



KELLY AFB
TEXAS

ADMINISTRATIVE RECORD
COVER SHEET

AR File Number 3247.1

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TRANSCRIPTION OF AUDIO RECORDINGS

KELLY RAB MEETINGS, 2004

MAY 11, 2004

1 (May 11, 2004 RAB Meeting. Tape 1, Side
2 1.

3 (NOTE: Microphones weren't used for all
4 speakers on this tape and a large portion was
5 inaudible.)

6 CHAIRMAN: Okay, we'll call the meeting to
7 order and if there's --

8 (Inaudible portion of tape.)

9 CHAIRMAN: I'd like to welcome all of
10 you.

11 (Inaudible portion of tape.)

12 UNIDENTIFIED FEMALE: Okay, this is the
13 first time I've ever been to a RAB meeting. (Inaudible)
14 earlier and I was told that we would be discussing the
15 change in location because apparently that was not on
16 the website, and I'm wondering if that's going to be
17 discussed tonight, how that's communicated.

18 Also the agenda, I called about the
19 agenda. If I had known the fruit and nut study was
20 going to be discussed tonight, I would have brought my
21 nuts. My nuts, excuse me. That's going to be recorded.

22 I would have brought my notes and left my
23 nuts at home. And then I would have had my notes to
24 discuss this, okay, so it would be helpful if we would
25 have the agenda beforehand.

1 And my question tonight, and I do have
2 one, is about the PRB's. Apparently the PRB's that had
3 been on base for approximately two years, I'm not sure
4 because I didn't bring that report with me, are not
5 working, and I got it at the airport from Doug Caras
6 saying they're not working and there's now DCE and vinyl
7 chloride being pumped into the ground water.

8 What I'd like to know is what remediation
9 is planned for this water that's already gone through
10 the PRB and now contains DCE and vinyl chloride that was
11 not there before? So what's going to be done about
12 that, and if there's no plan for that, why not?

13 And I'm not sure how this works. Does my
14 answer get discussed tonight or how does that work?

15 (Male Speaking - Inaudible.)

16 UNIDENTIFIED FEMALE: Ten days, okay.

17 (Male Speaking - Inaudible.)

18 UNIDENTIFIED FEMALE: Right, right.

19 (Male Speaking - Inaudible.)

20 UNIDENTIFIED FEMALE: Well, since they're
21 not working, I'd also like to know why that wasn't
22 brought out to the community or if it has. I know I had
23 the report and what's being done about the fact that
24 they're not working, what's being done about the fact
25 that there's extra vinyl chloride and DCE in the water

1 now that was not there before, okay.

2 CHAIRMAN: Thank you. (Inaudible.)

3 UNIDENTIFIED FEMALE: Yes.

4 (Male Speaking - Inaudible.)

5 UNIDENTIFIED FEMALE: Okay, I got a
6 report from Doug Caras and apparently the PRB, and
7 there's one at Building 360 or 301, and unfortunately I
8 cannot remember which one it is. And he sent me a
9 summary of that, of the two PRB's.

10 Neither one of them are working, and the
11 2004 semi-annual compliance plan report says that in
12 there. Unfortunately I didn't bring that with me
13 either, but there's a statement in there that says that
14 the PRB's are not working, and I also have an extra
15 report which I'll be glad to provide to anyone, that
16 says that the PRB, there's DCE and vinyl chloride being
17 released because it's not being broken down. Okay, so
18 we've got some extra stuff there that wasn't there
19 before.

20 (Male Speaking - Inaudible.)

21 UNIDENTIFIED FEMALE: Well, that's one of
22 my questions, why hasn't the community been told.

23 (Male Speaking - Inaudible.)

24 UNIDENTIFIED MALE: Well, I believe
25 Mr. George Rice brought this out at the last meeting,

1 that there were some PRB's for the water would go
2 through and it's contaminated so many parts per
3 billion.

4 The water, after going through the PRB,
5 was still the same as before it went. George Rice
6 pointed that out and I thought we would have a report
7 today. (Inaudible.)

8 UNIDENTIFIED MALE: I just want to make a
9 point of clarification. The only PRB that has been in
10 the ground for any length of time is the one in Zone 5
11 over along the east boundary of Kelly.

12 The PRB at Building 360 has only recently
13 been -- installation of that has only been recent and
14 any data that has come -- I'm not sure how much data has
15 been generated from that, it's so recently been
16 installed, really the only one you could look at as far
17 as what's been in place to get some kind of handle short
18 term of how it may be working is the one in Zone 5,
19 which is on the north part of the base.

20 UNIDENTIFIED FEMALE: How recently are we
21 talking about for the Building 301?

22 UNIDENTIFIED MALE: We just put the
23 asphalt down.

24 UNIDENTIFIED FEMALE: No, that was the
25 34th Street one.

1 UNIDENTIFIED MALE: They just finished up
2 -- (Inaudible.)

3 UNIDENTIFIED FEMALE: Okay. Well, I'll
4 bring the report. I'll bring a copy of the report the
5 next time.

6 UNIDENTIFIED MALE: 34th Street, they
7 still, because of the weather, they haven't even been
8 able to complete the backfilling of the --

9 UNIDENTIFIED FEMALE: Right, but I'm not
10 talking about that one, it's the other ones, and I'll
11 bring those copies. I just didn't bring them tonight.

12 Okay. Well, I'll bring that. Okay, it
13 said that 360 at the top, but I'll bring that to make
14 sure because certainly I don't have it in front of me
15 and I could be mistaken, okay. Thank you.

16 (Male Speaking - Inaudible.)

17 UNIDENTIFIED MALE: The microphones are
18 not working so -- (Inaudible.)

19 UNIDENTIFIED FEMALE: My name is Rose
20 Ramos. I live here where, pretty right next to where
21 the railroad tracks (Inaudible.)

22 I understand from the meetings that I
23 have attended that there's going to be a PRB installed
24 somewhere on Commercial. There's a large area that's
25 being effected. I had some questions that I would like

1 to get information on.

2 One, how many notification letters are
3 going out to the community and how far are those letters
4 being reached?

5 What are the boundaries, how many people
6 are being notified?

7 Over towards Commercial, do any of these
8 people know that the PRB is being installed?

9 UNIDENTIFIED MALE: I live on Commercial
10 and not only do I get mail as a RAB member, I also get
11 general mailings (Inaudible,) so I can say myself
12 personally, even if I wasn't a RAB member, I would still
13 be a notified what's going in and where. (Inaudible.)

