



KELLY AFB
TEXAS

ADMINISTRATIVE RECORD
COVER SHEET

AR File Number 3228.1

KELLY RESTORATION ADVISORY BOARD
TECHNICAL REVIEW SUBCOMMITTEE

March 14, 2006, 6:30 p.m.
Environmental Health & Wellness Center
911 Castroville Road
San Antonio, Texas 78237
Reported by Cayce A. Morse, CSR

APPEARANCES

RAB Community Member Attendees:

Robert Silvas, Community Cochair
Rodrigo Garcia
Henrietta LaGrange
Nazirite Perez
Armando Quintanilla

RAB Government Member Attendees:

Mark Weeger, Texas Commission on Environmental Equality (TCEQ)

Other Attendees:

David Smith, Facilitator
Amy Carbajal, HCRS, Inc.
Sonja Coderre, Air Force Real Property Agency (AFRPA)
Kyle Cunningham, San Antonio Metropolitan Health District
(SAMHD) (Alternate for Melanie Ritsema)
Mark Hampton
Linda Kaufman
Norma Landez, AFRPA
Eduardo Martinez, AFRPA Contractor
Rey Nieto, AFRPA
David Plylar
Abigail Power, TCEQ (Alternate for Mark Weegar)
Heather Ramon-Ayala, AFRPA Contractor
Melanie Rodriguez, PCEH
Martha Williams, HCRS, Inc.

ORIGINAL

1 (Proceedings began at 6:34 p.m.)

2 DR. SMITH: Okay. My name is David Smith.

3 I'm a RAB facilitator. Like to welcome you to the March 14th
4 meeting for the Technical Review Subcommittee. You can see
5 that we have a pretty strong packet of materials this evening,
6 lots -- lots of topics to cover.

7 Just quickly, first part, of course, is -- is
8 a packet review and Eddie Martinez is going to be kind enough
9 to walk us through that since he's the one that put all this
10 together for us. Followed by that we'll go to the
11 administrative section of the meeting. Ms. Coderre will do the
12 AFRPA update, Norma Landez will do the BRAC Cleanup Team, BCT,
13 Update. The documents that are going to come to the TRS and
14 RAB, the RFI responses and the action items are in your packets
15 and we will talk to you about those as we go through those
16 briefly.

17 At 7:00 o'clock Mr. Nieto is going to try to
18 provide the questions and answers that we need for the TAPP
19 program. At 7:40, folks from the Public Center for
20 Environmental Health are scheduled to be here to do a liver
21 study announcement. I think Kyle is going to do that one for
22 us. She said she had another meeting to go to early and she
23 was going to try to get back here at 7:40. If we missed her on
24 the front side she'd be -- she'd follow up then Mr. Buelter's
25 report of the January 2006 Semiannual Compliance Plan -- Plan

1 January RAB and those are the documents that went to the RAB.
2 And a couple of -- well, just one report again there and a
3 couple of letters that's signed by both co-chairs. Behind that
4 list you'll find the RFI's that we received from RAB members or
5 RAB issues. And these are front and back, so I think there's
6 five of those in there. One -- one of them that I wanted to
7 point out was the response to Mr. Silvas, it's the fifth one.
8 And it was requesting the electronic version of the Semiannual
9 Compliance Plan. Did everybody get their CD's in the mail?
10 Anybody that needs those? Fine. Okay. Good.

11 Behind that you'll find the action items
12 report. And if you want to go ahead and read through the --
13 the responses there to some very good questions, those are all
14 included in there. Some attachments includes VIA bus routes.
15 I think that was a question from Mr. Quintanilla asking about
16 transportation information for when meetings are held at, you
17 know, locations such at Building 171 or GKDA. And that's
18 transportation to the Air Force Real Property Agency's main
19 building there.

20 Then behind that is a little information sheet
21 on Public Center For Environmental Health. What you'll find
22 next is a series of documents related to the TAPP process. And
23 that will be Mr. Nieto's presentation. After that you'll find
24 about two or three sheets of paper, again, from the
25 Metropolitan Health District or Public Center For Environmental

1 Health regarding the liver cancer study, to include the agenda
2 for the public meeting that was held. And some -- some news
3 articles. Stapled together after that you'll find the January
4 2006 Semiannual Compliance Plan Briefing that Mr. Buelter will
5 be giving later on this evening.

6 And immediately behind that--I'll slow down
7 here so y'all can flip through those--you'll find Air Force
8 Real Property Agency's responses to comments. And this was --
9 these are the comments to Mr. Lynch's review, TAPP review,
10 excuse me, of the January 2005 Semiannual Compliance Plan
11 Report, and that was by the request of the RAB members as well.
12 So you'll find that fairly extensive summary there and
13 responses on some information sheets and such.

14 So if you flip almost to the back of the
15 packet, you'll find a couple of news articles. Okay. And just
16 go through those and see what's been in the news about Kelly
17 and the status of the environmental clean-up.

18 I think that's pretty much about it. So if
19 y'all have any questions I can answer those. No? Okay.

20 DR. SMITH: We'll rely on you later as we get
21 into those. Thanks, Eddie.

22 MR. MARTINEZ: No problem,

23 DR. SMITH: As y'all know -- notice we burned
24 up another court reporter so we have a new court reporter in
25 place tonight. I promised her that we would do our very best

1 to speak loudly, speak one at a time and certainly use our
2 names so that she has a chance to record that as we're going
3 through. We probably won't do that all evening long and we'll
4 try to come back and remind ourselves to do as well as we
5 possibly can.

6 Okay. We move into the administrative section
7 of the report, AFRPA Update. Ms. Coderre, are you ready?

8 MS. CODERRE: Yeah. We have updates -- well,
9 the Building 326 Air Force Radio Isotope Committee Permit, the
10 update on that is that the permit is still active and the
11 second draft of that was sent to the EPA in February for their
12 review.

13 And the other item, the Guar spill, there's
14 been no -- nothing new to report on that, so we'll check back
15 in next month. Okay. Thank you.

16 UNIDENTIFIED INDIVIDUAL: Is there any update
17 on the fish kill on the --

18 MS. CODERRE: That's the Guar spill.

19 UNIDENTIFIED INDIVIDUAL: Guar spill.

20 MS. CODERRE: No updates on that.

21 MR. GARCIA: Don't you have any other specific
22 updates on Leon Creek relating to all of this? But besides
23 what's in the compliance report.

24 MS. CODERRE: I -- I'm not sure I understand
25 the question, Mr. Garcia.

1 MR. GARCIA: Well, we have some of the stuff
2 from the BMP covering the Semiannual Compliance Report --

3 MS. CODERRE: That's correct.

4 MR. GARCIA: But in rela -- in relation to
5 some of these buildings close by that dumped into Leon Creek,
6 do you have any -- any status report on all of that?

7 MS. CODERRE: Oh, okay. I think I might have
8 miss spoken. There were no spills from buildings that we are
9 reporting that had dumped into Leon Creek. They were two
10 separate events. The Radio Isotope Committee Report is one
11 thing and the draft has -- has been sent to EPA and we're
12 waiting to get the comments back on that.

13 The second issue was the Guar spill, which
14 this group commonly refers to the Leon Creek Fish Kill
15 incident, that was the Guar spill. And there's been no new
16 developments in that. That's still in legal review between the
17 air force and TCEQ.

18 MR. GARCIA: When are we going to expect any
19 kind of review and a report on -- review and report on those
20 two issues?

21 MS. CODERRE: Well, we've reported to this
22 body, to the Kelly Restoration Advisory Board, the incident,
23 what happened, you've been given all the reports and the
24 documentation, the correspondence between the air force and
25 TCEQ that has gone on so far. And as soon as the legal review

1 is completed we'll be able to provide you more. I can't give
2 you a specific time frame for that.

3 MR. SILVAS: Yes, Robert Silvas. Again, I
4 think there's a question I had to bring up with regard to the
5 last meeting, RAB meeting. We had taken a vote to get the
6 transcript mailed out and we raised hands for those transcripts
7 from the last meeting to be put in the mail and I know in our
8 conversation that you weren't going to release those until
9 people called. And why was that such a --

10 MS. CODERRE: I thought that was the -- what
11 you had suggested --

12 MR. SILVAS: Right.

13 MS. CODERRE: -- which was reflected in a
14 letter that we did put out to the RAB, that if RAB members
15 wanted a copy of the full transcript -- and -- and you and
16 Mr. Antwine have discussed this on several occasions during
17 executive committee meetings, those transcripts are very thick
18 documents. A lot of the RAB members have not shown an interest
19 in receiving the total copies of those. So it was at your
20 suggestion that RAB members requested a copy -- request from us
21 a copy, we'd be happy to provide that. We did that at the last
22 RAB meeting and we mailed out the copies to those members that
23 indicated they wanted full copies. But that wasn't every
24 community member of the RAB.

25 MR. SILVAS: No. And just to touch on that, I

1 mean, I think there are individuals here like Henrietta,
2 Rodrigo and Nazirite -- have you guys received those in the
3 mail, the actual transcripts? Well --

4 MS. LaGRANGE: Is there -- is there a fee?

5 MS. CODERRE: Oh, no, ma'am, there's not a
6 fee.

7 MR. SILVAS: Okay. Just --

8 MS. CODERRE: So -- okay. So now -- now I've
9 identified from my perspective that we have two separate
10 issues. The first issue is that Mr. Garcia and Ms. LaGrange
11 did not receive--is that what I'm hearing--copies of the
12 transcript of the -- the last meeting? So the first step is
13 for us to rectify that situation and we're going to make a note
14 of that.

15 The second issue is the agreement that you and
16 Mr. Antwine reached as co-chairs of this body, which was that
17 in order not to inundate every member with every sheet of paper
18 that's generated, your suggestion that RAB members just ask if
19 they want a copy and it will be provided. Are we changing that
20 agreement now?

21 MR. SILVAS: No, that agreement was -- it
22 stands. But when --

23 MS. CODERRE: Okay.

24 MR. SILVAS: -- we -- when we concluded the
25 last meeting we had voted our -- raised our hands and then --

1 MS. CODERRE: And you're correct and we're
2 going -- we're going to rectify that situation. If something
3 happened in the mail, but -- but I believe they were on our
4 mailing list so we'll send you another copy.

5 MR. MARTINEZ: Or I might have not heard their
6 names because I remember I was the one taking down the names
7 and I -- I apologize if that's what happened.

8 MS. CODERRE: And it -- it got a little hectic
9 towards the end of that last meeting so it doesn't surprise me
10 that we might have missed a person or two.

11 MR. PEREZ. Nazirite Perez. Could you send to
12 me the list?

13 MS. CODERRE: Would you like a copy of the
14 transcript as well?

15 MR. PEREZ: I didn't get it this last time.

16 MS. CODERRE: Okay. We'd be happy to do that.

17 MR. PEREZ: I keep track --

18 MS. CODERRE: And I bet that stack of papers
19 is getting bigger and bigger, isn't it?

20 MR. PEREZ: Yes.

21 MS. CODERRE: Okay. Does that address all of
22 your issues?

23 MR. SILVAS: I've got one last issue.

24 MS. CODERRE: Okay.

25 MR. SILVAS: This is regarding a document that

1 was pushed through the State of Texas versus Courtney
2 Pennington, J.C. Pennco, Associated Oil Services, Incorporated,
3 and Medina Packaging and Drum Company, U.S. Department of --

4 THE REPORTER: I'm sorry. Could you -- could
5 you speak up just a little bit? I'm having trouble --

6 MR. SILVAS: Yes. This is a document
7 regarding the State of Texas, plaintiff, versus Courtney
8 Pennington, individually and d/b/a J.C. Pennco; Associated Oil
9 Services, Incorporated; Medina Packaging and Drum Company; the
10 United States Department of Defense; Caspar Weinberger,
11 Secretary of the United States Department of Defense; United
12 States Department of the Air Force; Verne Orr, Secretary of the
13 Department of the Air Force; United States Defense Logistics
14 Agency; Gerald Post, Director of the Defense Logistics Agency;
15 and Clifford Tindle. This was filed -- filed in 45th Judicial
16 District, Bexar County, Texas. This case was standing in the
17 courts. What is the standing of the air force on this case?

18 MS. CODERRE: I have no idea. I have not
19 looked at the document you have in your hands.

20 MR. SILVAS: I provided this document on a
21 number of occasions to your office.

22 MS. CODERRE: And then I might have looked at
23 it but it is not fresh in my mind right now to be able to
24 respond to your question.

25 MR. SILVAS: If property is being right now

1 released and yet there's an ongoing case, an investigation
2 going on into the past practice of Kelly Air Force Base release
3 of chemicals into the public, why are you releasing the
4 property?

5 MS. CODERRE: The -- you know what, why don't
6 I let Norma, the BRAC Environmental coordinator, talk about the
7 process that we go to clean up the property and go through
8 state regulations to transfer property.

9 MR. SILVAS: And just to --

10 MS. CODERRE: Can I let her speak to that
11 issue?

12 MR. SILVAS: Yeah. Certainly. Let me just
13 further clarify one last -- one last -- this case -- go ahead,
14 Norma. I'll --

15 MS. LANDEZ: So you want to know --

16 MR. SILVAS: Right. You have two outstanding
17 court cases, you have one --

18 MS. CODERRE: Without speaking directly to the
19 court cases, I'm going to ask Ms. Landez just to briefly
20 describe the environmental clean-up that precedes the property
21 transfer, the investigation process. She cannot speak directly
22 to this court case.

23 MR. SILVAS: Who can?

24 MS. LANDEZ: I'm not familiar with the court
25 cases that you're referring to.

1 MR. SILVAS: So you can't speak to this --

2 MS. LANDEZ: I'm not familiar --

3 MR. SILVAS: -- at all?

4 MR. QUINTANILLA: How about -- my name is
5 Armando Quintanilla by the way.

6 MS. CODERRE: Mr. Quintanilla, can we please
7 let Ms. Landez finish the comment and then explain --

8 MS. LANDEZ: I can explain to you how we go
9 about transferring property if that's what you want to know,
10 the process that we go through. At the beginning when we first
11 were announced for BRAC there was a requirement for us to do
12 environmental impact statement, there was public comment and a
13 record -- decision was made as to how the property was going to
14 be transferred once remediation was complete or a certain
15 process had been completed.

16 We also did an environmental baseline survey
17 of all of the area at Kelly Air Force Base. And there was
18 areas that were determined -- there was just one area, small,
19 about -- about two acres, that were determined that no -- you
20 know, was a category one, that we would transfer without doing
21 any further investigation from -- as soon as we got an okay
22 from the state. That property is in the process of being
23 transferred now. It's going to be going to the city.

24 For all the other parcels that was transferred
25 thus far, we look at each parcel of property, we determine

1 whether all environmental conditions have been met and whether
2 we can transfer that property if all clean-up has been done on
3 that property, or if there was no further clean-up to be done,
4 put together what we call a supplement -- supplemental
5 environmental baseline survey, basically supplementing the
6 original baseline survey that was done and then we do a finding
7 of suitability to transfer. We submit that to the EPA, Region
8 6, and they concur on a transfer. A deed is put together and
9 if there's any restrictions, like you can't -- you can't use
10 the ground water for drinking or if there were any other
11 restrictions, then we put -- or like we reserve rights if
12 there's any monitoring wells--please let me finish--if there's
13 any monitoring wells on the property then we reserve the right
14 to be able to access those wells. And then we go forward with
15 transferring the property to the -- that the court is now
16 called the Port Authority of San Antonio, the local
17 redevelopment --

18 THE REPORTER: The local --

19 MS. LANDEZ: So that's the process that we go
20 through when we're transferring property.

21 MS. CODERRE: Local Redevelopment Authority.

22 MR. SILVAS: Now, through all this process,
23 when in this process do you go through the courts and find out
24 if there's any cases that are pending in the court system?

25 MS. LANDEZ: There's not anything in the

1 process that requires us to do that.

2 MR. SILVAS: So you just automatically assume
3 that that property is okay to transfer although you've got
4 cases pending against it?

5 MS. LANDEZ: I know we have -- we have -- I'm
6 familiar with one court case that DOJ is handling but I'm not
7 familiar with any other cases.

8 MS. LANDEZ: Yes, ma'am.

9 MS. LaGRANGE: Henrietta LaGrange. Do you
10 know what the city is going to use the property for?

11 MS. LANDEZ: Right now the prop -- the
12 original -- the Calgary units has been put aside for home
13 assistance and they're determining -- the city is working right
14 now to determine whether they're going to use it or not for
15 that purpose.

