that the Navy submitted a basis for design for the Small Landfill. The basis of design proposed a substitution of a synthetic membrane instead of the standard clay cap. The MADEP solid waste program is currently reviewing this information. There is no update for the Fire Training Area.

Coast Guard Update: D. Barney received no update.

IR Program Site Update: The Rubble Disposal Area long-term monitoring program was kicked off last week. Well points and piezometers have been installed to begin the collection of long-term data. Samples will be collected next week.

D. Barney proposed discussing the human health risk assessment associated with the floc material in French's stream at the April RAB meeting.

The RI data from Building 81 and Building 82 is being compiled and the report writing is underway.

MCP Update: The Jet Fuel Pipeline Holding Tank Area site was closed out. It is still shown as a white area on the map of the Base but has been moved into a different category due to the completion of activity.

The second round of sampling at the FFTA is planned for next week. Pending favorable results that site might also be able to be closed and become available for transfer.

EBS Update: The PRAP for AOC 8 and AOC 53 should be issued within the next few months. Additional test pitting was conducted to evaluate the potential for any subsurface disposal area where there was evidence of surface debris.

FOST Update: Updates have been covered.

SSTTDC Update: S. Ivas stated that a new alignment of the East West Parkway was announced last week at the CAC meeting. There was a conservation committee public hearing on the Phase 1A infrastructure, the roadways and storm water maintenance system. The public comment period was closed. They will be setting an order of conditions this coming Monday, as well. The CAC will be meeting again on March 13.

#### Possible Topics for future RAB Meetings

The following action items and topics were suggested for future meetings:

- April meeting – Basewide HHRA on floc
- M. Parsons suggested a list of AULs and exactly what and where they are.
- D. Galluzzo asked how many acres have been transferred that have restrictions - none.
- J. Rakers wants Old Swamp River to be tested.
- M. Parsons suggested an update on the status of the MS study.

#### Conclusion/Next Meeting

The meeting concluded at approximately 9:10 pm. The next RAB meeting was set for Thursday, April 12, 2007.



**Naval Air Station South Weymouth  
Weymouth, MA  
Restoration Advisory Board  
RAB Meeting Agenda**



**8 March 2007**

**Conference Center on Shea Memorial Drive**

**7:00 PM**

<i>Agenda Items</i>	<i>Item Lead</i>	<i>Projected Time</i>
<b>1. Introduction, Review of Meeting Notes</b>	<b>Facilitator</b>	<b>7:00 - 7:15</b>
<b>2. FOST Process, FOST 3 &amp; 4 Update</b>	<b>Navy</b>	<b>7:15 - 7:45</b>
<b>3. Updates and Action Items</b>		
<b>4. Questions, Agenda Items, Next Meeting</b>	<b>Navy Facilitator</b>	<b>7:45 - 8:15 8:15 - 8:30</b>

**Facilitator:** Massachusetts Office of Dispute Resolution: Mary Skelton-Roberts

**Restoration Advisory Board (RAB) Members:**

**Abington:** James Lavin, (Alternate: Steve Ivas); Phil Sortin (Alternate: Beth Sortin)

**Hingham:** no current representation

**Rockland:** no current representation

**Weymouth:** James Cunningham (Community Co-Chair); Ken Hayes; Dan McCormack; Steve White

**Navy:** Dave Barney (Navy Co-Chair)

**EPA:** Patty Marajh-Whittemore (Alternate: Pamela Harting-Barrat)

**MA DEP:** David Chaffin (Alternate: Ann Malewicz)

**BRAC Cleanup Team (BCT) Points of Contact:**

**Navy:** Dave Barney, BRAC Environmental Coordinator, Base Realignment and Closure Office, Program Management Office, Northeast (617) 753-4656

Brian Helland, Remedial Project Manager, Base Realignment and Closure Office, Program Management Office, Northeast (215) 897-4912  
Email: [brian.helland@navy.mil](mailto:brian.helland@navy.mil)

**MA DEP:** David Chaffin, Environmental Engineer, Federal Facilities (617) 348-4005  
Email: [david.chaffin@state.ma.us](mailto:david.chaffin@state.ma.us)

**EPA:** Patty Marajh-Whittemore, Remedial Project Manager, Federal Facilities Section (617) 918-1382 Email: [whittemore.patty@epamail.epa.gov](mailto:whittemore.patty@epamail.epa.gov)



## Naval Air Station South Weymouth Restoration Advisory Board Action Item Tracking List



### 8 March 2007 – Next RAB Meeting

<i>Action Item</i>	<i>Item Lead</i>	<i>Deadline</i>
<b>ACTION ITEMS</b>		
Distribute monthly Navy program status/administrative items update	D. Barney	February
Copies of figures from Old Swamp River Study by Beta Group, Inc.	D. McCormack	Next RAB
Provide Hydrogeologic Investigation Tech Memo to D. Galluzzo	D. Barney	Next RAB
Provide vernal pools map to J. Cunningham	S. Ivas	Next RAB
<b>UPDATES</b>		
RAB Administrative Actions	D. Barney	Each RAB
MA DEP Update	D. Chaffin	Each RAB
Coast Guard Buoy Facility Update	R. Marino	Each RAB
IR Program Sites Update	D. Barney	Each RAB
MCP Release Areas Update	D. Barney	Each RAB
EBS Review Item Areas/ Various Removal Action Update	D. Barney	Each RAB
FOST/FOSL/CDR Update	D. Barney	Each RAB
SSTTDC Update	J. Lavin/ S. Ivas	Each RAB
<b>COMPLETED ITEMS</b>		
Provide blueprint of old STP to H. Welch (01/07)		
Distribute monthly Navy program status/administrative items update (01/07)		
Check status of NAS South Weymouth website (01/07)		
P. Scannell to provide the reference for the 1995 EPA study to D. Barney (11/06)		
Distribute monthly Navy program status/administrative items update (11/06)		
Were runways in the transferred land tested for fuel oil and PCBs? (11/06)		
1997 DEP letter re: non-potable drinking water source areas on the Base (11/06)		
Map showing sampling locations on the Base (11/06)		
Old Swamp River additional sample collection; data available? (11/06)		
Status of release of MDPH ALS/MS study (11/06)		
Contact Dr. Knorr regarding access to NAS South Weymouth EGIS (7/06)		
Distribute monthly Navy program status/administrative items update (7/06)		
Check availability of MDPH to give a presentation on MS/ALS data (5/06)		
Distribute monthly Navy program status/administrative items update (3/06; 4/06)		
Provide copies of SSTTDC and Mayor Madden letters re: Small Landfill CAAA to M. Parsons (2/06)		
Provide information on vernal pools to M. Byram (2/06)		
Distribute monthly Navy program status/administrative items update (2/06)		
Small Landfill CAAA Update (12/05)		
Distribute monthly Navy program status/administrative items update (12/05)		
Provide details of RDA contractor's upcoming work (10/05)		
Provide details about SSTTDC's unescorted access policy (10/05)		
Provide turtle activity update (8/05)		
Check where upcoming RAB meeting times are posted (8/05)		
Distribute monthly Navy program status/administrative items update (8/05)		