14 UNIDENTIFIED FEMALE: Yes, okay. Well,
15 that's basically what I would like to know. But is
16 there any type of formal number or maybe a data base
17 where the addresses? I don't know. Is there a number?

18 UNIDENTIFIED MALE: I think they will
19 get, the Air Force will get back with you on that as far
20 as what the actual process is.

21 UNIDENTIFIED FEMALE: Thank you.

22 UNIDENTIFIED MALE: I just want to make
23 sure I have your -- (Inaudible.)

24 (Male Speaking - Inaudible.)

25 UNIDENTIFIED MALE: What type of

1 information are we sending on those mailings? Is it
2 just boundaries going up or is there more information
3 that's going out to the community as far as what the
4 boundary is for?

5 UNIDENTIFIED MALE: It's a card with two
6 sides, one in English, one in Spanish. It says if you
7 want more information, they're inviting, you know,
8 anybody in the effected community to come to a RAB
9 meeting, you know, to get a little bit of information,
10 and it kind of tells you, gives you a general overview
11 of what's going in and it's being put in because, you
12 know, they're trying to get some of this contamination.

13 They're dealing with, you know, what is
14 actually in the ground, but it's kind of general. It
15 doesn't get into exactly what chemical compounds and all
16 that kind of stuff, it's just kind of a general, to
17 notify -- I mean, at least that's what I've gotten at
18 home, you know, besides the stuff that I get, you know,
19 as being a member.

20 (Male Speaking - Inaudible.)

21 UNIDENTIFIED MALE: Are we going to
22 provide copies to her of the notices of what's being
23 done in that area?

24 UNIDENTIFIED MALE: Yes. We have facts
25 sheets that are being developed, which describe, which,

1 you know, basically say what PRB's are, what they're
2 going to be doing where, and so all that information is
3 still being developed for those other two areas.

4 You know, there's a limited community
5 around the area where the 34th Street PRB went in, so
6 obviously in Commercial Street area, all the residents,
7 we're going to expand, you know, the amount of
8 information that goes out to all the residents, and I
9 don't think we've defined the perimeter necessarily of
10 how far, but I know that we've developed facts sheets
11 and we'll make that all available. I believe they're
12 pretty close to either being done or in front right now
13 in terms of that information.

14 (Inaudible portion of tape.)

15 MS. CUNNINGHAM: I think this will
16 probably work okay. Can you all hear me?

17 Well, good evening. I'm Kyle
18 Cunningham. I'm the program manager for the Public
19 Center for Environmental Health, which is part of the
20 San Antonio Metropolitan Health District.

21 Next slide.

22 Just for a quick history, first off-base
23 contamination was detected in 1988 by a City of San
24 Antonio public works crew on a road project on Contana
25 Road.

1 Later on, the contaminated ground water
2 plume was further defined as it was lying 10 to 30 feet
3 below the surface and underneath about 20,000 homes.

4 Next slide.

5 The main contaminants of concern, PCE,
6 TCE, 12 DCE and vinyl chloride.

7 In response, the community, they were
8 concerned about the uptake of these chemicals into some
9 of their fruits and nuts, the vegetables that they grow
10 in home gardens, so in 2001, the fall of 2001, the Air
11 Force started a survey of the fruits and nuts produced
12 in the area. The Health Department helped with finding
13 samples for that survey.

14 They sampled bananas, chili peppers,
15 citrus, figs, pears, pecans, for a total of 47 samples,
16 mostly pecans.

17 The results on that 2001 survey, there
18 were 46 non-detects. There was one sample that was
19 basically an estimated sample, came back at less than 5
20 ppb, then so for a total of 47 samples.

21 This one sample that did come back, I
22 think it was at a 2.9. It was re-sampled again. There
23 were no samples in 2001. There was not another lime on
24 the tree so we couldn't really exactly re-sample it, so
25 what they did -- well, there really wasn't much we could

1 do. We re-sampled the sample. It came up, I think, at
2 about a 3.1, at about the same level.

3 So in January of 2003, we re-sampled that
4 lime tree. It did produce and it was non-detect for the
5 volatile organic compounds.

6 Next slide.

7 This is Dr. C.K. Tan from Southwest
8 Research. Dr. Tan is with us tonight and we were
9 looking at cactus.

10 The community was concerned. In the
11 first survey, they were concerned that we didn't sample
12 nopalitos, tomatoes, some of the other garden
13 vegetables. They wanted kind of a full sampling of all
14 of the fruits and vegetables in the area.

15 So this was in January of '03, and
16 Dr. Tan is kind of looking at a cactus. I'm sure he got
17 quite a few stickers in his fingers there. He was using
18 gloves but they were rubbers gloves. They weren't much
19 protection.

20 Next sample.

21 These were some tomatoes that we found
22 also, again trying to respond to a different variety or
23 more variety with the sampling.

24 The goal was to collect and analyze a
25 seasonal variety of fruits, vegetables and nuts for the

1 PCE, TCE, 12 DCE and vinyl chloride.

2 Next slide.

3 The procedures used, Dr. Tan actually
4 came out and did the sampling. We helped with finding
5 the samples and talking to the residents. Gloves were
6 worn. The samples were collected directly from either
7 the tree or the vine. Samples were secured.
8 Documentation was done as far as chain of custody.
9 Samples were stored on ice and then taken directly to
10 Southwest Research for analysis.

11 Again, this is Dr. Tan and some of the
12 young cactus that we tested.

13 Next slide.

14 You can see with this one, how they had,
15 with the pecan trees, they actually used a long pole
16 with a basket -- I think the next slide shows the basket
17 a little bit better -- so that the pecans were actually
18 taken off the tree. Nothing was picked up from the
19 ground or sampled with any of the samples.

20 This is a 1999 plume map that does show
21 sample locations and this was the map that we started
22 out with in planning. There are copies of those maps
23 over on the easel, all three of them.

24 Next slide.

25 2003, you can see that the plume has

1 changed some and more of our samples, some of them did
2 fall out but there were still quite a few over the plume
3 area, most of them.

4 This is a combined map and it's over on
5 the easel also. You can see the change in the plume,
6 how it has kind of pulled back, and we thought that was
7 very interesting, and then also you can see the samples
8 and the sample locations.

9 Next slide.

10 So the samples collected in 2003, we
11 sampled bananas, cactus, quite a few cactus, citrus,
12 figs, peaches, pears, more pecans, tomatoes, for a total
13 of 159 viable samples.