16 MR. SILVAS: Okay. One last thing -- and for
17 the record, this court case number is 1982-CI-0212A. I will
18 forward these documents to you for your interest and that way
19 we can get a briefing on that. I think that's critical because
20 the community does not want part of some kind of deal where the
21 -- the air force turned the property over without having the
22 cases pursued or at least sought and finalized. I mean, these
23 things are sitting in courts and not being handled, that's not
24 productive to the overall turnover of the property.

25 Furthermore, you mentioned a Department of

1 Justice case going on. When were you made aware of that one?

2 MS. LANDEZ: When the suit was filed.

3 MR. SILVAS: Yes, and when was that?

4 MS. LANDEZ: I have no idea.

5 MR. SILVAS: Well, how long have you been
6 aware of that?

7 MS. LANDEZ: I've known about it since it was
8 filed, but I -- I can't remember what -- when it was filed to
9 be honest with you.

10 MR. SILVAS: So, I mean, you -- your knowledge
11 has been what, a month, a year?

12 MS. LANDEZ: No, it's been several years.

13 MR. SILVAS: Several years.

14 MS. LANDEZ: Uh-huh.

15 MS. CODERRE: Mark, you've got your hand up,
16 is there something you wanted to add?

17 MR. WEEGAR: Yeah. Mark Weegar, TCEQ. I'd
18 just like to note that every time the Kelly Air Force Base
19 files a -- a permit modification, which they have done on
20 numerous times, the TCEQ runs a compliance history and would
21 note outstanding violations in that compliance history. And to
22 my knowledge the -- the issues that Robert's bringing up have
23 never been noted there so I -- I don't know what -- Robert,
24 what the date is on this document you're citing there, but I'm
25 -- I am assuming that this is something that's old that has

1 already been settled and resolved, otherwise it would show up
2 as an outstanding violation on the compliance history. What --
3 what is the date of the document you're --

4 MR. SILVAS: 1982.

5 MR. WEEGAR: Yeah, I would assume something
6 that was cited in 1982 has long been resolved. Again, it -- if
7 it was still outstanding and had not been resolved, it would be
8 on Kelly's compliance history report that's run.

9 MS. LaGRANGE: Henrietta LaGrange. Do you
10 have something that relates that it's been resolved?

11 MR. WEEGAR: I -- I don't know anything about
12 this document. I'm just telling you that -- I'm just telling
13 you that every time --

14 MS. LaGRANGE: Can you -- can you research
15 that? I -- I -- I urge you to research that, come back with
16 information, otherwise what you just told me is out that door.

17 MR. WEEGAR: Well, that -- that is not an
18 acceptable response. But -- however, I spoke with Robert
19 yesterday on the telephone and he brought this issue up and I
20 asked him to make me a copy of the information that he had and
21 I will see what I can do to find the -- how that document was
22 -- how that particular issue was resolved. But we're talking
23 about something that is now 24 years old. And, again, we run a
24 compliance history every time a facility asks for a permit
25 modification or renewal, or what have you, and if there was an

1 outstanding issue, especially something that was 24 years old,
2 I feel pretty certain that would show up on the compliance
3 history and nothing like that has shown up on the Kelly
4 compliance history.

5 MR. SILVAS: To further close on that comment
6 from Mr. Weegar, the simple research -- if you go down to the
7 Bexar County Courthouse, these documents are readily available
8 at the courthouse. If they're in the courthouse and they're
9 open -- for one reason or the other I think that these cases
10 are open still, not closed. And on your part, your agency's
11 part, has failed to note that these -- these cases are still
12 open and pending. Secondly, this information would be
13 available through IOA Act, Freedom of Information.

14 MS. CODERRE: It's possible. I'd -- I'd like
15 to actually raise two points at this -- at this point. Number
16 one, this is a legal case. If it is still an open case it
17 would be in a court somewhere. And it is not about the
18 environmental cleanup of the former Kelly Air Force Base and
19 therefore not really something that we come here to talk about.
20 This meeting is to talk about the air force efforts in
21 conjunction with TCEQ, EPA, the LRA about the environmental
22 cleanup at the former Kelly.

23 So it might be a point of interest to -- for
24 you as community members to understand this court case that was
25 filed before the base closed and came into AFRPA hands, but it

1 is not a topic for this RAB to address.

2 We do have a full agenda tonight. We brought
3 forward issues that we understood each of you was interested
4 in. Technical assistance for public participation, which Rey
5 has made time in his schedule to be here for us tonight. As
6 well as the Semiannual Compliance Plan report, which Don has --
7 has put together a detailed presentation that -- that we hope
8 will answer all of your questions. And we'd like to be able to
9 get back on topic of things this RAB is here to discuss.

10 MR. GARCIA: Rodrigo Garcia, RAB member.

11 Yeah, I see his point but I also see yours. But the problem is
12 this, a lot of these court cases that have been building years
13 and years and years and have never been closed are due to the
14 contamination that was caused by the air force. Now these
15 cases have been filed, people filed against the air force due
16 to contamination, so they are indirectly related to what we are
17 doing.

18 So if he makes a directive or if he wants to
19 make a formal request at the next board meeting that all our
20 issues be requested and that we request a RAB meeting and put
21 it to a vote to have all legal research done on all these
22 cases, if they're related to contamination and past issues of
23 violation, fine, we'll take that up at the -- at the formal RAB
24 meeting if necessary, pass a motion and do all related legal
25 research if the case contains -- pertains to contamination and

1 was caused -- or illegal chemicals, gas or something or some --
2 this lawsuit resulting from something to do -- that is now
3 causing contamination. Okay. All right.

4 DR. SMITH: And I think the -- the thing that
5 I understand then, Mr. Silvas, you are providing --

6 MR. SILVAS: Yeah.

7 DR. SMITH: -- so folks can see that. And
8 I've promised our court reporter that we'd get the right
9 numbers for that so she can get that put in the -- put in the
10 record. And as we pick it up as action for -- for on down the
11 road. Okay. Good.

12 Ms. Landez, I think you're next on the
13 schedule.

14 MS. LANDEZ: Sorry.

15 DR. SMITH: Shouldn't have let you sit down.
16 Sorry.

17 MS. LANDEZ: Here to report on the BCT
18 minutes. We did -- I believe you see them in your packet. We
19 had a BCT meeting in February and we talked about several
20 issues. One, we received a briefing from the Lackland Air
21 Force Base folks on the property that was realigned to them and
22 some of the issues that they're concerned about having to -- to
23 report. Any waste left in place when they're done with the
24 cleanup. So they --

25 UNIDENTIFIED INDIVIDUAL: They're concerned

1 with what, ma'am?

2 MS. LANDEZ: Doing deed recordation on the
3 realignment portion of the property that -- that they've
4 received as part of the closure at Kelly Air Force Base.

5 MR. SILVAS: This is former property?

6 MS. LANDEZ: Uh-huh. Yeah. That's now
7 Lackland's property. And so they came and did a briefing for
8 us on land --

9 THE REPORTER: I'm sorry, did a briefing for
10 us on --

11 MS. LANDEZ: Land use controls.

12 THE REPORTER: Could you come this way just a
13 little bit?

14 MS. LANDEZ: I'm sorry. And, also, they're
15 doing a couple of -- closing several units on the realigned
16 property. Two of those are listed in the compliance plan that
17 we have responsibility for. And so they came and basically
18 provided us an idea of what they're going to be doing in that
19 closure and how they're going to be closing those units. And
20 they should have a closure report for both of those units ready
21 to go in the middle of the summer.

22 UNIDENTIFIED INDIVIDUAL: Did they mention
23 which one of those units -- what units they're talking about?

24 MS. LANDEZ: Yes. There's building 894,
25 container storage area, it's a container storage area that's lo

1 -- was -- has been inactive for quite awhile and is located
2 where the 433rd is. And also there's an old water separator
3 that -- and underground storage tank that has been removed but
4 further investigation needs to be done. That's within the area
5 that was the 149th, where the 149th fighter group is located.

6 Then one of the things we try to emphasize to
7 Lackland Air Force Base is because those units are located --
8 are listed in the -- on the compliance plan, that we as AFRPA
9 are responsible to submit those documents to -- to the agency
10 for review.

11 They also came to provide us a project status
12 of the Zone 1 remedial action process that they're working on
13 for the sites at the golf course, or the former golf course I
14 should say. And they also gave us a tour because they just
15 recently mowed the golf course area -- the former golf course
16 area because they're putting in some Frisbee throws and that
17 kind of thing and will eventually be a natural -- nature trail
18 park area once the remediation is done there.

19 And then we did some updates. We talked about
20 a letter that we owed to the agency on Status 4. And also
21 about some concerns that Mr. Louis, one of our neighbors, had
22 on some remedial action we had done on his property. And there
23 were no updates for Zone 4 and 5. And let's see, then we also
24 provided them with a list of documents that we're going to be
25 submitting within that next couple of -- within the next 30 to

1 60 days. And that's about it. That's all we have. We did not
2 have a meeting today. There was not a need for a meeting
3 today.

4 MR. QUINTANILLA: Was there any discussion on
5 the contaminated fish in Leon Creek there?

6 MS. LANDEZ: No, there was no discussion on
7 it.

8 MR. QUINTANILLA: Or the cleanup of the
9 sediment of the creek so that the fish would no longer be
10 contaminated?

11 MS. LANDEZ: No.

12 MR. QUINTANILLA: I just want that for the
13 record, that's the reason I'm asking the question. Armando
14 Quintanilla.

15 MR. SILVAS: One question, was there any
16 discussion also on the spill that took -- spill that took place
17 at the treatment plant? Treatment plant.

18 MS. LANDEZ: The spill that took place at the
19 treatment -- you mean the Zone 4 treatment plant?

20 MR. SILVAS: (Inaudible)

21 MS. LANDEZ: Yeah, no, there was not. That's
22 reported to the region and that's who we report to on any
23 spills. So we didn't have -- we didn't have a need to discuss
24 it with these.

25 MR. QUINTANILLA: At one time there was a

1 report made by Kelly that in that 800, 900 area there was some
2 un-exploded World War I ammunition. Was there any -- any
3 discussion on that?

4 MS. LANDEZ: I'm not familiar with that.

5 MR. QUINTANILLA: I am.

6 MS. LANDEZ: I'm not familiar with that. Now,
7 I know that the air force is in -- in the big process right now
8 of doing what they call a military munitions response program
9 and there's a large database and I've got a few sites on some
10 of my other bases that I work on, and so there -- there's an
11 active program going -- ongoing right now to review all the
12 military munition sites and to determine what needs to be done
13 for further closure, if -- if anything is necessary.

14 MS. CODERRE: To clarify, you're working on
15 those sites on other bases but you don't have any of those
16 sites identified at Kelly?

17 MS. LANDEZ: I had one, that issue has been
18 closed out.

19 MS. CODERRE: Okay.

20 MS. LANDEZ: Zone 2, there was a suspected
21 firing range area, we -- we've investigated, we do not find any
22 evidence of one. And then, of course, we have the small arms
23 range area that was on Kelly that we're also -- have to close
24 out.

25 MR. SILVAS: Two quick questions. First, that

1 weapons, does it include radioactive weapons?

2 MS. LANDEZ: No. I'm not -- no.

3 MR. SILVAS: Secondly, when are you going to--

4 MS. LANDEZ: Not on -- not on the portion of
5 Kelly that we're responsible for.

6 MR. SILVAS: When are you going to invite the
7 community to sit in and -- and be involved in this BCT?

8 MS. LANDEZ: We've already discussed -- had
9 that discussion on the BRAC cleanup team and who the members of
10 the BRAC clean up team are. We've provided that response as a
11 team to you for the BRAC.

12 MR. SILVAS: So we're not just --

13 MS. LANDEZ: We come to the RAB and to the TRS
14 meetings, each one of us are here as representatives of BCT and
15 you're welcome to provide us -- or ask us anything we -- you
16 know, that's -- we also provide you with the minutes of the
17 meetings to give you an opportunity to see what we've discussed
18 and we're here -- you know, we're here to respond to --

19 MR. SILVAS: Your discussions and comments on
20 that.

21 MS. CODERRE: Mr. Garcia, you keep trying to
22 get in here.

23 MR. GARCIA: First of all, we have brought up
24 a lot of issues on these locations, a lot. Some of these --
25 some of these same issues--Rodrigo Garcia--we've been talking

1 about have been brought up before, like World War munitions
2 (inaudible). So when you get through, read the minutes and
3 make sure that you account -- in your BCT meetings that they
4 look at every -- some of these items they talk about --

5 MS. LANDEZ: We know that on the portion of
6 Kelly that is on -- is being closed, that there is no World War
7 I munition site located on that portion. If that -- if there
8 is a site on the area that was realigned to Lackland, they are
9 responsible for investigating and doing whatever is required
10 under the military munitions response program to respond to and
11 close that site if there is -- if it can be found.

12 MR. QUINTANILLA: They're also responsible for
13 the creek, the sediment that's contaminated there in the creek?

14 MS. LANDEZ: It -- it will depend on what they
15 find in their remediation and the corrective measure study on
16 whether they need to do anything further.

17 MR. GARCIA: Another comment. We talk about
18 the zones from the BC cleanup, we end up talking about Zone 1
19 through 5 and all this. A lot of our younger, newer members,
20 like Ms. LaGrange, we have told you before that in order to
21 understand and look up a lot of this information in here, we've
22 talked about these Zone 1 through Zone 5, or whatever, these
23 people -- these newer people did not get the proper training.
24 Like when I started they gave us a bunch of material, including
25 copies of Zone 1 through 5. So whenever we discuss something

1 in a document, what zone it was or what was being done to it,
2 we go back to the cleanup plan for Zone 1 through 5, or
3 whatever, and all these other documents. We want to know about
4 the PRB's, we have documents with the PRB's, I still have those
5 -- lot of those old documents.

6 And little by little the training has become
7 worse instead of getting better. A lot of these -- these
8 people, these newer members here, should have gotten copies of
9 Zone 1 through 5, as well as a lot of this other material. So
10 they have to review -- if they see something they want to
11 discuss in here, like the BCT (inaudible) talk about this is
12 Zone 5, this is Zone 4, they -- you know, all this comes here
13 and go through this, they don't have copies, a lot of technical
14 copies, like Zone 1 through 5, and other issues that were given
15 when we had a different staff. They inundated us with
16 material.

17 So when you get training as a RAB member,
18 first thing you need to do is know what Zone 1 through 5 are,
19 what a PRB is, what this is and what that is. And they gave us
20 extensive material--right, Mr. Quintanilla--to learn what we
21 were going to do and learn how to ask technical questions by
22 reviewing the technical material.

23 And I'm very concerned that you people have
24 not given -- not enough training and not enough material for
25 the newer members to understand everything, like Zone 1 through

1 5 and the full operational data and how PRB's working and --
2 and a lot of these technical things, TC2 or TC1, or whatever,
3 so they will know about all this, the way we were given all of
4 this stuff when Patrick McCullough first started teaching the
5 RAB members. We have gone steadily down here, now we're here
6 at rock bottom because we have all this technical stuff going
7 on and some of our newer members have not given -- been even
8 given Zone 1 through 5 or any technical information to learn
9 from in order to become good responsible RAB members.

10 And that I am going to talk to Mr. Antwine,
11 because we need to have somebody train the RAB members the way
12 they're supposed to be trained so they can understand, look up
13 the data and look up where all these things, talking in the BCT
14 meetings, zone this and that, and they can see where all this
15 is coming from.

16 MS. LANDEZ: Okay. Couple other things I'm
17 sorry I forgot. We did talk about where we were on the public
18 comment period for the December 17th notice that we did on ten
19 sites that we did submitting closure documents for in Zone 2
20 area. And we received no public -- or the state didn't receive
21 any public comment, and so we're moving forward with the deed
22 recordation portion of the closure. And hopefully within the
23 next 35 to -- I mean, 30 to 45 days we'll be able to close that
24 -- those ten sites. And that's all we really talked about at
25 the BCT meeting. So if you have any other questions of me I'll

1 be happy to answer them. No? Thank you.

2 DR. SMITH: Thank you, Ms. Landez.

3 Okay. We're now into the more formal
4 presentation part of the program. Mr. Rey Nieto has been with
5 us before to talk with you about TAPP and where the current
6 TAPP process stands and how -- how one approaches that.

7 Rey, it's good to have you back, and give us
8 some information about that again. And, also, to make himself
9 available to your questions and answers.