14 With the results, there were 159 non-
15 detects and there were for a total of 59, 159.

16 We did have some samples that we
17 considered not valid because of the containers used.

18 Next slide.

19 Conclusions, we didn't find any PCE, TCE,
20 12 DCE or vinyl chloride in any of the samples. The
21 produce is safe to eat but it's always a good practice
22 to wash the produce, whether it's home grown or
23 purchased at a grocery store, and as always, fresh is
24 best. We can talk a little bit about that more.

25 The next slide.

1 And I just like cactus flowers so I stuck
2 a cactus flower in.

3 Then the next slide.

4 The whole report, the survey and the
5 results will be on the web. They're not on there
6 tonight. They should be on there by the end of the
7 week. That's what we're shooting for.

8 We also have hard copies over at the
9 Health and Wellness Center at 911 Casterville Road.
10 There will be a hard copy at AFRPA and also downtown and
11 at PCEH, which is out at Brooks, but this is the web
12 side. Just www.sanantonio.gov and then "Health" and
13 "PCEH."

14 Also the telephone number is 532-5765.
15 And I forgot to have them put it on the slide. Sorry.

16 And do you all have any questions about
17 that?

18 UNIDENTIFIED FEMALE: I have one
19 concern. How is the sample size determined? I'm not an
20 expert in scientific sampling or anything, but it does
21 seem relatively small considering the area that we're
22 covering, so can you say that that is scientifically a
23 legitimate sample size, the 159, to make a final
24 conclusion, determination?

25 MS. CUNNINGHAM: Well, we had the 159 and

1 then we had the what, 47?

2 UNIDENTIFIED FEMALE: Forty-seven.

3 MS. CUNNINGHAM: Forty-seven from the one
4 before, so that's a pretty good bit.

5 And we just haven't seen anything in any
6 of them. You know, if we were coming up -- One of the
7 reasons in doing the second survey was because we did
8 have that little bit of PCE, but I think we answered
9 that question.

10 And as with the other samples that we
11 considered not valid, because we did use plastic
12 sampling containers, it did come on on a control sample
13 so we realized exactly, at that point in time, what was
14 the problem. And it was the sampling containers. We
15 went back and re-sampled using glass jars and everything
16 came back non-detect. That's for the contaminants of
17 concern.

18 Now the complete panel is in the report.
19 Mark?

20 (Male Speaking - Inaudible.)

21 UNIDENTIFIED FEMALE: Well, and that's
22 what I'm getting at, and that was the basis of my
23 question is considering, you know, what was available,
24 was that determined to be a legitimate sample size for
25 the area and what was available.

1 The other consideration is that were you
2 looking at only choosing healthy specimens?

3 MS. CUNNINGHAM: No.

4 UNIDENTIFIED FEMALE: Like were there
5 diseased specimens in the area of the trees or
6 vegetables growing that should have been sampled along
7 with the healthy samples?

8 MS. CUNNINGHAM: We sampled everything.
9 I mean, if they wanted it sampled, if a resident called
10 and asked or if we saw something in their yard and went
11 and knocked on the door and asked, but no -- In fact, we
12 tried to vary it as much as we possibly could with
13 conditions and that.

14 Now we do have Dr. Casey Donnally from
15 Texas A&M also here that might speak a little bit to the
16 sample size, since we weren't -- I don't know if he
17 wants to or know.

18 (Male Speaking - Inaudible.)

19 UNIDENTIFIED MALE: We've got a hundred
20 and how many?

21 MS. CUNNINGHAM: 159 and 47.

22 UNIDENTIFIED MALE: Out of 20,000 homes.

23 (Male Speaking - Inaudible.)

24 MS. CUNNINGHAM: Yes.

25 (Male Speaking - Inaudible.)

1 MS. CUNNINGHAM: If we were seeing more,
2 we'd certainly be sampling more but we're just not
3 seeing more.

4 UNIDENTIFIED MALE: I notice you said you
5 had some invalid samples from both the first and the
6 second, correct?

7 MS. CUNNINGHAM: Well, I can't really say
8 that about the first survey.

9 UNIDENTIFIED MALE: Okay.

10 MS. CUNNINGHAM: Because there was
11 nothing there to go back. That's just normal protocol.
12 If you find something, then you go back and re-sample to
13 validate that sample, and so we were not able to with
14 that lime tree, but we do remember that it was done in a
15 plastic container. We had used those before. It's a
16 lot easier to get a grapefruit into a bag I than it is
17 to get it into a glass jar.

18 None of the fruits were cut in any way
19 because we didn't want to disturb the volatiles. We
20 didn't want those to go ahead and release, so basically
21 we took the whole fruit, it wasn't washed or anything,
22 and used as the sample.

23 UNIDENTIFIED MALE: So on the (Inaudible)
24 you sent, we did have invalid on the second sample?

25 MS. CUNNINGHAM: We did.

1 UNIDENTIFIED MALE: What were the results
2 from the invalid?

3 MS. CUNNINGHAM: Well, basically what
4 happened, we started with the cactus, with the first
5 rounds of cactus. Remember, it's warm spring weather,
6 getting kind of hot on some of those days last year
7 actually; whereas, before it had been the fall and I
8 think C.K. had used the plastic containers before. But
9 anyway, we were using those, the baggies, and with our
10 first few rounds of the cactus samples, we started
11 getting just not anywhere close to detection limits,
12 still what you would estimate in numbers that's, you
13 know, below detection limit numbers, and so that's
14 really all you could say, but we knew there was some
15 interference. There was something there.

16 So we kind of picked up the pace and
17 began, you know, watching a little closer, looking at
18 our sampling, and then all of a sudden, we got a control
19 sample that came back. Well, we knew that control
20 sample didn't have a trace of anything in it in the way
21 of contaminants of concern, and then, hey, you know, all
22 of a sudden, it was a light bulb that came off. C.K.
23 Knew exactly it was that plastic bag.

24 We see that though in other things and I
25 can talk a little bit more about that in a minute.

1 UNIDENTIFIED MALE: To follow that up,
2 you said that the samples weren't cut so the
3 contaminants weren't released.

4 Is that typical, that when you sample the
5 fruit, if you first cut the fruit in some way, would
6 that release the toxins then at that point?

7 MS. CUNNINGHAM: We're talking about
8 volatile organic compounds and that's kind of what we
9 were --

10 Well, C.K., do you want to speak to that?

11 UNIDENTIFIED MALE: She's right.

12 (Inaudible.)

13 UNIDENTIFIED MALE: Just to follow it up,
14 you say that the -- (Inaudible.) Are we testing the air
15 that's coming from that fruit or are we testing the
16 fruit itself?

17 (Male Speaking - Inaudible.)

18 MS. CUNNINGHAM: With this particular
19 procedure, what we were looking for was something that,
20 you know, was going to hold it. We weren't going to
21 release it. It wasn't going to get away from us, so we
22 went to every extreme that we could think of, you know,
23 for that not to happen.

24 It's a patented method. It looks like a
25 stainless steel blender and then has a tight seal. On

1 the top of it there's a little port where they put the
2 filament in. They blend everything up so you've got,
3 you know, the rind, you've got seeds, you've got the
4 fruit, the whole bit, and then heat it up a little bit
5 and then they pull from that head space. They will pick
6 up the volatile organics but there's no way for those to
7 be released. We can't just lose them. They're going to
8 be caught right there.

9 Somebody else?

10 UNIDENTIFIED MALE: I just have a
11 comment. Go ahead.

12 UNIDENTIFIED FEMALE: I have several
13 questions.

14 MS. CUNNINGHAM: Sure.

15 UNIDENTIFIED FEMALE: You said that you
16 were testing on this sampling was for PCE, TCE, DCE or
17 vinyl chloride.

18 MS. CUNNINGHAM: What we did, Ezmerelda,
19 is we did run the complete panel for the VOC's, and
20 that's in the report.

21 UNIDENTIFIED FEMALE: Okay, but I haven't
22 finished my question.

23 MS. CUNNINGHAM: Oh, I'm sorry. I
24 thought you were done with that one.

25 UNIDENTIFIED FEMALE: I haven't finished.

1 MS. CUNNINGHAM: I'm sorry.

2 UNIDENTIFIED FEMALE: I have several.

3 MS. CUNNINGHAM: Go ahead.

4 UNIDENTIFIED FEMALE: Okay. This
5 sampling that you did was to see if any of the fruits
6 and nuts had any of these chemicals, which was PCE, TCE,
7 DCE or vinyl chloride, but we're looking at only some of
8 the chemicals in the plume.

9 Does this mean that your test does not
10 cover all the chemicals that are in the plume, such as
11 beryllium, mercury and all the other chemicals?

12 MS. CUNNINGHAM: Now when you're talking
13 about the heavy metals, no, we didn't. We went to the
14 chemicals of concern and that, you know, because that
15 was --

16 UNIDENTIFIED MALE: The test is
17 specifically for specific chemicals?

18 MS. CUNNINGHAM: Volatile organic
19 compounds.

20 UNIDENTIFIED FEMALE: Right. So are we
21 saying here then that maybe possibly these fruits and
22 nuts might have -- There's another test for another
23 possibility that they may have the other chemicals?

24 UNIDENTIFIED FEMALE: Well, it wouldn't
25 be from Kelly.

1 MS. CUNNINGHAM: Well, we're not saying
2 that. We're just saying chemicals right now.

3 (Female Speaking - Inaudible.)

4 MS. CUNNINGHAM: I know, but that's kind
5 of what we're, you know, looking at is we're looking at
6 what are the chemicals of concern from the shallow
7 ground without plume that occurred as a result of
8 releases that are thought to have come from Kelly.

9 UNIDENTIFIED FEMALE: Okay. My next
10 question was, you mentioned the name of the test. What
11 was the name of the test that was used?

12 MS. CUNNINGHAM: It was a Modified Speeny
13 (?).

14 (Male Speaking - Inaudible.)

15 UNIDENTIFIED FEMALE: Okay, maybe I can
16 get the name of it from you afterwards.

17 MS. CUNNINGHAM: It's in the report too.

18 UNIDENTIFIED FEMALE: And this question
19 leads to the next question.

20 Can this same test be used from a
21 different independent laboratory outside of Texas to see
22 if the same results come in?

23 MS. CUNNINGHAM: It's a patented method.
24 Now you could test for volatile organic compounds using
25 another method maybe, but our deal was to find, and we

1 have to, the best --

2 UNIDENTIFIED FEMALE: Wait a minute. The
3 Southwest Research Center, which is government related,
4 which is, to me, a cause of conflict of interest right
5 now, and I'd just like to know whether or not --

6 UNIDENTIFIED MALE: Southwest Research is
7 not a government entity.

8 UNIDENTIFIED FEMALE: Okay, they're not?
9 They're independent?

10 Okay, can we get an outside laboratory
11 though to also confirm your results?

12 UNIDENTIFIED MALE: You're talking about
13 round robin. (Inaudible.)

14 UNIDENTIFIED FEMALE: No, I know. I'm
15 asking you about really I should be asking her.

16 MS. CUNNINGHAM: You could probably have
17 another laboratory run a test for volatile organic
18 compounds. It wouldn't be using the same method, I
19 don't believe, because it's a patented method, but our
20 charge is to find the very best method that we can
21 that's available to us to test that, and that's, you
22 know, to run tests or do anything that we're doing, so
23 we did that, and we felt like that the method that
24 Southwest Research uses, because they don't cut the
25 fruit, a lot of the others they do. In fact, all of

1 them that we saw, they did.

2 We feel like that, you know, there wasn't
3 a way -- It's pretty obvious to see that there's really
4 not a way for those chemicals to get out of that
5 container, so they're pretty much sealed in there. So
6 does that answer your question?

7 UNIDENTIFIED FEMALE: Yes. I have the
8 next question.

9 MS. CUNNINGHAM: Sure.

10 UNIDENTIFIED FEMALE: You said you went
11 outside of the plume?

12 MS. CUNNINGHAM: We did some. There were
13 some that were in and some that were out.

14 UNIDENTIFIED FEMALE: What was the reason
15 for it?

16 MS. CUNNINGHAM: Well, actually the plume
17 changed on us a little bit so that was kind of the
18 reason for some of it, but most of them are within the
19 plume.

20 And then also that gives us a comparison.

21 UNIDENTIFIED FEMALE: Okay. So did you
22 get some from the plume that it has the darkest area,
23 which is the most contaminated area, which is east
24 Kelly, which is right where I live?

25 Did you go over that area to compare it

1 with? Because you took a picture of a particular house
2 on the slide. What street was that on?

3 MS. CUNNINGHAM: I'm not sure. Which
4 slide.

5 UNIDENTIFIED MALE: The pecan tree.

6 MS. CUNNINGHAM: The pecan tree. The
7 pecan tree actually was right here on Kelly. It's right
8 down the road and it's on base. We did several on base
9 samples.

10 UNIDENTIFIED FEMALE: Okay.

11 MS. CUNNINGHAM: And we did quite a bit
12 kind of over in your neighborhood. We were all over the
13 neighborhood, on the Division Street neighborhood.