10 Mr. Nieto, would you like to kind of talk with
11 them a little bit first and then get questions? Is that what--

12 MR. NIETO: Yeah.

13 DR. SMITH: So if you could kind of hold your
14 questions and then Rey will come back to them.

15 MR. NIETO: It's good to be with you again,
16 TRS members. I think you had requested, since the last time I
17 was before you, for me to come back again and kind of give you
18 an overview of the TAPP process. As you know, that TAPP is --
19 is approaching its lifetime maximum funding level of \$100,000.
20 And the TAPP contract -- and this is in your -- in your packet.
21 But TAPP -- as you know, TAPP contract has been in existence
22 since September of '98. And -- and we've used it. And, in
23 fact, we're the only ones at DOD that has used up to almost
24 \$100,000 maximum level. And remaining funds is only \$2,100,
25 2,175 to be exact.

1 So I guess, you know, probably in -- if -- if
2 you would like to have some more projects funded under this
3 program, we can request a waiver. I've done some extensive
4 research on this. And the waiver will have to go through the
5 under-secretary of the air force.

6 MR. SILVAS: Who is that?

7 MR. NIETO: Mr. Bill Anderson. It will go
8 through -- the -- the way the process will work, once you
9 identify the project -- and this will be on a project by
10 project basis. You're not going to get -- in other words,
11 they're not going to fund 100,000 again, it will just be on a
12 project by project basis.

13 Once you identify a project and then you have
14 a description put together, a description of the project, then
15 we can assist you in putting that together. Of course, as you
16 know, you fill out a DD form, 2749, and it -- we'll assist you
17 with that. And once you put there the -- as far as the -- the
18 project description, we can tell you -- we can assist you in
19 helping you put that together by telling you what's -- what
20 would be approvable as far as a -- we need to have a compelling
21 nature of what you need to be in there.

22 Now, also you can -- you can -- this is one
23 thing that I -- I wanted to make sure that you understood. You
24 can provide -- or nominate a provider, a technical provider,
25 one or two or -- or more than that. If you want me to go out

1 as a contracting officer and -- and look at these people to
2 make sure that they're -- they're -- they're eligible to get a
3 contract, a government contract, and I can help you with that.

4 So one of the things you can do is -- is just
5 submit a resume of someone that you would like to have as a
6 provider for you, for that particular project. And I can --
7 one of the things that they're going to have to -- to be -- to
8 be eligible for contract -- a government contract is first of
9 all they'll have to be registered in a CCR, and that stands for
10 Central Contractor Registration. And that's a mandatory
11 requirement for them to receive a contract.

12 The other requirement is that they be a
13 responsible contractor and a responsive contractor. And what I
14 mean by "responsive," if we send them -- if I send them an RQ,
15 they have to respond to that particular RQ the way we ask them
16 to -- to do that. And basically that's it.

17 We -- we look at their past performance. They
18 can't be on a debarred list anywhere. The government puts out
19 a debarred list of people that are ineligible to receive
20 contracts for various reasons. So I -- I'd look at that first
21 and -- and look and see if they had other contracts. And
22 that's basically what I look for.

23 I gave you this -- this one where it shows the
24 process. I think you've had that before. If you have any
25 questions on -- on that process, I can assist you with that. I

1 also gave you a sheet, it says, the eligible projects.
2 Basically you can, you know, go down the line there and
3 understand what they -- what's eligible and what's ineligible.

4 And then there's also in -- under the tab
5 provisions, there's -- for nominating a potential provider--I
6 gave you that sheet--there's certain requirements that they
7 must have and there's other requirements that they should have.
8 For example, one of the things that they must have, demonstrate
9 a knowledge of the -- you know, of the -- the hazardous and
10 toxic -- toxic waste issues. They must have academic --
11 academic training and -- and relevant to that particular
12 project and the ability to translate technical information into
13 layman's terms where you can understand it.

14 They should really have experience in working
15 on -- in hazardous or toxic waste problems. It's not a must
16 but, you know, I would think you would want that. Experience
17 in -- in presenting technical information, and -- and writing
18 skills. And things of that nature.

19 But basically it's -- it's pretty much there.
20 You know, so if you have any questions, I can -- be glad to
21 answer them at this time.

22 MR. QUINTANILLA: I have some questions and
23 it's a series of questions. The first question is, according
24 to your presentation here, that (inaudible) project is training
25 as appropriate. Can you expand on that a little bit?

1 MR. NIETO: Yes. I -- in fact, I can -- I had
2 a -- okay. I put some words together and, you know, I didn't
3 memorize them so I'm going to read to you what -- what training
4 means in this case --

5 MR. QUINTANILLA: All right.

6 MR. NIETO: -- as -- as far as being eligible.
7 Training, technical trainers on a specific restoration issue
8 may be appropriate in circumstances where RAB members need
9 education or supplemental information on installation
10 restoration project. TAPP may be used to obtain training to
11 assist the community in understanding the processes, health
12 effects or technology.

13 Now, the installation will provide some
14 orientation and in-house technical training to RAB members with
15 respect to the restoration program at the installation and the
16 function and the -- for the function and operation of the
17 RAB's. This program though is not intended to send people to
18 school or to pay for travel to seminars. In many cases the
19 installation will have to make a determination of whether the
20 proposed training will advance the goals of the restoration
21 program.

22 MR. QUINTANILLA: Well, that means that --
23 that we -- we could have a seminar here with a trainer.

24 MR. NIETO: Yes. And that training can be
25 provided by in-house personnel that we have at Area 4PA.

1 MR. QUINTANILLA: Now, the reason I'm asking
2 this question is because we need some training on how to
3 conduct a meeting so that it flows properly. That
4 parliamentary procedures to follow, like this is Robert's Rules
5 of Order. Could we use this amount of money that's left, the
6 \$2,100 that you mentioned, for training in parliamentary
7 procedures.

8 MR. NIETO: I don't see why not. If we can
9 get someone that, you know, at -- at least, you know, within
10 that amount and that -- that is -- and that knows those
11 procedures and has done training before on this, you know.

12 MS. CODERRE: So you don't see wording in that
13 rule that says training about the environmental program?
14 That's what I heard you say, was that the training can be
15 provided to understand the installation's restoration program,
16 not about sending folks back to school, but about understanding
17 what a PRB is, why we use slurry walls, what the ground water
18 treatment plant is.

19 MR. NIETO: Yeah. But he's saying about the
20 parliamentary procedures on how to conduct a meeting. And I
21 think that goes along with learning how to -- you know, what's
22 in the restoration program. If you can't conduct a meeting you
23 can't learn about those things. So, you know, it -- it's a
24 fine line there but I think that we can -- you know, we can do
25 that.

1 MR. QUINTANILLA: If you can do that and --
2 and I know that there's several people here in San Antonio that
3 can teach that program and perhaps we can have a special
4 meeting some day, not only for our parliamentarian, but for the
5 whole -- whole group, and use some of that money for that.

6 MR. NIETO: So --

7 MR. QUINTANILLA: As long as you approve of
8 it, that's -- you're the key.

9 MR. NIETO: I guess the question is that, you
10 know, since this program has been in existence since '98, no
11 one's ever told you or trained anyone as far as the RAB members
12 on how to conduct a meeting?

13 MR. SILVAS: You get a book, Robert's Rules.

14 MR. QUINTANILLA: And then --

15 MS. CODERRE: I think the air force would
16 disagree with the way the training is being categorized by the
17 community members at this moment.

18 MR. QUINTANILLA: Repeat that again.

19 MS. CODERRE: The air force disagrees with the
20 way the community members are categorizing the training we have
21 provided.

22 MR. QUINTANILLA: I have never seen that in
23 writing.

24 MS. CODERRE: I'm saying it right now that the
25 air force --

1 MR. QUINTANILLA: I haven't seen that in
2 writing.

3 MS. CODERRE: Mr. Quintanilla, I --

4 MR. QUINTANILLA: I hear you but I haven't
5 seen it in writing.

6 MS. CODERRE: I --

7 MR. QUINTANILLA: I want you to put it in
8 writing.

9 MS. CODERRE: -- that the air force has not
10 provided training and that we haven't gone through those
11 things. It -- and I understand that -- that Mr. Garcia has
12 been critical of the training that we have provided and has not
13 agreed that it was adequate. I understand we have a
14 disagreement about it. But to categorically state that the air
15 force has not provided any kind of training about the
16 restoration and environmental program at this base is -- is not
17 a fair characterization of the situation.

18 DR. SMITH: Ms. LaGrange, you're next.

19 MS. LaGRANGE: Henrietta LaGrange. I might
20 want to address Sonja. The air force has done very little or
21 nothing to train me. That's my answer.

22 MS. CODERRE: But you were one of the
23 community members that did attend orientation where we went
24 through the history, the purpose, the legislative reason why we
25 have this body. We discussed the purpose of this body, we went

1 through what this body is here to discuss, what it's not here
2 to discuss. We had Mr. Buelter and Ms. Landez present
3 information about each of these zones, about the different
4 environmental statement that we came to when we started at this
5 base, about where the base is or was on that day.

6 They discussed in detail the different
7 environmental measures that we're using at this base.
8 Mr. Buelter did a fabulous explanation on what the PRB's do,
9 how those work, the ground water treatment plants, how the
10 wells work. All of that was discussed.

11 In addition, when you were appointed as the
12 parliamentarian, Ms. LaGrange, you were provided a video, you
13 were provided a book by the air force. We had had that
14 discussion and we have tried very hard. We've provided
15 reference materials to this RAB. Now, we may disagree that you
16 don't believe you've been -- that -- that what we think is
17 adequate, you don't think is adequate. Again, I say, but to
18 categorize that the air force has done nothing to train and to
19 provide training on our environmental restoration program is an
20 unfair characterization.

21 MR. QUINTANILLA: It's not unfair and --

22 MS. CODERRE: Okay.

23 MR. QUINTANILLA: On -- on the meeting that --
24 that you had in here, you never did tell us about the different
25 sites that there were, you never did take us until I demanded

1 that we -- that you get a bus and take us to the different
2 sites. And this happened at night where we couldn't see the
3 sites. We -- we need something better than that. We know
4 what's -- we need to know what sites you're cleaning up, what
5 are you cleaning them for, in broad daylight. And, you know,
6 we talked about this munition being up there at Lackland. Of
7 course it's no longer ours. But we need someone to point it
8 out to us, there it is.

9 MS. CODERRE: And -- and that on Lackland
10 would be a great opportunity for you to become involved in the
11 Lackland CCR where they do discuss that.

12 MR. QUINTANILLA: And what we --

13 MS. CODERRE: But I will point out --
14 Mr. Quintanilla, let me finish --

15 MR. QUINTANILLA: See, you're -- you're
16 putting it on me and I don't want that.

17 MS. CODERRE: If I could finish my sentence.

18 MR. QUINTANILLA: Well, you're not letting me
19 finish.

20 MS. CODERRE: Mr. Buelter is going to make a
21 presentation --

22 MR. QUINTANILLA: This is the reason we need
23 the -- this parliamentary training because here we have staff
24 that's trying to pound what they're doing into our heads and
25 what they're doing is not what we want to know.

1 MR. NIETO: But I would think that anytime
2 there's a new member appointed to the RAB that they -- you
3 should have proper orientation for that. And if that's not
4 happening you need to let Mr. Adam Antwine know about that. I
5 mean, you know, you -- you should be because you need to become
6 familiar with what's going on with the RAB and the TRS. I
7 mean, I know that TRS is a subcommittee of the RAB, but once
8 you're appointed there, you can't just come in cold.

9 And I would have thought that back in '98, the
10 first thing -- the first rule of order would have been to
11 orient you on the -- the proper rules of how to conduct a
12 meeting. If that wasn't done, I mean, here we are almost
13 reaching the 100,000 lifetime maximum amount that we can have--

14 MR. QUINTANILLA: But let me stop you right
15 there. I want to just read to you what paragraph 10.9.3.3 says
16 of the management guidance for the defense environmental
17 restoration program dated September 2001. And -- and then I'm
18 going to cut it off.

19 Waivers to the 100,000 total and the 25,000
20 annual funding limits may be approved by the components
21 environmental deputy assistant secretary or equivalent. So
22 that means that we can go in for a block of \$25,000. As I read
23 it.

24 MR. NIETO: Well, it --

25 MR. QUINTANILLA: It doesn't say that just for

1 one project.

2 MS. CODERRE: No, sir. And -- and it doesn't
3 say just for one project. You're absolutely right. Please
4 don't -- please don't misunderstand me. Please allow Mr. Nieto
5 to explain where that 25,000 number comes from.

6 MR. QUINTANILLA: Well, it's right in here.
7 And this is dated 2001, September 2001, Mr. Nieto. And I --
8 I'd be willing -- I got this from the Department of Defense and
9 I'm willing to share it with you.

10 MR. NIETO: Well, and I did research on that.
11 And -- and I'll take a look at that. But the research that I
12 have, it says -- and if you -- you allow me to read this, the
13 department -- DOD regulations which are clearly defined in
14 (inaudible) Code of Federal Regulations CFR 203 state that the
15 combined sum of purchase orders cannot exceed \$100,000 or
16 during any one year the lesser of 25,000 or one percent of the
17 installation's total -- total proposed project environmental
18 restoration cost to complete.

19 So we -- we've -- we've had the \$100,000,
20 we've -- we're right there at that ceiling. So now it -- it's
21 the -- the waiver that we are going to get is for once you
22 identify a project, that will be a project by project. Now, if
23 it costs -- if we estimate the cost to be 25,000 or less, well,
24 you know, that's what we'll request. But what I will do is
25 I'll go out and ask for quotes from the providers that you

1 refer -- that you would like to nominate. Or I can get some on
2 my own by going out and -- and advertising.

3 MR. QUINTANILLA: Okay. What we would like to
4 do -- and I'm going to bring this up to you, Mr. Silvas -- is
5 you establish a committee, and I would like to be a member of
6 that committee, to meet with Mr. Nieto so that we can put in
7 this process in writing and help -- get help with them on the
8 typing and all of that and send it off to the assistant
9 secretary of the air force. And I would like that to be on --
10 on the record. And as soon as you say that we had it and make
11 arrangements with Mr. Nieto for a date and time and we'll sit
12 with him and -- and we'll go over it.

13 MS. CODERRE: And, Mr. Silvas, that's the same
14 process that you and I went through when we did the application
15 for the Lynch (phonetic) report for TAPP. So it's just about
16 repeating that same process and making the request for this.

17 MR. NIETO: And, also, would like to add that,
18 you know, when I did the research I also ran it through the
19 attorneys that we have on staff and they're the ones that
20 approve the wording on this. But -- you know, so the attorneys
21 know. But I don't mind sitting down with you and going through
22 the --

23 MR. QUINTANILLA: It's going to be a two-prong
24 project. One is on parliamentary training and, you know,
25 running a good environmental restoration board, and the other

1 one is the best use of the balance of money that we have and --
2 and the -- for the 25,000 or whatever amount you come up with.

3 MR. NIETO: Okay. But just remember you need
4 to identify, you know, your next project.

5 MR. QUINTANILLA: We'll -- we'll get a list of
6 all the projects for the -- for -- for fiscal year 2006. I
7 imagine they already got it because they have funding for that,
8 we'll bring those to you.

9 MS. CODERRE: Mr. Garcia's had his hand up
10 several times.

11 MR. GARCIA: Rodrigo Garcia. We've been
12 debating a lot of issues, but first things is the training.
13 The training is not there. So that's why I want you to
14 consider a TAPP project to get with these others to hire a
15 professional to come and train the new board members and the
16 older ones if we want to go on what's the proper documents.

17 A teacher does not go into the classroom and
18 teach 20, 30 students without a textbook or without learning
19 --even pamphlet documents like that. Even on seminars I go to
20 for my asphalt final exam, my concrete exam, we -- we -- they
21 give us material to study and review so when the teacher gives
22 us a lecture, we follow on the materials. That's normal
23 teacher procedure, been followed for years and years and years.

24 Same thing with training. You're going to
25 train, going to hire professional trainers to train us on all

1 -- everything that we're concerned about, everything going on
2 with the BCT and all of this, we're going to use the TAPP money
3 to hire somebody that's qualified to train us and wants to
4 train us and has the initiative to work with us to train us.

5 And I want part of that money to figure out a
6 budget so we can get a professional trainer to teach us on Zone
7 1 through 5, to teach us on all the issues we have, to teach us
8 on what's going on, on all the major problems, to teach us a
9 history of all of this.

10 When I first went through with Mr. McCullough,
11 we went four Saturdays, four Saturdays, and we got all -- got
12 copies of Zone 1 through 5, plus a multitude of material.

13 MR. NIETO: Who was that?

14 MR. GARCIA: Patrick McCullough, the -- the
15 director that was here before Adam Antwine. Because that was
16 back -- I started on this RAB from the very beginning.

17 MR. NIETO: So you did get training back then?

18 MR. GARCIA: Yes, sir. We came four Saturdays
19 in a row, four Saturdays.

20 MR. QUINTANILLA: Without pay.

21 MR. GARCIA: Without pay we came in here. The
22 community members came to the thing without pay when this thing
23 was -- when we had an open -- open -- an open-mind staff, with
24 Patrick McCullough's staff, the ones who -- including William
25 Ryan, who went with us and answered all our questions

1 (inaudible) Zone 1 through 5. You know, we need that type of
2 professional training for the new members as well as the old
3 ones to refresh us.

4 Because at -- at that time there was a lot
5 more going on than there is now, yes, but we still have a lot
6 of things going on right now that need to be covered by a
7 professional trainer, somebody that really cares to work with
8 us, somebody that's going to cover everything that we ask
9 about. Somebody that's going to explain everything that goes
10 on with the BCT, that's going to explain everything that's
11 going on in Zone 1 through Zone 5. That's going to be able to
12 take our questions and answer all our concerns over the past
13 history and what's been going on since Patrick McCullough
14 started all of this.

15 You know, we need somebody that's
16 professional. Why don't you look into that with the TAPP
17 funding, see if we can hire somebody that can study Zone 1
18 through 5, study everything going on, and then have the
19 confidence to come in here and teach us what we're supposed to
20 be taught. We need to be taught properly. We need to know
21 extensive knowledge of what's going on. And that needs to be
22 taught by professionals with an open mind that's going to
23 dedicate them self to teaching us and not start arguments at
24 some of these meetings, like we've been fighting every TRS
25 meeting, every regular board meeting. We've been fighting over

1 you (inaudible), no, you haven't, yes, you have. I'm tired of
2 that crap. I've been involved since the beginning. It needs
3 to stop now.

4 MR. NIETO: Well, I'll sit down with you. But
5 first I need to sit down with Adam and Sonja and our staff to
6 look at -- look into that request that you just mentioned.

7 MR. QUINTANILLA: Well, we -- we can do it
8 another way. I can go congressional on this.

9 MR. NIETO: Yeah, there's other ways of doing
10 it. There -- there could be volunteers, we could find a
11 volunteer from UTSA or another school to come in and ask -- and
12 sit down with you guys would be -- you know, that's one of the
13 things they ask us to do is look first at volunteers, look at
14 people that we have on staff, and that way we don't have to
15 spend the money. But, you know --

16 MR. GARCIA: Ever since -- ever since -- ever
17 since Antwine came in here, is -- is more interested in cutting
18 costs and getting whatever he can done with staff. He doesn't
19 care about the arguments, he doesn't care about the bickering,
20 his is a money aspect.

21 MR. NIETO: Who is that?

22 MR. GARCIA: Antwine.

23 MR. NIETO: Oh.

24 MR. GARCIA: It -- it shouldn't be that way.
25 I know there's a lot of (inaudible) cost. The more he cuts

1 down on paperwork and written material that he gives us, the
2 more we know -- the less we know about the BCT and we know
3 about this, then the better it is for him because he doesn't
4 have us breathing down his neck. So that's what's been
5 happening ever since he came in here. And I'll put a stop to
6 it. I've already gone congressional once, I'm not afraid to do
7 it again.

8 But we need to deal with this issue, need you
9 to talk about funding for somebody to train us, somebody to
10 give us all the information and the proper training and the
11 proper material for us to review while we're getting the
12 training. And that's something that they cannot fight with me
13 about because everybody knows the new members of the board have
14 not received their proper training the way the former board
15 members -- the -- the original board members, like Gene Lenay
16 (phonetic), myself and others from when we got -- when we had
17 to attend orientation and training session four Saturdays in a
18 row.

19 DR. SMITH: Mr. Silvas, you had your hand up.

20 MR. SILVAS: Couple of questions. Some of the
21 future (inaudible) TAPP's are funded, I think one in
22 particular, my concern is like the existing documents in the
23 library downtown, have those reviewed and looked at and have a
24 study done on how those are completed or uncomplete --
25 incomplete. Get someone fresh --

1 THE REPORTER: I'm sorry, get someone --

2 MR. SILVAS: -- see what's --

3 THE REPORTER: I'm sorry, could you repeat
4 that? Get someone --

5 MR. SILVAS: The documents at the downtown
6 library, the Kelly Air Force Base documents, need to be
7 reviewed and looked at from a professional standpoint, because
8 I know I've been through there once or twice and the documents
9 and the updates seem to be inconsistent. But something like
10 that would be covered through that process?

11 MR. NIETO: Is that an extensive part of the
12 library?

13 MS. CODERRE: Are you asking for an update
14 maintenance of the administrative record --

15 MR. SILVAS: Yeah.

16 MS. CODERRE: -- information repository? Is
17 that --

18 MR. SILVAS: Yes.

19 MR. NIETO: Well, something that -- that will
20 -- you know, if -- if that's going to help you in the -- in the
21 knowledge of the restoration program that we have, certainly,
22 it would be I would think.

23 MR. SILVAS: All right. Secondly, the current
24 contractors that are being used at Kelly at the remediation,
25 you have CH2M Hill, you have SAIC, are those the only two that

1 are now under contract for the Kelly?

2 MR. NIETO: Yeah. Those contracts were
3 awarded through AFCEE and those -- SAIC's -- in fact, I didn't
4 even know about C -- CH2M Hill, but yeah. Yeah.

5 MR. SILVAS: How -- how much further do they
6 -- are their contracts going for? Are they going to be -- are
7 they renewed yearly or --

8 MR. NIETO: Well, typically the way that --
9 that AFCEE awards those contracts, because those are high
10 dollar value contracts, those are awarded with one basic year--

11 THE REPORTER: I'm sorry, with one basic --

12 MR. NIETO: One basic and -- and four option
13 years. A total of five years. But, you know, since I'm not
14 familiar with those, I can't really speak to them because I --
15 I haven't seen those contracts.

16 MR. SILVAS: Okay.

17 MR. NIETO: But I'm just telling you about how
18 they're typically awarded and so -- but, I mean, you know,
19 that's something that we can look into if you would like.

20 MR. SILVAS: Who would know more about those
21 and explain those contracts with us?

22 MR. NIETO: Well, you would have to come to me
23 and I would -- I would go to AFCEE and find out about those
24 contracts.

25 MR. SILVAS: Where's their office at?

1 MR. NIETO: At Brooks. Okay?

2 MR. QUINTANILLA: Overall, how much money has
3 been spent on contracts since the beginning of this cleanup at
4 Kelly? Do you know offhand?

5 MR. NIETO: No.

6 MR. QUINTANILLA: I understand it's over 300
7 million. Is that -- is that ballpark or near ballpark? You
8 don't know?

9 MR. NIETO: I -- I couldn't tell you. You
10 know, I don't think it's that much but I just don't know.

11 MR. QUINTANILLA: Last time I heard it was 250
12 and recently I heard it was 300 million.

13 MR. SILVAS: Could you provide some of the DD
14 2749's for us next meeting?

15 MR. NIETO: Sure.

16 MR. SILVAS: There's a web site on the web
17 that lists contractors that are available through DOD, that
18 they're qualified contractors?

19 MR. NIETO: Yes.

20 MR. SILVAS: What is that site called?

21 MR. NIETO: Fedbizopps.

22 THE REPORTER: Say it again.

23 MR. NIETO: Fedbizopps, dot, gov. It's
24 f-e-d-b-i-z-o-p-p-s, dot, gov. And, you know, we can -- I can
25 do a search by NAIC's code, and that's the North American

1 Industrial Commercial code, on how -- on -- we put a code on
2 everything and we -- and I'll look up that particular code and
3 it will come out a list of contractors that are -- that are
4 qualified for that particular code. So I can do that for you,
5 too. But it -- like I said, if you have some people in mind
6 that you would like and they are qualified, we will look at
7 them, too.

8 MR. QUINTANILLA: As long as it has diversity.

9 MR. NIETO: Right.

10 MR. QUINTANILLA: Make sure that there's women
11 and minorities --

12 MR. NIETO: Oh, yeah.

13 MR. QUINTANILLA: -- in the contractors.

14 MR. NIETO: Typically we are required and --
15 and mandated by congress to look at small businesses first.
16 And any contract under \$100,000 or up to 100,000, we -- they
17 are automatically set aside for small businesses. And then we
18 look at women owned and small disadvantaged and --

19 MR. QUINTANILLA: Very good.

20 MR. NIETO: Okay. Thank you.

21 DR. SMITH: Appreciate it. I understand
22 Mr. Nieto has to leave --

23 THE REPORTER: I'm sorry, I couldn't hear you.

24 DR. SMITH: Sorry. Truck went by. Mr. Nieto
25 is going to have to leave shortly, if there's any questions, if

1 somebody has a question to catch him before.

2 Okay. We are now down to looking at the
3 announcement of the liver study, PCEH. Kyle, I'll turn it to
4 you.

5 MS. CUNNINGHAM: Well, I -- yes, just for a
6 second. But I'm Kyle Cunningham, program manager for the
7 Public Center for Environmental Health, which is part of the
8 health department. I want to introduce Melanie Rodriguez, who
9 is our epidemiology program manager. And Melanie will tell you
10 a little bit about the liver cancer study. We also have Amy
11 Carbajal with the company that's actually doing the study. And
12 I'm sorry, I'm --

13 MS. WILLIAMS: Martha Williams.

14 MS. CUNNINGHAM: Who is also with the company
15 tonight, with us tonight. Melanie.

16 MS. RODRIGUEZ: Good evening. We just wanted
17 to take this opportunity to let you know about our liver cancer
18 study that is starting now. February 9th was the kick-off and
19 some of y'all were there.

20 A little bit of background. Back when ATSGR
21 was requested to do the public health assessment around Kelly,
22 they requested T -- the Texas Department of State Health
23 Services to look at liver cancer rates, along with others, and
24 they did notice that there were some elevations in certain zip
25 codes around Kelly. The Texas Department of State Health

1 Services was requested to look at them again at a later date
2 and they did so in 2003. And that was 18 zip codes. And,
3 again, they found some elevations remaining in some of those
4 zip codes.

5 Which leads us to 2005. And the Texas
6 Department of State Health Services report that was released in
7 March of 2005 showed again elevations in liver cancer incidents
8 and mortality. It was at that time that San Antonio
9 Metropolitan Health District, with the support of the ATSDR and
10 the Department of State Health Services up in Austin decided we
11 that need to do a little bit of investigation into liver cancer
12 study -- excuse me, into liver cancer.

13 Just some background information. A cancer
14 cluster is defined as the occurrence of a greater than expected
15 number of cases within a group of people, a geographic area or
16 a period of time. And a suspected liver cancer cluster --
17 excuse me, a suspected cluster is more likely to be a true
18 cluster if it involves either a large number of cases of a
19 specific type of cancer, a rare type of cancer or a number of a
20 specific type of cancer in a population that normally does not
21 see that type of cancer.

22 The Centers for Disease and Control has come
23 up with a tiered system of investigating cancer clusters.
24 There's four stages. The first one is when a cancer cluster is
25 reported to, for example, the Texas Department of State Health

1 Services. Most reports of cancer clusters are resolved that
2 moment, at -- at that time. In which just general information
3 about how cancer clusters are grouped and the nature of cancer
4 risk.

5 If it's determined that it needs to be
6 investigated further it moves on to Stage 2 where it's
7 determined if a statistically significant excess of cancer
8 exists by comparing the expected number of cases to the
9 observed number of cases. And that's where the TDH -- excuse
10 me, the Texas Department of State Health Services studies came
11 into. We're now at Stage 3, in which we're determining the
12 feasibility of conducting an epidemiological study to examine
13 cancer and the exposures or exposure of concern.

14 There are 14 zip codes in our study area.
15 Again, all cancers are reported to the Texas Cancer Registry up
16 in Austin. We in August put out a request for funding and put
17 out a request for qualifications in which we solicited study
18 proposals from qualified companies, and HCRS was selected for
19 this study.

20 The way that this is going to be handled or --
21 or done, and briefly, is records of liver cancer cases will be
22 obtained from the Texas Cancer Registry for cases that occurred
23 between 1995 and 2002. From there, selected cases or their
24 next of kin will be selected to complete a questionnaire,
25 either they can fill it out at home or do it over the phone.

1 It will focus primarily on personal risk
2 factors for liver cancer, such as smoking history,
3 occupational, residential history and military history. All --
4 all cases or the next of kin who call in to volunteer to
5 complete the questionnaire will be given a questionnaire and
6 the results will be included in the study.

7 There is a local number here, they do have a
8 regional office, the contractor, their number is 341-8200. And
9 there are handouts right over there with this information on
10 it. I'm sorry. Anyway, if you could, just please get the word
11 out. We're interested in hearing from as many people as
12 possible so we can start sooner. Yes, question.

13 MS. LaGRANGE: Ms. Rodriguez, you said for us
14 to get the word out. What are you doing to get the word out?

15 MS. RODRIGUEZ: Well, we launched the program
16 on February 9th and at that time in the study area we mailed
17 out 23,500 letters to the residents. We also had a media day
18 on February 10th. And I'm sure you saw it on the news, it was
19 on all the major stations. It has been written up in the
20 Express News. There was also articles in the South Side
21 Reporter and La Prensa.

22 MS. LaGRANGE: Do you have copies of those?

23 MS. RODRIGUEZ: I can get you copies, yes.

24 MS. LaGRANGE: And you said a little bit of
25 study. What does a little bit of study mean?

1 MS. RODRIGUEZ: I'm sorry, I --

2 MS. LaGRANGE: I -- I am quoting when you
3 said, we're doing a little bit of study for liver cancer. What
4 does --

5 MS. RODRIGUEZ: I think I said a little
6 history perhaps.

7 MS. LANDEZ: You said "feasibility."

8 MS. RODRIGUEZ: Oh, feasibility study.

9 MS. LaGRANGE: Oh, feasibility, I --

10 MS. RODRIGUEZ: That's to determine what we
11 need to do --

12 MS. LaGRANGE: I understand the word --

13 MS. RODRIGUEZ: Oh, okay.

14 MS. LaGRANGE: -- I just heard wrong.

15 MS. RODRIGUEZ: And Mr. Silvas.

16 MR. SILVAS: Yes. Okay. (Inaudible) article
17 dated August 31st, 2005.

18 THE REPORTER: I'm sorry, I can't hear you.

19 MR. SILVAS: This is an article from the
20 Express News, August 31st, 2005, bears some pictures of health
21 mix, talks about health and social walls that reside in the 10
22 zip codes. Let's start by the preventable deaths, analyzing
23 death trends, the Metropolitan Health District --

24 THE REPORTER: I'm sorry. You're going to
25 have to speak up -- or slow down just a little bit.

1 MR. SILVAS: Analyzing death trends. The
2 Metropolitan Health District graded how successfully Bexar
3 County has reduced preventable deaths. In 2004 you had 2,163
4 cancer cases, 496 cases of diabetes, 2,622 heart disease, and
5 lung disease 606. I think a lot of these issues here, at least
6 the illnesses raise flags. And if you're living around base in
7 the 10 zip code to begin with and from what we had discussed
8 with the mayor at a previous point, this letter dated January
9 28th, 2005, we had requested that due to the study by the AS --
10 ATSDR and the low birth rate, defects, in or around Kelly, that
11 were done on research on all cancers, including Leukemia and
12 low birth rate and birth defects. Yet when you guys come
13 forward with this study and you're only looking at one
14 particular study --

15 MS. RODRIGUEZ: Oh, sure. I -- I can answer
16 that. I don't know if you got the results of the Texas
17 Department of State Health investigation results for the low
18 birth weights and the -- the birth defects, and they did
19 investigate that and there was nothing more there that we could
20 do at this time. The data just didn't support further
21 investigation on those two items.