14 UNIDENTIFIED FEMALE: Okay, good.

15 MS. CUNNINGHAM: Anybody else? I think
16 there was another couple of questions.

17 UNIDENTIFIED MALE: How was Southwest
18 Research selected?

19 MS. CUNNINGHAM: How was Southwest
20 Research selected? It was a sole source contract but
21 that was because of the patented method, but we looked
22 at others.

23 (Male Speaking - Inaudible.)

24 MS. CUNNINGHAM: Well, they figured out
25 the shuttle. And C.K.'s, group does have an impeccable

1 reputation, yes.

2 UNIDENTIFIED FEMALE: But it wouldn't
3 hurt to get other --

4 MS. CUNNINGHAM: And I've got some more
5 info for you to in a minute that might kind of make you
6 think a little bit.

7 (Male Speaking - Inaudible.)

8 UNIDENTIFIED FEMALE: The MCL.

9 (Inaudible portion of tape.)

10 MS. CUNNINGHAM: Basically what we were
11 trying to do was the community was concerned, so that
12 was a question we were trying to answer.

13 There are a few other places that have
14 studied that, so, you know, you might kind of check
15 there. I know there's one study that's going on
16 currently in California.

17 (Inaudible portion of tape.)

18 MS. CUNNINGHAM: The thing is we're just
19 not really seeing that. I mean, even in other places
20 we're not seeing that, and so that's, you know, can
21 fruits and vegetables take up VOC's? I haven't seen any
22 evidence yet that they can.

23 Now it comes from other places and we're
24 going to talk a little bit more about that, and maybe,
25 you know, but I haven't really seen it and I just

1 haven't seen anything that tells me we need to jump out
2 and do a bunch more of this.

3 UNIDENTIFIED MALE: I mean, it's a
4 confirmed fact that plants do --

5 MS. CUNNINGHAM: They do.

6 UNIDENTIFIED MALE: -- do uptake VOC's in
7 ground water. I mean, that's the whole principle behind
8 collateral remediation. Trees and their systems will
9 take the water and the vinyl chloride and it's
10 transpired out through the leaves, it's not kept in the
11 plant itself.

12 MS. CUNNINGHAM: Yes.

13 UNIDENTIFIED MALE: I think there are, on
14 the web sites, there are other studies have that looked
15 at the uptake of (Inaudible) but the fruits and nuts
16 (Inaudible.)

17 MS. CUNNINGHAM: You know, my deal is, is
18 it going to get into the food chain? I think we know
19 they're going to take up, you know, water from the
20 ground through their root system, but is it getting into
21 the food chain?

22 And from what I've seen, at least with
23 the fresh fruits and vegetables that we looked at and
24 studied, and I think tested as well as could possibly be
25 tested, I haven't seen that for these particular

1 compounds.

2 (Inaudible portion of tape.)

3 MS. CUNNINGHAM: On the actual tree?

4 Well, you know, the tree is just a tree, but what I'm
5 concerned about is what kind of an effect would it have
6 on a person consuming that.

7 UNIDENTIFIED FEMALE: Well, my question
8 is --

9 (Inaudible portion of tape.)

10 MS. CUNNINGHAM: Yes, but it's a state
11 tree. I'm not going to go chopping down any pecan
12 trees.

13 (Inaudible portion of tape.)

14 MS. CUNNINGHAM: No, I know.

15 (Inaudible portion of tape.)

16 MS. CUNNINGHAM: I understand.

17 (Inaudible portion of tape.)

18 MS. CUNNINGHAM: Well, yes, but our main
19 concern was was it getting into the food chain. That's
20 the question we were being asked, is this getting into
21 the food chain. We haven't seen --

22 (Inaudible portion of tape.)

23 MS. CUNNINGHAM: Basically the roots
24 would not be in the food chain and I think my main
25 concern, I've got to stick with public health and if I

1 can spend those dollars again asking questions or trying
2 to answer questions that might actually impact your
3 health, I think my dollars are --

4 (Tape cut off. End of Side 1.)

5 (Beginning of Side 2.)

6 MS. CUNNINGHAM: Other types of studies,
7 you know, but that --

8 (Inaudible portion of tape.)

9 MS. CUNNINGHAM: Plus 47.

10 UNIDENTIFIED FEMALE: Plus 47.

11 (Inaudible portion of tape.)

12 MS. CUNNINGHAM: Well, you know, any of
13 the fruits and vegetables around here, I go for, you
14 know, if we were just walking.

15 (Inaudible portion of tape.)

16 MS. CUNNINGHAM: In your neighborhood.
17 Where is your neighborhood?

18 UNIDENTIFIED FEMALE: We live at 7225.
19 My grandfather lives at 7201.

20 MS. CUNNINGHAM: Okay. Give me a street.

21 UNIDENTIFIED FEMALE: Carthage.

22 MS. CUNNINGHAM: Okay, I think we were.

23 (Inaudible portion of tape.)

24 MS. CUNNINGHAM: No, I believe you.

25 (Inaudible portion of tape.)

1 MS. CUNNINGHAM: Well, what I can do,
2 I'll go back. I've written down the street, and see,
3 you know, kind of the area and see just what was done,
4 and the maps are over here, if you want to look, and the
5 little dots are there. You can kind of get an idea.

6 (Inaudible portion of tape.)

7 MS. CUNNINGHAM: Sure.

8 (Inaudible portion of tape.)

9 MS. CUNNINGHAM: I do. And we've got
10 dots on the map. For privacy reasons with the report, I
11 didn't release the addresses, but that's for privacy
12 reasons, and I think I would do that for any of you
13 all. But the dots are on the maps.

14 The maps are in the report, so that gives
15 you a pretty good idea. The street grid is on there
16 also.

17 (Inaudible portion of tape.)

18 MS. CUNNINGHAM: Yes. Yes, it's exactly
19 this map over here. The map with the combined plumes,
20 the one that's the tallest.

21 Ezmerelda, did you have another question,
22 please?

23 UNIDENTIFIED FEMALE: Since you're going
24 to be closing up on this fruit and nut, are you going to
25 be in charge of the air sampling of the homes?

1 MS. CUNNINGHAM: Okay, what we're doing
2 right now on air sampling?

3 UNIDENTIFIED FEMALE: Yes.

4 MS. CUNNINGHAM: There are a couple of
5 things that are happening with air sampling at this
6 moment.

7 With the 34th Street permeable reactive
8 barrier, we did have a contractor on site that was
9 taking readings the whole time with the VOC's and also
10 for particulate, because we felt like that was something
11 we really needed to watch and wanted to watch.

12 The other thing is we're working on
13 getting a particulate, a 2.5 monitor within the area,
14 and that's something that we haven't had before and so
15 that's something that's going to happen soon.