22 We also looked at Leukemia and, again, the
23 most recent data that they had did not support another -- liver
24 cancer is the only one of those four that were investigated --
25 and all those results came out in March of '05. Liver cancer

1 was the only one that would be even -- I'm not saying that the
2 others are not important. They are. But there's only so many
3 resources that we can use and we have to focus those where we
4 can. And this is -- liver cancer has consistently been
5 elevated in the zip codes around Kelly. So that is why it was
6 chosen.

7 MR. SILVAS: Why would you only depend on the
8 Texas Department of Health statistics? Why don't you go to
9 other agencies, social security and such?

10 MS. RODRIGUEZ: Well, the reason is is because
11 the federal law requires states to keep track of cancer cases
12 and that's just where the cancer information is. They also
13 have the Birth Defects Registry for the State of Texas, so they
14 have the data.

15 MR. SILVAS: But using the -- the federal
16 data, too, wouldn't you be able to get a more clear picture on
17 the cases?

18 MS. RODRIGUEZ: Well, the federal data is
19 going to be more an aggregate data, it's not going to be
20 localized down to the -- you know, that the state level's going
21 to have it. Anyways, what they -- we do is local is reported
22 to the state where it's kept, it's the repository information,
23 from there it's reported to federal. So the Texas Department
24 of Health is going to be the best source of data for this,
25 these studies.

1 DR. SMITH: David, I'm sorry, you're trying to
2 get in.

3 MR. PLYLAR: My name is David Plylar, I
4 represent council-woman Patti Radle. My question has to do
5 with those risk factors that you mentioned.

6 MS. RODRIGUEZ: Yes.

7 MR. PLYLAR: And among those risk factors I
8 didn't hear you mention close proximity to contaminated areas
9 at Kelly. Now, is that going to be one of the risk factors
10 that you'll deal with?

11 MS. RODRIGUEZ: I did not -- first let me
12 state I did not list all the risk factors, those are just a
13 few. There are many risk factors for liver cancer and for more
14 information, general risk factors for the cancer are on one of
15 the handouts.

16 And not necessarily is it we're looking at is
17 a risk factor. What we're trying to determine is if it's
18 potentially related to contamination. And the only way that
19 they do that is to look at the area. It will be compared to
20 rates for liver cancer across Bexar County and that will sort
21 of -- what this is doing is sort of filtering. This is what we
22 know and this is where we're trying to go. So that's going to
23 be one -- hopefully an outcome of this study is if we can
24 determine if the environmental contamination is a potential
25 cause for the elevation.

1 MR. PLYLAR: Okay. When you say filtering,
2 you're talking about a statistical regression analysis or
3 something of that line?

4 MS. RODRIGUEZ: Not at this point. Not at
5 this point. All we know is that there are elevations in these
6 zip codes, we're taking a closer look now at individuals and
7 the risk factors, whether it be occupational, have they worked
8 with such and such chemical, have they been exposed to this,
9 what's their history of smoking or diet, have they -- you know,
10 and then we're going to narrow it down. Hopefully this will
11 lead us in the direction where we can maybe hopefully find a
12 reason for these elevations.

13 MS. CUNNINGHAM: One of the things also when
14 we went -- and actually the last time that the Texas Cancer
15 Registry looked at this area was because we went to them and
16 requested, also the Birth Defects Registry and the low birth
17 weight.

18 We went up to Austin, visited with them and
19 told them really what we were interested in was looking at a
20 one mile radius around Kelly and to see if -- if anything
21 popped out of that. Because of HIPAA law, we'd actually asked
22 them to do that, give us a spacial to do, you know, GIS, so we
23 could see if we really did have spacial clusters, clustering.
24 Because of HIPAA laws they wouldn't do the GIS for us, but they
25 did run the analysis.

1 And, again, we asked for -- I think that the
2 letter that you were referring to, or one of the letters, we
3 listed a whole range of cancers or -- or types of cancers. And
4 they looked at all of those. And, again, as it had in the
5 past, liver cancer popped up as being the elevated cancer.
6 Leukemia didn't. And as Melanie said, it doesn't mean that
7 it's not important, doesn't mean that we're not still looking.
8 But -- and I think that there will be some questions in there
9 on Leukemia. Yes?

10 MR. QUINTANILLA: Yes, two questions. When
11 will the study be completed?

12 MS. RODRIGUEZ: Well, it was hopefully going
13 to be done at the end of the summer, with results out in
14 September. With the way that we have to request the data from
15 the Texas Cancer Registry, we have to submit to them a request,
16 they will review it, determine if it's something that they can
17 do -- which we know they can, that's not the problem, but they
18 want to review our protocol and make sure we're doing
19 everything scientifically. That's -- I -- I can't -- nobody
20 can say how long that process will take. But we're hoping to
21 have everything out by the fall.

22 MR. QUINTANILLA: Second question. What is
23 the cost of this study?

24 MS. RODRIGUEZ: It was bid in at 20 -- just
25 under 20,000.

1 MR. QUINTANILLA: How much?

2 MS. RODRIGUEZ: Just under 20,000. I think it
3 was 19,999.

4 MR. QUINTANILLA: Okay. The other question
5 that I have is for Kyle. Kyle, the air emission study and --
6 which reminded me about one mile area close to Kelly, the
7 runways, what -- whatever happened to that and our request to
8 the mayor that -- you know, that this type of thing go through
9 and y'all's answer that -- what is going to happen to that?

10 MS. CUNNINGHAM: Well, actually, you know,
11 when they -- when ATSDR came down and -- and several of the
12 other agencies, it was in December, if I remember right, very
13 close to Christmas, but that's when the Restoration Advisory
14 Board wanted that meeting. We -- that was one opportunity when
15 all the agencies were there and so we visited about what should
16 we do next. And that's where this came from. Basically the
17 epidemiologist with ATSDR said that he really thought we needed
18 to take this next step. And they did work with us on -- on
19 taking the next step in the liver cancer --

20 MR. QUINTANILLA: So they recommended this in
21 lieu of the air emission or Leukemia and that sort of thing?

22 MS. CUNNINGHAM: Not in lieu of, no. Not in
23 lieu of.

24 MS. RODRIGUEZ: As a priority.

25 MS. CUNNINGHAM: But as a priority. But we

1 did look at Leukemia and that's why we looked at that whole
2 area around, that whole one mile radius --

3 MR. QUINTANILLA: So is that -- is that
4 project dead?

5 MS. CUNNINGHAM: I don't think anything is
6 really dead because we continue to -- to monitor. I mean,
7 that's something that the health department does.

8 MR. QUINTANILLA: Okay.

9 MS. CUNNINGHAM: On a yearly basis we put out
10 the healthy profiles report, and basically that's what we're
11 looking at is what is the health of the community, what is the
12 health of Bexar County.

13 MR. QUINTANILLA: And I -- I think that's very
14 important. How much money is still left for these studies?
15 How much money is still available?

16 MS. CUNNINGHAM: Well, Mr. Quintanilla, I know
17 that at one meeting y'all mentioned \$5 million had been given
18 to the health department and I want to make that point that we
19 have not received \$5 million.

20 MR. QUINTANILLA: But you're supposed to
21 receive one million every year or --

22 MS. CUNNINGHAM: No, sir. No, no, no.

23 MR. QUINTANILLA: Or a half a million over a
24 ten year period? Something like that.

25 MS. CUNNINGHAM: Basically it -- it's supposed

1 to be \$5 million over a ten -- ten year period --

2 MR. QUINTANILLA: So that's half a million.

3 MS. CUNNINGHAM: -- about 500,000 a year.

4 MR. QUINTANILLA: Yeah.

5 MS. CUNNINGHAM: What this is really is the
6 city is on a reimbursement basis with this. The city -- you
7 know, we -- we spend the money, the city pays for it. We have
8 a revolving fund that -- that is, as we spend the money, then
9 we submit reimbursement packages and the air force reimburses
10 us for those expenses, if they agree with them. And so we have
11 not received \$5 million.

12 MR. QUINTANILLA: No, I understand that.

13 MS. CUNNINGHAM: We're about -- we're about
14 halfway through that. Now, the way these projects usually run,
15 and this was the way this one was envisioned also, your
16 start-up years you're not going to spend as much money. As you
17 kick things in, some of your other expenses are not going to be
18 as -- as -- as you go up through the years, kind of get to
19 about where we are now. We're starting to launch the -- this
20 is just a feasibility study. All right. Depends on what comes
21 out of this feasibility study. The next study could be much
22 more expensive because it's going to be much more in depth. So
23 those moneys will then -- we'll have to ask for larger moneys.

24 MR. QUINTANILLA: My last question. What
25 other feasibility and studies or other kind of studies do you

1 have in mind with the rest of the money?

2 MS. CUNNINGHAM: Well, basically we're --
3 we're -- there's a list, I think, in your packet of studies
4 that we have done. This year we're going back and we're
5 looking at Leon Creek, again, we're looking at the edible
6 portion of fish in Leon Creek. That's being done through the
7 Texas Department of Health -- Texas, let's see --

8 MS. RODRIGUEZ: Texas Department of State
9 Health Services.

10 MS. CUNNINGHAM: There you go. Their new
11 name. I've been around too long, I still call them their old
12 name. But anyway, they're the folks that have the authority to
13 say, yes, there are problems with this fish, no, there are not
14 problems. So we're -- we'll be doing that study this year.

15 Also, we've got the continuous water
16 monitoring study that -- it's not really a study, it's
17 continuous water monitoring. You can go either our web site or
18 actually the TCEQ web site and that's updated every hour. So
19 we have two stations, one above, one below. Let's see,
20 that's -- that's not nearly all of it. Yes. We're looking at
21 chronic diseases also and that's liable to take us into
22 additional health studies and which would --

23 MS. RODRIGUEZ: That would be like the
24 diabetes that you mentioned, Mr. Silvas.

25 MS. CUNNINGHAM: That would be more expensive.

1 And I'm still blanking on things that we're doing right now,
2 Mr. Quintanilla.

3 MR. GARCIA: Rodrigo Garcia. How about
4 childhood diseases, like going to the schools and -- and
5 interviewing kids and -- could we put that to the -- to the
6 test in --

7 MS. CUNNINGHAM: It's really --

8 MR. GARCIA: -- corroboration with the school
9 district?

10 MS. CUNNINGHAM: Well, that's just it --

11 MR. GARCIA: Just give them questionnaires or
12 something like that?

13 MS. CUNNINGHAM: That -- that gets --

14 MR. GARCIA: That's not legal?

15 MS. CUNNINGHAM: -- really, really difficult,
16 because then -- and health stuff is really difficult. Linda
17 might be able to speak to it better than -- than I -- well,
18 Linda definitely can speak to it better than I can. But when
19 it comes to doing these sorts of things, you have to go through
20 basically these IRB processes. It's private information. I --
21 you know, it's -- you know, maybe you'll -- you want your --
22 all of your health information out there, most people don't,
23 and especially when it comes to the kids. You know, the
24 parents just are not -- and the school districts are not real
25 willing to even let you walk through the door on something like

1 that.

2 MR. GARCIA: Okay. I was just curious.

3 MR. QUINTANILLA: When we first started on
4 this with the Southwest Workers Union, a lady by name of Joanna
5 Bond -- you know, we made a study of the children in -- in the
6 different schools around Kelly and they all had a high asthma
7 rate. We didn't -- you know, it wasn't by name or anything.
8 We just went in and asked, you know, what is the most prevalent
9 (inaudible) --

10 MS. CUNNINGHAM: Well, let me speak to that a
11 little bit. Go ahead.

12 MS. RODRIGUEZ: Well, I was going to say,
13 someone down at the health department, John Erlinga (phonetic)
14 has compiled those numbers of children with special ed needs or
15 deafness, blindness, as well as asthma. But, again, that's a
16 few years old. I -- I can't speak to how, you know, correct it
17 is.

18 MS. CUNNINGHAM: But let me speak to the
19 asthma and let you -- let me tell you what we're doing in this
20 area when it comes to asthma. And we've been working on this
21 for a couple of years now. And I -- I wish it could have been
22 done quicker.

23 Originally, we put a proposal to the air force
24 to fund 2.5 monitors to be put in this area. The air force
25 came back and said, no, couldn't use that money for that,

1 because it didn't have to do with the contamination of Kelly.
2 We were monitoring and looking at air today, not air ten years
3 ago.

4 Okay. That set us back a whole year because
5 we went through a process of saying, can we look at this, and
6 they said, well, yeah, do a proposal. So we did a proposal,
7 those aren't quick to do. Then they came back and they said,
8 well, do additional work on the proposal. We did additional
9 work on the proposal.

10 MR. QUINTANILLA: Gave you the run around.

11 MS. CUNNINGHAM: Then they came back and they
12 said, no, we won't fund it. But we didn't give up. Because I
13 don't give up. And my staff doesn't give up.

14 So we went out and we started looking at other
15 things. We worked a partnership with TCEQ. TCEQ was very
16 willing to work with us on this project. They also wanted to
17 know about the air quality and wanted to get some good baseline
18 numbers for air quality in -- in this part of San Antonio.

19 If you look at where 2.5 has traditionally
20 been measured in San Antonio, it's been more to the east side
21 of San Antonio, more around the power plants, which is very
22 important. We need to be doing monitoring there. So what we
23 did, we -- we tried to find some other funding. TCEQ is
24 helping us with equipment. I think there was a gentleman going
25 today to actually -- to Austin -- I guess it's tomorrow, to --

1 to see what else he can do for us in that line.

2 Linda came across with ATSDR money to fund
3 three sites. Those three sites are to do 2.5. Two of them
4 will be located in this area, in the southwest area. There
5 will be one site that will be located in another part of San
6 Antonio, but that site will be used as a comparison site for
7 these two sites.

8 Now, we know that we have elevated asthma in
9 San Antonio. We want to get some good baseline numbers here.
10 So we're hoping to get the first piece -- one pad site's been
11 built. We have picked the second pad site and we're getting
12 ready to start building that. TCEQ is going to come in and
13 install the first 2.5 unit at the first pad site now. And
14 we're also going to hopefully be able to get some weather --
15 MET data or weather data, which would help us understand
16 whatever readings we get much more thoroughly than just plain
17 data.

18 We tried to locate that first monitor so that
19 it's blowing across -- the wind would blow across a zip code
20 that's very high in asthma and show those rates. Melanie did
21 that, looked up those numbers for us. And it's going to be
22 located right on the edge. The wind will blow across, hit that
23 monitor and then on. The second monitor also is located in an
24 area where there's high asthma rates. And then that third
25 monitor, which will be a comparison monitor.

1 So I'm -- I'm hoping that we'll have all of
2 those monitors in by the end of this summer and start
3 collecting data.

4 MR. QUINTANILLA: I'm guessing that the air
5 force will not give any money for the children, it's got to be
6 for adult or something like that.

7 MS. CUNNINGHAM: No. What they want us to do,
8 and it's part of the cooperative agreement, is whatever we do,
9 whatever we look at, however we spend any of -- of the -- we'll
10 say \$5 million, any of that money has to be going back to
11 looking at past practices at Kelly and how is it impacting the
12 community today. Or how has it possibly impacted the community
13 today. And they were -- you know, to be honest with you, they
14 were right. We're measuring air today. We're not measuring
15 air 20 years ago.

16 MR. QUINTANILLA: That's true.

17 MS. CUNNINGHAM: So, you know, they were
18 correct. I wish they would have looked at our first thing and
19 said, no, for this reason and then they would have saved me a
20 lot of time.

21 MR. QUINTANILLA: I wish they hadn't polluted
22 the water, too.

23 MR. SILVAS: Again -- again, how much has been
24 spent so far on -- on research?

25 MS. CUNNINGHAM: Mr. Silvas, I wish I could

1 give you an exact number tonight. I really can't. I think we
2 -- we have been awarded about half of the money at this point.
3 We haven't spent half of the money --

4 MR. SILVAS: When you say half of that money,
5 what is that?

6 MS. CUNNINGHAM: About 2.4 I think. We
7 haven't spent that much money.

8 MR. QUINTANILLA: That includes nuts and
9 fruits study and all that?

10 MS. CUNNINGHAM: That -- yes.

11 MR. SILVAS: Now, when you say awarded, you're
12 talking about reimbursement as such?

13 MS. CUNNINGHAM: They -- basically what
14 happens with the money is we present, usually six months before
15 the end of the year, a budget for the next year period. They
16 ask for a very detailed budget. We try -- it's hard at that
17 point really to predict exactly what we're going to be looking
18 at, exactly what dollars. But we try to do a pretty specific
19 line item budget for that next year.

20 And they look at it and they say, well, yes
21 or, well, no, or you need to work on this or refine this or we
22 want more information here. And we go back and we do that.
23 All right. Finally they will give us an approval letter on
24 that budget. Then we have to take that and go to city council
25 and have the city council accept that money. Then all the

1 numbers get set up on the tracking systems and stuff and it
2 rolls on.

3 Now, this last year we -- the city did start a
4 new accounting system. And so that threw a little bit of a
5 glitch in -- in our timing. But that we're working our way
6 through and I think we're just about through with that. So
7 hopefully I can have some -- some good numbers for you soon.

8 DR. SMITH: Mr. Garcia, you wanted --

9 MR. GARCIA: Yeah, I wanted to clarify. And
10 I'm pretty sure you remember this, Armando. The Alamo Area of
11 Council of Governments put together --

12 THE REPORTER: I'm sorry, Mr. Garcia, could
13 you repeat that?

14 MR. GARCIA: The Alamo Area Council of
15 Governments put together a cleanup plan and put out a lot of
16 documents on it. And that's when this first issue came up. If
17 you remember when I brought all those documents and we started
18 discussing getting air monitors, we started discussing all
19 the previous damage done by aircraft here during the Vietnam
20 War when they're coming in here all banged up and leaking oil
21 and dumping emissions all over the neighborhood. I know
22 because I live on 38th Street, about 500 feet from the runway.
23 I saw all of that.

24 And I know that we had discussed over and over
25 and over air monitoring. According to that AACOG study, the

1 monitors are, like you say, over there by the power plants and
2 I think there's one by the airport and one over there by
3 Marshall High School. And we brought the issue of racial
4 discrimination against the minority neighborhoods and people
5 around Kelly by the air force because they didn't want to spend
6 any money on air monitoring and all this. And that is
7 something that they failed to address. Even now they have
8 failed to address it.

9 That's just one of the many issues that
10 they've failed to address is giving us the other -- the proper
11 history on air pollution caused by Kelly and proper equipment
12 to start monitoring all of this, to try to stop the ozone
13 damage and try to stop the air damage and see what they're --
14 how they're going to -- going at the AACOG cleanup plan and how
15 they're going to clean up the community because of the -- all
16 this air damage that was done by Kelly. And that issue, for
17 the record, has not been addressed, funding has not been
18 addressed by the air force for that issue.

19 MS. CUNNINGHAM: Let me -- let me give you a
20 little bit of new information that probably a lot of people
21 don't know at this point because it's -- it's just occurring.
22 Actually yesterday -- we have a position on the air technical
23 committee for AACOG and yesterday there was a meeting at AACOG.
24 And the air tech meeting meets once a month. And one of the
25 things that have happened prior to that, we'd been trying to

1 get a real partnership rolling together, because when you look
2 at air quality, so many of these things--as y'all know and I
3 know and Linda--it comes down to health. Bottom line, health.
4 Why are you concerned about air quality? You're concerned
5 about your health. Why are you concerned about water quality?
6 You're concerned about your health.

7 All of the air rules, the federal rules,
8 basically are -- are health based. And so we -- you know, over
9 the last year I've been working very closely with AACOG. And
10 we're trying to get a partnership together with -- with the
11 state, with TCEQ, with AACOG and with the health department.

12 We had a meeting about -- well, about two
13 weeks ago where we had the head of AACOG, the health department
14 director, Richard Garcia from TCEQ, we had the three top guys
15 there. And we talked about what can we do to partner together
16 to try and help this community -- try actually to keep the
17 community out of non-attainment, and also because of a lot of
18 the chronic diseases that go along with air quality.

19 We had the three guys there and they all gave
20 us very -- very direct, you know, direction and that they want
21 this partnership to happen and they want us to go forward as a
22 group. So that is occurring.

23 Now yesterday at the air meeting, which is
24 something you might want to follow up on, one of the reports
25 that will be presented by the AACOG staff, and they're now

1 doing peer review on it, has to do with aircraft emissions. So
2 it's not like anybody has really dropped a lot of these
3 subjects, there's just a lot to them.

4 DR. SMITH: Guys, I want us to be careful
5 here, we're falling well behind schedule --

6 MR. GARCIA: I just want to make one last
7 comment. Please keep us informed. And I ask Mr. Weegar, that
8 your agency take a very good active role in this because we do
9 need air monitoring and you all really get involved in this and
10 get the air force to write you -- give you a blank check for as
11 many millions as you need to get this thing going. Because I'm
12 fed up of having -- since I first got on this board many, many
13 years ago, I have been pushing for air quality standards around
14 Kelly and air quality monitoring around Kelly. And now -- I
15 hope that now, as she explained to me, with you three agencies
16 coming together, we can finally get something put together and
17 we can finally go to the air force and tell them, hey, we need
18 to do this for our community, especially for the people around
19 Kelly, and we need four million, seven million, four million,
20 whatever you decide, so we can deal with the air problem. I
21 hope that -- that you all can do that and ask for as many
22 millions as you need.

23 MS. CUNNINGHAM: One thing I can say is that
24 TCEQ has been marvelous in this. We have had great support out
25 of their air manager in this region. But we need to thank

1 Linda because -- and ATSDR, because we still wouldn't have our
2 three sites if she hadn't gone to ATSDR and found the funding
3 for us to put these three sites in this community.

4 DR. SMITH: I promised Mr. Perez --

5 MR. QUINTANILLA: -- congratulate you all for
6 that.

7 MR. PEREZ: My name is Nazirite Perez and I
8 work for the City of San Antonio and I'm a board member, a RAB
9 board member for my community. And I just wanted to mention
10 that on Thursday, February the 9th of this year I could not
11 make the meeting. I don't want to sound like a hypocrite. I
12 did want to make this meeting, but to me I was given the final
13 report there at the city council trying to convince them to
14 spend money on our projects, on our side of the projects. And
15 this was my final say-so that was to be, you know, announcing
16 it. And -- but I called Mr. Garcia telling him that -- that
17 how important this meeting was going to be. And I'm happy that
18 I'm here today because I'm -- this is my first time that I'm
19 hearing these, you know, cancer reports. And I -- I thank you
20 for the information.

21 MS. RODRIGUEZ: Thank you.

22 DR. SMITH: Guys, you know, we try to push
23 right on through but I see a couple of folks telling me that
24 they just have to have five minutes. If we can keep it down to
25 five minutes because we're already about 15, 20 minutes behind,

1 so if we can keep it to five minutes.

2 (Recess taken)

3 DR. SMITH: Let me see if I can get it
4 started. We are at the section at the agenda we should have
5 been at 27 minutes ago, so we're in a little bit of trouble
6 here but we'll do the best we can. It's the January 2006
7 Semiannual Compliance Plan Briefing. Mr. Buelter is going to
8 put -- present this briefing for us. In the hopes of trying to
9 work -- work our way through this, I'm going to ask if you can
10 kind of hold -- hold the questions until we get to the end,
11 please jot them down, make yourselves some notes. And if
12 there's something you just have to know in order to understand
13 what's going on at that point, then we'll stop and pick it up.
14 But if it's general information, hold it until the end and
15 we'll try to get it there. As you already know, 9:00 o'clock
16 is when we have to be out of here, so if we can kind of get as
17 much done as possible. And Don if you'll kind of help that
18 presentation move ahead.

19 MR. BUELTER: We'll do. This is -- give a
20 little more information than the report. Just a couple of
21 quick notes -- was going to say a little bit more but I'll move
22 through. From the January 2005 report to the January 2006,
23 about a year or so ago the air force, we got together with our
24 contractors to look at ways to streamline the reporting a
25 little bit and kind of look forward to what we bring, and so

1 questions on contracts. Our operation maintenance of the
2 treatment plants, that's a year to year contract, this year
3 it's SAIC. We working with AFSE. We'll probably do some sort
4 of competitive contract for 2 -- 2007 work. And then this
5 year, the only environmental restoration projects we have are
6 the compliance plan monitoring, Hydrogeologic is doing.
7 Operation of our treatment plant is SAIC. The third project is
8 going out for competitive bid, hopefully in the next couple of
9 weeks they'll go out to contractors for some of the treatment
10 systems in the 300 area.

11 Okay. To get to the topic at hand. Basically
12 the compliance plan report is done to fulfill the requirements
13 of the RCRA permit and ground water compliance plan that we
14 have in the State of Texas. That started in 1998. Basically
15 there are two reports submitted, there's the January report and
16 then in July we submit another report. Kind of break the year
17 out in six month increments. And so this period covers July
18 through December 2005, plus a little bit more. Next one,
19 Eddie.

20 The scope, again, requirement to the plan, we
21 take really ground waters samples for the -- primarily. There
22 are some soil samplings that's not put into this report that's
23 part of some of our treatment systems. And then on the creek,
24 surface water, sediment and biological samples. There's over
25 1400 sample sites. And really what we get is an annual

1 think kind of hit on this. The compliance plan covers east
2 Kelly, the former boundary of Kelly, and even this area that's
3 been realigned to Lackland, that was Kelly at one point, is
4 part of the compliance plan. So samples are collected over
5 this whole area, the ground water samples, so they're all kind
6 of combined in this one report.

7 The report is broken down into four parts, an
8 introduction section on Leon Creek, the RCRA units and rest of
9 the -- the base. These last two are basically just ground
10 water monitoring points. Leon Creek is probably the most
11 complicated part of this project. And introduction need to
12 talk about next.

13 Introduction is a very short part. Just
14 basically talks about past history of the report, the
15 organization, how the report is set up. The -- each part has a
16 separate executive summary. Those are brought into the
17 introduction. Just the, of course, standard background and
18 description of Kelly. And two tables, one that outlines the
19 compliance plan requirements and where they're found in the
20 report, and then a table that lists the various changes or
21 modifications to the compliance plan that has happened since
22 1998.

23 This Table 1.1 is -- it really just highlights
24 that -- a requirement that's in the report and what section you
25 would go to look for that particular part. You know, if it's

1 -- first one is like ground water well systems and overall
2 corrective action system and it will tell you what part of the
3 report covers that area.

4 Part two of the report is the Leon Creek
5 semiannual assessment. Again, this is much more complicated
6 part of the report and unfortunately it's the most technical if
7 you try to read this. Go ahead. Next one. This is what we
8 covered again.

9 What we do to evaluate the health of the -- of
10 Leon Creek, basically we go and we do physical assessment and
11 that's basically how fast is the stream flowing. The chemical
12 assessment is the surface water and sediment sampling and then
13 the biological assessment, just -- and I'll talk about these
14 different things, the toxicity, habitat and fish tissue and the
15 results we got. Next.

16 Physical part. Basically, Leon Creek is a
17 shallow, slow-moving, urban stream. Here's kind of the area
18 that's next to Kelly and Lackland. The Leon Creek basin is
19 this area up here. Covers approximately 200 square miles. And
20 most of that is -- is -- is north of the former Kelly Air Force
21 Base.

22 And the fact that it's low flowing, the --
23 some areas the -- there's not a lot of vegetation next to the
24 creek, so that re -- or raises, especially in the July period
25 and summer, the water temperature. When temperature of the

1 water goes up the dissolved oxygen in the water decreases, so
2 that makes the habitat a little more harmful to the biota
3 that's there that need that oxygen.

4 Those of us who live in this area are seeing
5 Leon Creek, when we get high amounts of rain, very high floods.
6 And about -- let's see where this is -- well, just a little bit
7 north of Old Highway 90, a lot of times the creek is dry,
8 there's not a continual flow not too much further north of the
9 base before -- yes, Robert.

10 MR. SILVAS: Leon Creek, it does reach the
11 Gulf Coast, doesn't it?

12 MR. QUINTANILLA: No.

13 MR. BUELTER: No. It -- it flows into the
14 Medina River.

15 MR. QUINTANILLA: Goes into the San Antonio
16 and the San Antonio flows --

17 MR. BUELTER: Okay. Next. As I mentioned, we
18 go out and collect -- oh, before I talk about this. This --
19 with the dry weather we've been having, the -- the person who's
20 sampled Leon Creek for many years kind of gave an assessment.
21 Water flow in Leon Creek with the lack of rain, right now there
22 -- there's water there but it's mainly pools. There's a little
23 bit of water flowing between pools but if we don't start
24 getting some rain we may actually see more of the creek and the
25 habitat will become worse. So even though these -- these

1 floods are actually good for -- for the creek and it's -- it's
2 health.

3 We go in and collect surface water, sediment,
4 ground water seeps is where the shallow ground water, collects
5 it through usually the base of the hill next to the creek, take
6 samples from those, storm water outfalls and the biological
7 assessment. We also look at three reference locations that
8 aren't impacted by Kelly for comparison. One of them is Salado
9 Creek, Medio Creek and the Medina River.

10 MS. LaGRANGE: Where is Medio Creek?

11 MR. BUELTER: It --

12 MR. QUINTANILLA: East Kelly.

13 MR. BUELTER: No, it's -- Medio is actually
14 west.

15 UNIDENTIFIED INDIVIDUAL: It's out by --

16 MR. GARCIA: Isn't it by Pete Road and dumps
17 into Leon Creek somewhere?

18 UNIDENTIFIED INDIVIDUAL: It's on the other
19 side of Lackland.

20 MR. BUELTER: It -- it flows into Medina
21 River.

22 UNIDENTIFIED INDIVIDUAL: It's on the other --
23 it's on the west -- it's further west from Lackland, past where
24 410 is, past the Lackland annex, it's almost in Medina County.

25 MR. BUELTER: Yeah, it's -- and it's -- again,

1 it's just for reference to the Leon section -- or to do that.

2 Next.

3 UNIDENTIFIED INDIVIDUAL: La Coste, it's out
4 by La Coste.

5 MR. BUELTER: And year to year we look at
6 historic trends of -- that we find within the sediment, the
7 biological assessments, assess changes. And we look at the
8 Texas Soil Water Quality Standards to see kind of what the risk
9 levels may be to ecological and human health. Next.

10 These standards are from a guidance document
11 put out by TCEQ. And these -- really the risk here is for a
12 screening criteria. And they do that so it gives you a point
13 of -- okay, if you get -- start seeing things above a certain
14 concentration it's worth looking at. It may or may not
15 actually pose a risk to that particular water body but it's a
16 starting point. And some of the slides that will follow up in
17 the -- in our compliance plan report, most of the screen
18 criteria we look at are ecological risk, that's -- they're more
19 sensitive. Just for comparison on to the charts I put in some
20 of the -- from the -- actually it's from the Texas Risk
21 Reduction Program just some of the residential risk values for
22 soil, just for comparison. If you're below that level it's
23 suitable for residential habitat or living.

24 Assessment, surface water, there were -- we
25 identified eight organic, 12 inorganic constituents; 43 organic

1 constituents and 12 inorganics in sediment; in the surface
2 water there are two constituents that were above the -- the
3 risk standard of 25 in the sediment and the next one, the chart
4 shows the -- those at the sediment. Well, actually the surface
5 water, silver was above in surface water, it was in -- in one
6 location out of the 20 some odd we sampled. And then in one
7 seep, PCU was above criteria and is all -- chromium also at one
8 of the seeps.

9 In the sediment, metals that were above the
10 standard are shown there on the left. This -- and I apologize
11 in advance for this one. But these compounds here are
12 polycyclic aromatic hydrocarbons, commonly called PAH's. PAH's
13 are basically formed by combustion that -- combustion that
14 doesn't go fully (phonetic). So they're natural occurring from
15 fires, but also from things like automobile exhaust --

16 MR. SILVAS: Don't forget incinerators.

17 MR. BUELTER: Yeah, coal burning power plants.
18 A whole bunch of things. Anywhere there's combustion you're
19 going to find this. It's actually the cancer causing agent or
20 one PH in cigarette smoke is a PAH. So this is a whole line of
21 -- of these. DDD, DDE, DDT are -- well, actually DDT was the
22 pesticide being used, these are derivatives, breakdown
23 products, and then a couple of PCB's.

24 Just to kind of graphically show the results,
25 we've looked at a couple of different areas. Upstream is north

1 of the Kelly-Lackland area. There's several reference points
2 that way. Adjacent and downstream is from there, down Leon
3 Creek. And this is the ecological standard in orange and the
4 residential risk is in the gray. Basically you kind of see
5 some of the -- especially the metals in the upstream areas
6 there also exceed -- up and down and -- upstream and
7 downstream, they're very similar. They're naturally occurring
8 type bits. We do pick up downstream lead and cadmium in
9 particular. But they're all below the -- the human health,
10 there are ecological risk identifiers here.