16 Mr. Quintanilla?

17 MR. QUINTANILLA: Okay, I just have a
18 comment. Your about through with this report. You've
19 already done it.

20 Do you plan to send it to ATSDR for
21 comments and for inclusion in the final public health
22 assessment for this area?

23 MS. CUNNINGHAM: I hadn't thought about
24 that, Mr. Quintanilla, because I was hoping -- I didn't
25 want to do anything else to delay ATSDR, to tell you the

1 truth.

2 MR. QUINTANILLA: Well, ATSDR is going to
3 have to come up with a final public health assessment,
4 the final thing. I think they need a couple of more
5 studies by air emissions and others to finish out,
6 translating those into Spanish, but they also want to
7 finalize, put Kelly to bed, and I suggest that you do
8 that, that you do send the ATSDR report to them, for
9 their comments and for inclusion into the final public
10 assessment.

11 MS. CUNNINGHAM: I think we'll do that.
12 I hadn't thought about it actually, Mr. Quintanilla, but
13 I see no reason not to.

14 MR. QUINTANILLA: You're not going to do
15 that?

16 MS. CUNNINGHAM: Excuse me?

17 MR. QUINTANILLA: Oh, okay, you'll do
18 that.

19 MS. CUNNINGHAM: We'll do that. I hope I
20 said that right. It was a tongue slip if I didn't.

21 You know --

22 MR. QUINTANILLA: I beg your pardon?

23 MS. CUNNINGHAM: In our reading, I just
24 wanted to present a little bit more information, and
25 this is just something for you all to think about, and I

1 don't want to scare anybody but it's just something to
2 think about. I did bring copies of the report.

3 Brittany.

4 (Inaudible portion of tape.)

5 MS. CUNNINGHAM: Sure.

6 UNIDENTIFIED MALE: I know there was a
7 comment made that these VOC's can be taken up through
8 the tree and maybe not transplanted into the roots but
9 are released through the leaves.

10 What type of effect does that have on the
11 oxygen exchange from the tree itself? Are those PFC's
12 in airborne? What are we testing as far as -- I know
13 you're going into the air quality. Are we going to be
14 testing the leaf itself to see if those VOC's are coming
15 through the air?

16 MS. CUNNINGHAM: I don't know that we
17 will. There may be some Ph.D. student or grad student
18 that may want to get out there and check that one out,
19 but I really think that that's not, you know, it's not
20 something probably that we would do.

21 I think actually what happens -- Anybody
22 else want to comment on that?

23 (Inaudible portion of tape.)

24 UNIDENTIFIED MALE: So basically what
25 we're saying is if indeed it is happening, the levels of

1 it will be solo you wouldn't be able to test for it?

2 UNIDENTIFIED MALE: The most likely
3 measurement would be detected with the VOC's getting in
4 the plants.

5 (Inaudible portion of tape.)

6 UNIDENTIFIED MALE: And I don't think
7 you're going to see VOC's anywhere that showed up,
8 especially in grapefruit or tomatoes.

9 (Inaudible portion of tape.)

10 UNIDENTIFIED MALE: And actually where
11 there have been studies or where remediation is being
12 used is a remediation strategy, it's limited to pretty
13 specific trees and special types of cottonwoods that
14 have extremely deep roots and they really target very
15 shallow ground water in areas where maybe it's a wet
16 lands preserve, you know, some type of a habitat that
17 needs to be preserved and to get vehicles in there to
18 drill wells and put in recovery trenches and things like
19 that would just defeat the purpose of trying to protect
20 the natural wildlife habitat so they go out and plant
21 these trees.

22 It's really targeted at very shallow
23 ground water. It's a very special application. It's
24 not something where, you know, it's got a real wide
25 application, especially for ground water, 40 feet or

1 something like that.

2 MS. CUNNINGHAM: Let's go ahead. I just
3 wanted to show you all this other stuff. The next slide
4 is just another pretty picture.

5 Just in our reading, we ran into an FDA
6 five year study that was released in 2003. They
7 analyzed 70 foods for VOC's in between 1996 and 2000.
8 These foods were purchased from grocery stores so this
9 was not home grown produce, it was something that was in
10 a retail store.

11 VOC's were detected in every sample, and
12 particularly they detected benzene. There were only two
13 samples that did not have benzene in them. The FDA
14 concluded that much higher doses are inhaled from
15 cigarette smoke, gasoline fumes and industrial pollution
16 than ingested through foods, so they did say that the
17 food supply was safe, but just for you to think about, I
18 did bring copies of that particular study. But this was
19 produce that was in the markets or is in the markets.

20 Basically another thing that they stated,
21 a lot of what they found, styrene, basically came from
22 the packaging, and also some of the other VOC's that
23 they found they said they believe came from the
24 packaging or just it's predominance within the
25 environment, but these are grocery store purchased

1 produce or foods.

2 Some of it was cheese, so it's not just
3 produce. And, you know, I guess the point I'm trying to
4 make here is that we run into VOC's in our environment
5 constantly and I think it kind of comes down to we're
6 getting right down to basics. We need to wash fruits
7 and vegetables whether we purchase them at the grocery
8 store or we pick them out of our back yards. And then
9 the basic fresh is best. So if you're growing it in
10 your back yard, great, but I did bring copies of that,
11 and there were some other studies also that we looked
12 at, but this one I thought kind of hit home.

13 Yes?

14 UNIDENTIFIED MALE: Were the VOC's
15 detected like at the greater than five parts per
16 billion?

17 MS. CUNNINGHAM: Yes.

18 UNIDENTIFIED MALE: So, I mean, it's the
19 same -- They're detected at a higher level?

20 MS. CUNNINGHAM: Yes. No, they actually
21 were detected -- I brought the -- but I want to say
22 something like in between 20 and 40 ppb.

23 UNIDENTIFIED MALE: I just wondered if it
24 was reported on the same level with the previous
25 studies.

1 MS. CUNNINGHAM: Yes, with the highest
2 being cheese, cheese wrapped up in plastic.

3 UNIDENTIFIED MALE: Any particular brand?

4 UNIDENTIFIED MALE: Don't shop at a
5 grocery store that's right next to a dry cleaner.

6 MS. CUNNINGHAM: You got it. No, not
7 really.

8 UNIDENTIFIED MALE: Because the plastic
9 wrap actually will not keep volatile organics from
10 getting on to any food source. The volatiles pass right
11 through the plastic. It's a whole --

12 MS. CUNNINGHAM: And the plastic also.

13 UNIDENTIFIED MALE: It's a whole theory
14 behind the new ground water sampling that actually uses
15 bags filled with water. The volatiles went right
16 through the plastic.