11 One thing we have done in the past, we did a
12 human health risk assessment on Leon Creek in the mid 90's, and
13 then recently we've completed an ecological risk assessment and
14 basically found that -- yes, sir.

15 MR. SILVAS: Just looking at your lead. That
16 wasn't below, was it?

17 MR. BUELTER: What's that?

18 MR. SILVAS: Lead, was that below?

19 MR. BUELTER: Yes, those in blue. There's one
20 station that did actually have a fairly high concentration of
21 lead, and it varies year to year. All these do a little bit.
22 These are -- the PH's are pretty typical of year to year
23 concentrations that we find in the sediment. Next.

24 In the surface water comparisons, again, the
25 gray is human health. I did look and I didn't put it on here,

1 it wasn't in the -- in our listing of the -- what's water
2 quality standards. In the ecological risk assessment we did
3 look at ecological factor of PCE to the -- and actually the
4 concentration is like 790 micrograms per liter. So PCE is much
5 more harmful to humans than it is to the eco and the biology of
6 Leon Creek. But, again, the silver was at one station, the
7 chrome was out of one seep.

8 THE REPORTER: Was out of?

9 MR. BUELTER: One seep. Sorry. Next one.

10 Just some general observations. PCE is more
11 than likely coming from our ground water plumes. There are
12 some plumes that exit there. And the chrome in the seep is
13 probably also likely from our plumes. Some upstream
14 conditions, onsite storm water, I'll talk about that in a
15 second, wastewater outfalls, there's a whole bunch of things
16 there.

17 Looking at the trends, really the majority of
18 the exceedances for surface water and sediment have occurred in
19 Zone 2, and I'll point that in -- well, I'll do that now. Zone
20 2, here's kind of main Kelly here, Leon Creek runs through
21 here, the -- forget where we ended -- former golf course on
22 Lackland kind of is down in this area here. And then Zone 2 is
23 down here. So when you look at year to year, especially for
24 PH's, tend to find them down in this section of Leon Creek.
25 Very rarely do they actually migrate below this last sample

1 point along Leon Creek.

2 And there's probably a pretty good reason for
3 that. There are -- there's a major storm water outfall that is
4 just below where Military Drive crosses over Leon Creek. It
5 collects storm water pretty much from -- I mean, this whole
6 area up into the industrial complex. So look what you have,
7 you have a large number of parking lots, large number of
8 automobiles, I mean, even probably jet emissions, get
9 southering winds from the power plants, all kinds of --
10 collecting here. The PH's tend to absorb to soil particles
11 that are picked up, dropped in the sediment of Leon Creek.
12 They don't dissolve in the water very easily. They're very
13 heavy, they won't migrate very far downstream.

14 So you have one large storm water outfall
15 here. City of San Antonio has a storm water outfall that
16 enters Leon Creek, about this location here, that drains this
17 portion of San Antonio, kind of between main Kelly and east
18 Kelly. And I'm not quite sure where the railroad storm water
19 goes. I don't know if it enters that storm water outfall or
20 not.

21 And then lastly there's a storm water outfall
22 that runs along the Kelly boundary, kind of drains the old
23 civil engineering yards at Kelly, that enters Leon Creek right
24 here. So there's a whole bunch of areas that pick up these
25 PH's in that area. They don't migrate much downstream.

1 The reference sections of creeks this year,
2 arsenic and selenium were above the water quality standards in
3 both water and sediment at those stations. And some years
4 Salado Creek will show PH's, some years it doesn't. It kind of
5 bounces back and forth.

6 Since we're running out of time I won't get
7 too much into this. There was a study done by the United
8 States Geological Survey on a -- well, it's Lawrence Creek Lake
9 in northern San Antonio, kind of just below -- kind of near
10 U.S. 281 but south of 1604. And it's actually a pretty
11 interesting study. They were looking at trends of sediments
12 and contaminants in sediments through time. And basically what
13 they found there, there were increase in trends of Chlordane
14 and PH's basically caused by urbanization in that area in the
15 sediment of -- of that particular lake. And they timed -- it's
16 basically from the early 60's to -- the study was completed in
17 '99, so probably ran through '96 or '97. And so it's not
18 uncommon for urban areas to find.

19 MS. LaGRANGE: Is that close to the aquifer?

20 MR. BUELTER: It's in an area where --
21 actually reading an article, they -- they chose that area -- I
22 don't know if it's actually in the -- I think it's south of the
23 recharge zone. But it's near where the recharge zone is. And
24 the USGS looked at that particular one to look at potential
25 impacts of urban streams that may be recharging into the

1 Edwards Aquifer. That's why they did the study.

2 MR. PEREZ: In the 80's?

3 MR. BUELTER: Yeah. And it's -- I mean,
4 they're certainly going to pick those kind of things up. And
5 next.

6 Biological sampling, they're done at eight
7 stations and then the three reference stations. And I'm going
8 to go through these really fast. They're confusing, but there
9 are three tests we do, there's rapid bioassessment, chronic
10 toxicity and fish tissue.

11 Rapid bioassessment basically looks at three
12 different things, the habitat, the amount of invertebrates,
13 those are just small critters without backbones, and then the
14 diversity of the fish community. And basically what you have
15 is the state desig -- has stream designations for all the water
16 bodies in -- in Texas. And Leon Creek and Salado Creek and the
17 Medina River are given a high water designation. The Medio
18 Creek is given an intermediate designation. And to meet your
19 designation you need to at least match your -- you know, if
20 it's a high you need to be high habitat, invertebrate and fish
21 community.

22 This is Salado Creek, and it doesn't meet --
23 it meets intermediate standards so it doesn't meet its water
24 quality. Medio Creek meets its, it's a one. Medina River
25 meets it. And on Leon Creek two of the stations meet the water

1 quality and there are six that do not. Next.

2 The next is tests on toxicity. And four
3 different organisms are used, again, using these eight
4 stations, water flea, minnow or fat-head minnow, and green
5 algae. These are kind of surface water checks to make sure and
6 they're -- the critters that are used here are very sensitive.
7 They're actually used primarily for waste water treatment
8 plants in their discharge. They run these tests to make sure
9 that the water that they're discharging isn't toxic to -- to
10 the creek below. So they're very sensitive.

11 Basically in the surface water, in comparison
12 to background and to reference stations and the laboratory
13 standard, all the stations passed on the -- on the chronic
14 toxicity. For the sediment, an amphipod is basically a small
15 shrimp-like creature, a freshwater shrimp. I'm not quite sure
16 which one they used here. There were four stations that were
17 statistically less than -- than the other stations and the --
18 in the control.

19 There's -- this one is north of Old Highway 90
20 that's our reference station on Leon Creek. These three are --
21 two of the stations are -- well, one's right below the dam on
22 the golf course, the other is just below it, and then it's the
23 first station down below Military Drive. Looking at the
24 chemical data there's nothing unique about those stations
25 compared to the others. And the toxicity here ranges from year

1 to year. Sometimes, for whatever reason, in July that station
2 is toxic and other times it's not. Next.

3 Fish tissue, again, taken out of these eight
4 monitoring points, six semi-volatile organic compounds, some
5 pesticides, PCB's and metals were detected in the whole body
6 fish tissue. And three of the 23 exceeded the TCEQ screen
7 levels. Next slide shows the graph.

8 The PCB-6 -- 1260 is -- was just about right
9 at the -- the level. The other two, the 1248 and 1254 are the
10 similar PCB's that we find year to year in a whole bodied fish.
11 And I know, as Kyle mentioned, the PCH in, I believe, the San
12 Antonio River according to the -- that the whole San Antonio,
13 you know, River basin for fish tissue and various other kind of
14 habitat analysis to kind of get a -- it's really the first
15 full-time, one time look at the whole San Antonio River basin.
16 So we'll all learn more about what's happening in San Antonio
17 from those studies. Next.

18 Basically conclusion. Communities -- the
19 biological communities are impaired, some of its habitat, there
20 may be water quality, part of the water quality is low
21 dissolved oxygen because of temperatures. Just the extreme
22 flow conditions, there's not a stable habitat. In periods like
23 now the fish are -- are migrating down Leon Creek to get into
24 deeper water pools, so they'll be moving. There will be less
25 diversity if we don't get rain. The surrounding land use has

1 an impact. And then just some of those compounds that might
2 make their way into surface water and sediment impair that.

3 The conclusion of the ecological risk
4 assessment was basically, yes, the communities are impaired.
5 But in rec -- in comparison to the reference sec -- or areas,
6 there's no difference between areas that are im -- are adjacent
7 to Leon Creek and those that are not. So there's no further
8 impairment from activities on Leon -- or from Kelly, but the
9 overall conclusion was the whole creek was impaired. Okay.
10 Next.

11 Okay. Part 3 is the RCRA regulated units.
12 And, again, this is basically ground water sampling. There are
13 four units that are RCRA regulated. Two of importance are E-3
14 and S-8. We sample from these units twice a year, once in
15 January and once in July. And basically evaluate are -- are we
16 meeting the ground water protection standards. Next.

17 Three of the units are down in Zone 2, pretty
18 much together. Site S-8 is in Zone 3. Yeah, Robert.

19 MR. SILVAS: Let's talk about S-8 for a
20 minute. This is a site that was finding concentrations of
21 arsenic?

22 MR. BUELTER: Right. And we'll get there in a
23 second.

24 We sampled July 2005, 40 monitoring wells,
25 sampled for volatile organic compounds, semi-volatile organic

1 compounds, and then you can see what we sampled for in Zone 2.
2 Also look at oxygen, turbidity, just kind of what's the
3 condition of the wells kind of what we look at there. Okay.
4 Next.

5 One of the units is -- has been closed for
6 some time and we don't monitor it and we haven't since 2003.
7 Site SA-2, with the approval of the ecological risk assessment,
8 we met the standards for risk reduction standards in closure.
9 We're in the process of getting our deed recordation package
10 together. And once that has been completed and approved then
11 we will request to attain our CC that we receive sampling
12 ground water from this site and monitor.

13 Site E-3 we have active soil and ground water
14 systems in place. There are a number of chemicals that are
15 above the clean-up criteria. Downgrading of the site,
16 concentrations have been reduced to basically -- well, below
17 the ground water protection standards.

18 Within the former waste unit, ground water
19 samples, especially Benzene, Chlorobenzene and Vinyl Chloride
20 are, as you can see, are well above the standards. This PCE is
21 in a downgradient well and it's really capturing the Zone 2
22 plume -- or Zone 3 plume coming across Zone 2. It's not
23 related to E-3 but it's in one of our wells.

24 So, I mean, these -- again, the Vinyl
25 Chloride, Chlorobenzene and Benzene are what we're trying to

1 treat at those sites. And we're looking to optimize our system
2 to see if we can get those treated a little quicker. Progress
3 within the unit itself hasn't been as fast as we would like --
4 like it to be.

5 Site S-8, similar compounds, Chlorobenzene,
6 Benzene, Arsenic. The Arsenic is -- within the unit is much
7 higher downgradient, we're starting to see some improvement
8 there. Chlorobenzene doesn't -- and the Benzene do not migrate
9 much beyond the base boundary. The PCE and TCE in this case
10 are actually in upgrading wells from a ground water plume for
11 Building 301. And the Vinyl Chloride, there's a little bit of
12 these compounds that go through that area that produces Vinyl
13 Chloride. It's not near as high here as it is in site E-3.
14 Next.

15 MR. SILVAS: I've got a question before you go
16 on. This site here, S-8, what history background do you have
17 on that site? What was it used for?

18 MR. BUELTER: It was used to -- there were
19 some underground storage tanks that collected spent solvent or
20 Chlorobenzene, engine cleaner solvents from engine activities
21 that were taking place at Building 329. They obviously leaked
22 into the environment and that's what caused the --

23 MR. SILVAS: Yeah. That explains some of the
24 chemicals. But the Arsenic itself, that doesn't explain it.
25 Where could the arsenic come from?

1 MR. BUELTER: There are a couple of thoughts
2 on that. Most of it is probably coming from -- the chemistry
3 is changed by the release of the -- the Chlorobenzene and fuel
4 in this area, and not getting into the full chemistry,
5 basically there's arsenic in the soil. When those -- there's
6 iron compounds and when they dissolve the arsenic is released
7 from those compounds and is put in the solution. So it's not
8 so much from the release of -- the initial release of
9 contaminant, it's the secondary release caused by the
10 contamination and how it changed the chemistry.

11 MR. SILVAS: I think my concern is that the
12 arsenic may have been coming from a dock and load station.
13 It's next to the railroad tracks, right?

14 MR. BUELTER: Yeah.

15 MR. SILVAS: Yeah. And it's very possible
16 that these cars were offloading agent orange and --

17 MR. BUELTER: No. There -- there was no
18 history to show that.

19 MR. SILVAS: Are you sure?

20 MR. BUELTER: Yeah.

21 MS. LANDEZ: And we have the same arsenic
22 shows up also at site S-4 where we have similar fuel and
23 chlorinated solvents coming together and -- and you see arsenic
24 in that -- in that area, too. So it tends to show up where we
25 have fuel product that the arsenic tends to reach out into the

1 ground water as -- as a secondary release from the initial --

2 UNIDENTIFIED INDIVIDUAL: Specifically where
3 is that site located? Where is S-8 located? Is it building
4 329?

5 MS. LANDEZ: Across --

6 MR. BUELTER: Yeah. It's -- here's Tinker and
7 Berman, it's just south of that intersection. Be adjacent to
8 329. It was --

9 MR. QUINTANILLA: Weren't there some test
10 sells there?

11 MR. BUELTER: I -- I know they did engine work
12 there, Mr. Quintanilla, but I don't know that --

13 MS. LANDEZ: There was a cleaning line.

14 MR. BUELTER: There was a cleaning line.

15 MR. QUINTANILLA: There was what?

16 MS. LANDEZ: There was a cleaning line.

17 MR. BUELTER: They may have -- I know they did
18 all kinds of things, different activities took place --

19 MR. QUINTANILLA: Because I worked in that
20 area. I know that area very well.

21 MS. LANDEZ: There's test sells in 348 but --

22 MR. BUELTER: 347.

23 MS. LANDEZ: -- 349 predominant -- and 347 was
24 predominantly a cleaning line.

25 MR. SILVAS: How far is that from the facility

1 where they kept the evacuees?

2 MR. BUELTER: That's 171, right here.

3 MR. QUINTANILLA: 171.

4 MR. BUELTER: Next.

5 MR. QUINTANILLA: Building 329, that's also
6 where the green worm was.

7 MS. LANDEZ: Right. And those --

8 MR. BUELTER: Right. That's -- that's the --
9 that's the cleaning line that fed the tanks that caused the
10 contamination.

11 MR. QUINTANILLA: -- the one that went under
12 the tracks into the --

13 MR. BUELTER: No. That's -- that was south of
14 there.

15 MR. QUINTANILLA: That was what?

16 MR. BUELTER: That's -- that -- that site is
17 four was the --

18 MR. QUINTANILLA: It's four --

19 MR. BUELTER: Obvious conclusions that we need
20 to continue operation of soil and ground water treatment
21 systems. And the monitoring networks for site S-8 and E-3 show
22 full extent of -- of contaminants, and they're adequate to do
23 that, and we'll continue to monitor the sites.

24 MR. QUINTANILLA: The completion date, when
25 will it be completed, the cleanup?

1 MR. BUELTER: We had originally anticipated
2 for both of these sites probably -- probably 2010 to 2015.
3 We're looking at -- again, if we need to, especially site E-3,
4 we may need to do something a little more aggressive.

5 MR. QUINTANILLA: Thank you. 2010, 2015?

6 MR. BUELTER: Yeah. Last part looks at
7 basically the sampling for the rest of the base and looks at
8 the ground water efforts, just the compliance plan. Talked
9 about most of that. Go on.

10 In the January 2005 report we took over 1,000
11 water level measurements a year ago, sampled 463 wells on and
12 off the base. That includes the samples we did in Zone 1,
13 that's only about 50 or 60. Similar compounds, again, that we
14 sampled are in the river units. Next.

15 In the part four of the compliance plan,
16 there's a table 1.2 that lists all the sites that are in the
17 compliance plan and their remediation status. And it's a good
18 summary table to look at.

19 We really look at year to year the plume maps
20 as a tool for evaluating the changes in the ground water. And
21 I believe it's Section 5, part 4, goes through all the
22 different waste management areas and qualitatively describes
23 what those changes are. The one part we removed was the
24 statistical analysis. It really -- we weren't using it
25 anymore. It was a calculation of representative

1 concentrations. We had -- earlier on we needed it for
2 comparison purposes to the ground water protection standards,
3 now we have ten years of history and it's easier to do a well
4 by well comparison rather than statistics. So been doing that.