17 MS. CUNNINGHAM: But anyway, I did bring
18 about 20 copies of that, so if anybody is interested.
19 And then please do check the website out and I think
20 that should be up by the end of the week. And, you
21 know, give us a call. We'll be checking it out too to
22 make sure, and if you actually want to see it in hard
23 copy, it will be at the Environmental Health and
24 Wellness Center and also at AFRPA and then at our
25 offices both downtown and out at Brooks, at the Public

1 Center for Environmental Health.

2 I'd very much like to thank Dr. K.C.
3 Donnally from Texas A&M for attending tonight and
4 Dr. C.K. Tan from Southwest Research for attending
5 tonight and helping me with some of your questions.

6 Thank you.

7 UNIDENTIFIED MALE: Thank you.

8 CHAIRMAN: It's 7:30. We're at that
9 point in the agenda where you've been sitting quietly
10 for an hour. The agenda calls for a short break. We'll
11 keep it down to about ten minutes. So we'll take a
12 quick break and we'll be back in ten minutes.

13 (Break.)

14 UNIDENTIFIED MALE: All right, I'd like
15 to bring this meeting back on the agenda. (Inaudible)
16 with us, but she had asked a question and I'll see to it
17 that she gets the information regarding the meeting
18 location change and provide her with the information
19 that she was asking. I thought you might be interested
20 in hearing it too.

21 The notes say that due to scheduling
22 conflicts at Kennedy, the meeting was moved to GKDA,
23 which comes as no surprise to anybody that's here.

24 She worked with the Edgewood School
25 District to find another school in the area that we

1 could use for the meeting but nothing was available.
2 The schools are busy this time of year. And based on
3 the fact that we have other related events at GKDA, this
4 seemed like the most logical choice.

5 In terms of public notification, that
6 change was advertised in the San Antonio Express-News
7 and in the prime time papers regarding the meeting date
8 and time and location.

9 In order for the public to be aware, we
10 sent out public service announcements, obviously sent
11 the RAB members their material packets with their notice
12 and the directions to the new location, and sent follow-
13 up e-mails to RAB members regarding the location change.

14 She also asked someone to meet and there
15 has been someone at Kennedy this evening. We posted
16 signs and maps and directions, letting people know
17 where, in fact, the meeting was. I'll see to it that
18 you get a copy of that but that's basically the
19 information that goes along with that.

20 (Inaudible portion of tape.)

21 CHAIRMAN: I'll check into that but
22 that's the information that went out.

23 UNIDENTIFIED MALE: Do you know when the
24 notice was placed in the newspaper and things of that
25 nature?

1 (Inaudible portion of tape.)

2 CHAIRMAN: Okay, if I could keep us
3 moving ahead, we have several items to cover.

4 The next item on the agenda is the RAB
5 Operating Guidelines Update.

6 As you all recall, there was a task
7 committee working on that. Pete, I guess, that's being
8 called in your bailiwick.

9 UNIDENTIFIED MALE: Well, I haven't
10 received any phone calls. I don't know about Mike, but
11 Rod was supposed to, you know, give me a call. We were
12 supposed to be able to maybe get together again and, you
13 know, we invited, at the last meeting, anybody else that
14 wanted to make a comment or a suggestion or, you know,
15 basically put their two cents in about anything that
16 they liked or disliked about the charter.

17 I have yet to receive any phone calls and
18 some of the people that were making the most noise at
19 the last meeting are, of course, not in attendance this
20 evening.

21 You know, I just want to make the point
22 that, you know, changes do not have to be made, but they
23 can't be made unless we all vote on them and we all
24 debate, you know, discuss at least what's going on,
25 wording that we feel needs to be updated or changed or

1 whatever as a group, but the people that, you know,
2 don't attend meetings, you know, don't get to, you know,
3 are not heard.

4 UNIDENTIFIED FEMALE: What was the reason
5 for changing the charter to begin with?

6 UNIDENTIFIED MALE: Well, there's just
7 language in here that maybe can be updated to better
8 suit what, you know, the goals that we are -- you know,
9 what we're trying to accomplish. I mean, we don't have
10 to make any changes.

11 UNIDENTIFIED MALE: Maybe it was the RAB
12 election that really prompted. You know, we had some,
13 during the last selection, some things came up that
14 really prompted us to take a second look at it.

15 UNIDENTIFIED MALE: I thought that was
16 corrected.

17 UNIDENTIFIED MALE: Well, it's corrected
18 now but you haven't approved the revised charter. So
19 that's one of the things that prompted the re-looking at
20 it.

21 UNIDENTIFIED MALE: I know that the
22 charter does have to be revised once the RAB rule is
23 approved, the RAB regulations.

24 We have been operating, the law Title 10,
25 Sub-title A of Chapter 160, Section 2705, requires the

1 RAB rule. We never had a regulation from the Department
2 of Defense to operate the RAB.

3 One outfit in California went to court
4 because it tried to dissolve a RAB and there was no RAB
5 rule so they couldn't do it.

6 We've had problems in here, for instance,
7 in compensation for some of the people to come to the
8 meetings, that sort of thing. It's in the law. But I
9 don't think they got it in the RAB rules, so that may be
10 another problem in the future, but I suggest that you
11 wait until the RAB rule is published and then come up
12 with a new charter to follow that.

13 UNIDENTIFIED MALE: That was actually
14 what Pete, myself and Mr. Garcia was asked. One of the
15 things that was presented or proposed was that we make a
16 lot of changes, and I know one of the comments that I
17 made was exactly what you're talking about. We're still
18 waiting on the --

19 UNIDENTIFIED MALE: On the RAB rule.

20 UNIDENTIFIED MALE: -- on the RAB rule.
21 So rather than take a comprehensive approach to it, why
22 don't we just tackle those three issues, I think it was,
23 that we really needed to tackle, which was changing the
24 goals and purposes, which we had a pretty productive
25 meeting in this room. And then the second thing was to

1 address the issue that we had with one of the
2 sub-committees, with either the election or the
3 appointment of a Chair, so we basically decided to,
4 rather than take an overall approach, tackle the two or
5 three issues that we really needed to tackle at this
6 time, and propose those as changes, and then at a later
7 time, once the rule is adopted, we can come back and
8 make a comprehensive, you know, review of the entire
9 charter and the good issue today, the issue regarding
10 quorum, you know, we couldn't find it under any of the
11 tantalites. It comes under "Meeting Schedule." You
12 know, I wouldn't think to look there and I'm the
13 parliamentarian. You know, "Meeting Schedules" is
14 usually not where "Quorum" is under, "Quorum" is usually
15 under "Quorum."