5 Conclusions, areas where we're seeing
6 decreasing magnitude primarily and a little bit of extent is
7 east of Zone 4, southeast of site MP, which is over here in the
8 plume that goes this direction. The interim systems that are
9 here along the base are capturing and containing ground water
10 flow and plume migration off base. We see in this area here
11 there's actually a split where we have non-detect before we
12 start seeing plume, and same found at site S-4.

13 PRB's, we installed in Zone 3 -- page is
14 misplaced, sorry. In Zone 3 a neighborhood, Zone 5. We're
15 seeing -- not really seeing reductions like we saw with our
16 pump and treats and slurry wall and the -- how quickly we're
17 seeing signs, internal of the wall, things are working the way
18 they're supposed to be working.

19 One exception is in the ground water plume
20 that used to come out into this area here, east of Zone 5 area,
21 is now there's -- the plume is migrated to the upper inside of
22 that PRB. This one here. Okay. Next.

23 Recommendations. Again, continue the --
24 again, the obvious conclusion, we haven't met our ground water
25 protection standards so we need to continue working. And we'll

1 continue to monitor and do our cleanup actions. Think
2 that's -- and as Eddie mentioned, we brought and there's a copy
3 of the report here and there's one in the public library
4 downtown.

5 MR. MARTINEZ: CD's.

6 MR. BUELTER: And then also the CD's.

7 MR. SILVAS: Who -- who finalized this and
8 signed off on this?

9 MR. BUELTER: On that one?

10 MR. SILVAS: The report, the -- the semiannual
11 plan?

12 MR. BUELTER: We review it internally. There
13 are various folks we have and then we send it to the TCEQ.

14 MR. SILVAS: And once you get it back from
15 TCEQ, it goes back to the air force or is it final --

16 MR. BUELTER: It's final when we send it --
17 and TCEQ does comment on that, as does EPA.

18 MR. WEEGAR: Mark Weegar with TCEQ. When the
19 report comes to us we review it and if we have comments,
20 concerns or whatever, we'll -- we'll, you know, write a letter,
21 send it back to the air force, ask them to write a response and
22 comment and address those. Once the comments been adequately
23 addressed then the process will be to go ahead and approve the
24 report.

25 MR. BUELTER: And, generally, the comments we

1 get from the regulatory community, since we're doing this year
2 to year, we take that as suggestions to build into the next
3 year's report. Yes, sir.

4 MR. GARCIA: You did this report, right?

5 MR. BUELTER: This presentation, yes.

6 MR. GARCIA: Presentation. Did you write this
7 report?

8 MR. BUELTER: No.

9 MR. GARCIA: Who did it?

10 MR. BUELTER: CH2M Hill produced this report.

11 MR. GARCIA: I thought you hired a new
12 contractor to do it.

13 MR. BUELTER: They started in, well, basically
14 February with the new contract.

15 MR. GARCIA: But you didn't do it, CH2M Hill
16 did it?

17 MR. BUELTER: Yes.

18 MR. GARCIA: So you have a new contractor
19 doing the -- what's the name of the new contractor now?

20 MR. BUELTER: Hydrogeologic.

21 MR. GARCIA: Hydrogeologic?

22 MR. BUELTER: Yes.

23 MR. GARCIA: Did you write -- in your owner's
24 requirements for consulting services, did you write on there
25 that they have to give you the technical, professional,

1 egg-head type of report, plus give you a summarized report in
2 layman's terms so that members of the board and members of the
3 community can understand it? You should have written that up
4 in your owner's requirements for professional submittals by the
5 consultant, so you won't have to be working all this because
6 it's their job.

7 I am tough but I'm fair. You need to tell
8 them that they have to do the report two different ways, the
9 professional, technical, egg-head type of report, then the
10 report that indicates it is in layman's terms so the community
11 can understand it. Because every time I ask -- or -- or in my
12 job for the Department of Transportation, every time we write
13 up the submittals for -- for any type of report like this, on
14 transportation or related issue, we tell the consultant in his
15 owner's requirements for consulting work that he has to do it
16 several different methods. And that's what you ought to do is
17 -- I've told Adam this over and over and over. I don't know
18 what I'm going to have to do, get a sledgehammer and break it
19 into his head and make him understand that you write owner's
20 consultants -- owner's requirements for professional services
21 from your requirements and community requires, not just an
22 egg-head report. So take that to Adam and tell him I'm not
23 going to tell him again.

24 MR. BUELTER: We will -- I will do that.

25 MR. GARCIA: I'm not going to tell him again.

1 When he hires a consultant to do a semiannual compliance
2 report, he has to tell them that they have to do the
3 professional and technical egg-head report, plus condense it
4 and write a report that comes down to layman's terms so people
5 can understand it. That's part of any professional procedure
6 and Adam needs to understand that. And I keep telling him and
7 telling him. I have to keep telling William Ryan that, too.
8 But I don't know what it's going to take to make them
9 understand this. So you take it back to them.

10 MR. BUELTER: I will do that.

11 DR. SMITH: Kyle, did you want --

12 MS. CUNNINGHAM: Well, I just wanted to
13 mention something to the members of the RAB that are here
14 tonight. Mr. Quintanilla will remember this. Several years
15 back the citizens came to the City of San Antonio, to the city
16 council, and asked that they get involved in the Kelly cleanup
17 and in tracking the cleanup. The city decided the best way to
18 do that was to go out on RFQ, a request for qualifications, and
19 -- and hire a company actually to do some review. That was
20 done and the citizens actually came in on the criteria. They
21 said they wanted somebody that had done no DOD work. They
22 wanted someone that was very familiar with air, etcetera,
23 etcetera.

24 So taking the citizens' criteria, that was
25 written into the RFQ and then the city went out and put that

1 out and we had several people bid on that and did interviews.
2 And a company called Zephyr Environmental out of Austin was
3 hired. And tonight night when I came in, we were at another
4 meeting, but when I came into this meeting y'all were talking
5 about funding your -- your TAPP review. And I know that you've
6 just about run out of funds for that TAPP review.

7 But Zephyr is still on contract. Zephyr is on
8 contract this year and next year. So if that might help, if
9 y'all wanted them to come in and review the semiannual
10 compliance plan, which is something that you normally put out
11 and go to your TAPP contractors for, we might be able to do
12 that. They are an independent company. They met the criteria
13 that the RAB basically put out and asked -- or citizens from
14 the community. So I don't know if that's anything that y'all
15 are interested in but if you are let us know.

16 DR. SMITH: Good point.

17 MS. CUNNINGHAM: Because review is part of
18 what they were hired to do. And then they can come back and
19 give you an independent presentation.

20 DR. SMITH: Okay.

21 MR. QUINTANILLA: We will bring that up with
22 Mr. Nieto when we meet separate.

23 DR. SMITH: Did a good job. Appreciate it.
24 Any other comments? We're coming to the end. The upcoming RAB
25 meetings, as you know, are April 11th, Kennedy High School and

1 July 11th, location on that one to be determined based on the
2 access to the school during the summer.

3 MR. SILVAS: Before closing, I just wanted to
4 go over this once again. I think that I brought this up at
5 executive meeting. That we had a meeting cancelled, you had a
6 RAB that we had skipped.

7 MS. CODERRE: No.

8 MR. QUINTANILLA: The February meeting wasn't
9 skipped?

10 MS. CODERRE: It wasn't scheduled. It was a
11 TRS, the technical review subcommittee meeting, and we did
12 discuss this in the executive committee meeting. And we did
13 not schedule one for February because there were no technical
14 documents to review. And, in fact, we sent a letter to all the
15 RAB members just informing y'all that -- that the meeting was
16 not going to be scheduled for February because of that.

17 MR. QUINTANILLA: Did he agree with that?

18 MS. CODERRE: It was a technical review
19 subcommittee.

20 MR. QUINTANILLA: It says here, RAB meetings
21 should be scheduled on a regular basis. I'm just going by the
22 regular --

23 MS. CODERRE: And we do have regularly
24 scheduled RAB meetings.

25 MR. QUINTANILLA: The individual RAB members

1 should decide the scheduling and frequency of the RAB meetings.

2 MS. CODERRE: That is correct. And our RAB
3 meetings are at the request of this RAB and built into --

4 MR. QUINTANILLA: But what you're saying --

5 MS. CODERRE: -- the charter on a --

6 MR. QUINTANILLA: -- TRS meeting you don't
7 have to -- have to do this. That's what you're saying.

8 MS. CODERRE: Right.

9 MR. QUINTANILLA: You don't have to talk to
10 him or to the RAB members that you're going to cancel a TRS
11 meeting.

12 MS. CODERRE: We didn't cancel a TRS meeting.

13 MR. QUINTANILLA: You most certainly did, we
14 didn't have one. You sent me a letter saying there would be no
15 meeting.

16 MS. CODERRE: Right. That we were not going
17 to schedule a meeting, so that's a little different than
18 schedule a meeting and then coming back later and canceling it.

19 MR. QUINTANILLA: The process has been that
20 there will be eight TRS meetings --

21 MS. CODERRE: Right.

22 MR. QUINTANILLA: -- and four RAB meetings.

23 MS. CODERRE: Right. Understood.

24 MR. QUINTANILLA: And this was decided by the
25 whole RAB. And this is for the record. I don't think it's

1 right, you know, to -- for individually, for whoever did this,
2 Antwine I think, he'll hear about it, on -- working on the
3 chain of command. Again, did not consult with the RAB members
4 about canceling the TRS meeting. But here we are all prepared
5 and no RAB meeting. Now if there was --

6 MS. CODERRE: We -- we had a RAB meeting, it
7 was in January.

8 MR. QUINTANILLA: Or no TRS meeting.

9 MS. CODERRE: Okay. There you go.

10 MR. QUINTANILLA: No TRS meeting.

11 MS. CODERRE: Right. It was the technical
12 review subcommittee meeting that we did not schedule for
13 February.

14 MR. QUINTANILLA: And the reason we didn't
15 have it for the record was?

16 MS. CODERRE: Because we had no technical
17 documents at that time to review. So we talked to Mr. Silvas
18 and we explained that we would be having this meeting tonight
19 to be able to go in depth into the semiannual compliance plan
20 report, which is what we've done here this evening.

21 MR. QUINTANILLA: We had no technical
22 documents?

23 MS. CODERRE: No new technical documents to
24 review, that's right.

25 MR. QUINTANILLA: There were no BCT meetings?

1 MS. CODERRE: Well, THE BCT meeting minutes
2 are in your packet for tonight.

3 MR. QUINTANILLA: I see that. I see that.

4 MS. CODERRE: Right.

5 MR. QUINTANILLA: But there wasn't a BCT where
6 you discussed certain things, certain projects, that sort of
7 thing?

8 MS. LANDEZ: The BCT meeting was in February,
9 I reviewed that with you earlier, and that's exactly what we
10 did in February.

11 MR. QUINTANILLA: In January?

12 MS. LANDEZ: We didn't have one.

13 MR. QUINTANILLA: You didn't have a BCT
14 meeting.

15 MS. LANDEZ: No. I was out sick with the flu.

16 MR. QUINTANILLA: I think y'all did wrong. If
17 we're not going to have one, let the RAB decide. We should
18 have decided this way back in January that we're not going to
19 have a TRS meeting in February. You know, some -- somehow or
20 another we're not communicating because it says the frequency
21 of RAB meetings, and this is just RAB meetings, should be to
22 ensure timely and effective communication.

23 MS. CODERRE: That's correct. And that's why
24 we have --

25 MR. QUINTANILLA: And we're not -- we're not

1 communicating.

2 MS. CODERRE: Well, we have -- as -- as we
3 abide by the -- the Kelly RAB charter, we have regularly
4 scheduled quarterly RAB meetings, those occur in January,
5 April, July and October. And those are our regularly scheduled
6 RAB meetings.

7 MR. QUINTANILLA: All right. Now, how about
8 technical review, what months are they in?

9 MS. CODERRE: Well, they're not defined in --
10 in the charter. They were set up to --

11 MR. QUINTANILLA: But there's supposed to be
12 eight of them. When will we have a make-up meeting?

13 MS. CODERRE: We have no plans to schedule a
14 make-up subcommittee meeting, but we do have regularly
15 scheduled RAB meetings.

16 MR. QUINTANILLA: See, the communication is
17 always downward. It's got to come from the community, too, in
18 order for there to be team work. Get that through your mind.

19 DR. SMITH: Mr. Weegar.

20 MR. WEEGAR: Yeah. Mark Weegar, TCEQ. This
21 is a question, I guess, for Mr. Quintanilla.

22 MR. QUINTANILLA: Go ahead, sir.

23 MR. WEEGAR: Well, I'm just throwing this out
24 here for discussion purposes, I guess. I mean, if -- if
25 there's nothing new to discuss from the standpoint of TRS, how

1 do you -- how do you suggest that that schedule be adjusted? I
2 mean, just throwing -- just asking --

3 MR. QUINTANILLA: No, we could have had
4 Mr. Nieto here. We could have had the liver report in February
5 instead of waiting all the way to March. Those kinds of
6 things. Those were documents mind you. How come we didn't
7 have those?

8 DR. SMITH: Mr. Garcia.

9 MR. GARCIA: Well, we discussed whether or not
10 we had --

11 THE REPORTER: Mr. Garcia, I'm sorry, I can't
12 hear you.

13 MR. GARCIA: Rodrigo Garcia.

14 DR. SMITH: She's just not hearing you with
15 you turned.

16 MR. GARCIA: Well, we discussed about them not
17 having a TRS meeting and stuff because of lack of information
18 or lack of this or lack of that. You know, it's because the
19 lack of commune -- like you said, we have to have all the
20 issues and all future current discussion where we're going to
21 have an issue brought to the attention of the RAB way before
22 they plan all this.

23 If they give us a list, say, these are 30, 40
24 issues of concern that we plan for the next RAB meetings or for
25 the next TRS meetings in the future, then we can decide, hey,

1 we can cover this at this TRS, this at this TRS meeting. But
2 we don't have enough voice and input into planning what goes
3 into the TRS's, what's going to be discussed in the regular RAB
4 meeting, what's going to be discussed in the TRS. We need to
5 have more communication and more of the issues presented on --
6 on to the RAB members from the federal government so we can all
7 study what to put on our agendas.

8 And, furthermore, looking at the BCT meetings
9 in here, there's a lot of technical stuff that refers to Zone
10 5, Zone 4, Zone 3, and it comes back to training. If new
11 members that don't have copies of all the zones and all this
12 technical stuff, they're going to read those BCT meetings,
13 they're not going to know what they're talking about in Zone 5
14 because they don't know -- have the maps or the -- or the
15 cleanup plans for Zone 5 that they can reference what it says
16 in the BCT meeting back to on the ground so they can understand
17 what's going on.

18 It's also the lack of information, the lack of
19 information, the lack of communication and the lack of
20 training. That's what causes a lot of this. And these people
21 don't want to seem to understand. Adam doesn't want to seem to
22 understand. These people don't understand. It's
23 communication, information, training and a lot of other basic
24 things that aren't being approved. That's why we have a high
25 debate at these meet -- meetings because the -- the

1 communication and coordination is not there. And that has to
2 improve.

3 I've been saying that ever since this RAB
4 started and I'm going to continue it until somebody understands
5 the communication has to improve, the training has to improve,
6 the -- the -- all these issues I have talked to before have to
7 improve. And the only way we're going to have good solid
8 meetings and good solid -- is to have an open mind and staff be
9 prepared to deal with everything that we tell them to do.
10 Okay. Thank you.

11 DR. SMITH: Further comments? Okay. It's
12 about 10 minutes after. We're going to adjourn for the
13 evening.

14 (Proceedings concluded)

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COURT REPORTER CERTIFICATE

COUNTY OF BEXAR

STATE OF TEXAS

I, CAYCE A. MORSE, Certified Shorthand Reporter in and for the State of Texas, do hereby certify that this transcript is as true and correct a record as possible, transcribed by me through computer-aided transcription.

And further certify that I am not a relative or employee or attorney of counsel of any of the parties; nor a relative or employee of such attorney or counsel for any of the parties hereto; not interested directly or indirectly in the outcome of this action.

In witness whereof, I do hereunto set my hand on this 27th day of March 2006.

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