16 You know, so that's one of the things
17 that I would suggest that we change, and it's not
18 important at this point. I mean, that's okay, but at
19 this point, and that was actually discussed. I think
20 that's actually what staff is --

21 UNIDENTIFIED MALE: What was in there was
22 approved by the judge advocate staff, by his lawyers, by
23 Adam Antoine's lawyers, every bit of it. Some of the
24 wording did not come from me or Mr. Silvas.

25 UNIDENTIFIED MALE: That's one of the

1 problems.

2 UNIDENTIFIED MALE: That's possibly why
3 you're having the problems.

4 UNIDENTIFIED MALE: You have too many
5 lawyers involved.

6 UNIDENTIFIED MALE: But, you know, I
7 think it's a wise idea. I was part of the, you know,
8 what you got there, but, you know, we had to argue for
9 every word that we wanted in there.

10 UNIDENTIFIED MALE: I know that we met --
11 I think the charter has been changed about two or three
12 times. I was on the first one that changed it. It took
13 about six months of meetings just to change the first
14 charter. It's a lot of work.

15 UNIDENTIFIED MALE: I was in it.

16 UNIDENTIFIED MALE: You were in that same
17 one also.

18 UNIDENTIFIED MALE: It was called in
19 administrative committee. But right now, if you got
20 Rodrigo and Nuncho and you, sir, on it, three is enough,
21 and bring in the lawyers, you know, because they're
22 going to come in any way. He's never going to sign this
23 thing unless his lawyers approve it.

24 UNIDENTIFIED MALE: Correct. But some of
25 the members, some of the RAB members at the last meeting

1 that were raising the most cane, you know, raising the
2 most stink about why we're changing the charter, are not
3 present tonight. And the next meeting, or whenever this
4 comes before a vote, we decide to adopt changes or we
5 don't decide, they're going to be raising all kinds of
6 fuss again.

7 UNIDENTIFIED MALE: Well, let's suggest
8 this, and this is just a suggestion, it doesn't have to
9 go along. Just come up with the topics that you want to
10 change, the pages that you want to change and present
11 it.

12 UNIDENTIFIED MALE: It's right there,
13 it's in your packet.

14 UNIDENTIFIED MALE: Where?

15 UNIDENTIFIED MALE: It's actually one of
16 the issues. It's right at the last page of the
17 charter. It says, "Addendum to Kelly Air Force Base
18 Restoration Advisory Board charter approved as amended"
19 --

20 UNIDENTIFIED MALE: You're going to
21 change the purpose, the mission and the goals and the
22 committees?

23 UNIDENTIFIED MALE: The purpose, the
24 mission and the goals were done at another session.

25 UNIDENTIFIED MALE: Okay. It's already

1 done. Then all we have to do is approve this?

2 UNIDENTIFIED MALE: No. I believe that
3 we have to --3.5.2 says it may be further amended by
4 two-thirds of the majority -- Such proposed amendment
5 shall be in writing and distributed to all Board members
6 prior to the proposed meeting at which it is discussed
7 and considered for approval. Amendments must be
8 consistent with all the regulations, guidelines and --
9 (Inaudible.)

10 UNIDENTIFIED MALE: I have some qualms
11 with your purpose in here. The purpose of this is to
12 restore the community and to be involved in the
13 decision-making process, which this Board is not a
14 decision-making outfit.

15 I think those kinds of words should be in
16 the purpose of it. You know, you will never make a
17 decision as to we want a PRB on 36th Street, or whatever
18 it is, you'll never get in there. All you're going to
19 get is a piece of paper or after the fact that we're
20 going to put a PRB on 36th Street and all you're doing
21 is rubber stamping and this is not the purpose of this
22 particular thing.

23 UNIDENTIFIED MALE: If I'm not mistaken,
24 I think the purpose comes straight out of the ruling --

25 UNIDENTIFIED MALE: Yes, it's got to come

1 out of there.

2 UNIDENTIFIED MALE: Right. So I don't
3 think that we can change that ruling. So we can only
4 work with --

5 UNIDENTIFIED MALE: And what does that
6 ruling say?

7 UNIDENTIFIED MALE: -- with limitations
8 we have.

9 I don't have it in front of me.

10 UNIDENTIFIED MALE: Let me see if I have
11 it.

12 UNIDENTIFIED MALE: I do recall that it
13 had --

14 UNIDENTIFIED MALE: Well, I mean, the
15 purpose of the Restoration Advisory Board has always
16 been and will continue to be to operate a mechanism for
17 the community to provide advise on the clean-up.

18 The community is not a decision-making
19 body and DOD is not going to --

20 UNIDENTIFIED MALE: When has my advice
21 been asked for? And I was a member of this thing from
22 1994 to 2000.

23 UNIDENTIFIED MALE: Armando, I've heard
24 you provide advice on all kinds of topics for years and
25 years and years.

1 UNIDENTIFIED MALE: But I was a voice in
2 the darkness.

3 UNIDENTIFIED MALE: Oh, we always listen
4 to your voice.

5 UNIDENTIFIED MALE: It should also have
6 some of the information that is in your community
7 involvement plan.

8 The purpose of the community involvement
9 plan is to get the community to participate. We're not
10 doing it. We saw it at the last meeting, when I was
11 saying a few words and they said, "All you're talking
12 about it nonsense." And I expect that a little rebuttal
13 here from Mr. Antoine.

14 MR. ANTOINE: Not tonight.

15 UNIDENTIFIED MALE: Not tonight. We're
16 all right there.

17 UNIDENTIFIED FEMALE: At least an
18 apology.

19 UNIDENTIFIED MALE: But these are the
20 types of things, the problems that we have, and this is
21 the things that keep the people from coming up and not
22 trusting.

23 Trust is, if you read the community
24 involvement plan and the comments from the community
25 when they went out there and got these comments, they

1 said that the community did not trust this thing. They
2 did not trust the people on the ramp. And what is it
3 that you're doing to bring out this trust, for the
4 community to trust us?

5 Lackland has got the same problems. They
6 said that they had punched a thousand holes up there on
7 the golf course and could not find the source of any
8 PCBs.

9 This lady here found the source, two
10 sites that has PCBs right there on the golf course. One
11 of them right above the dam. So, you know, the trust is
12 not there. You know, from what I'm seeing here, the
13 AFB, whatever it is now.

14 UNIDENTIFIED MALE: RPA.

15 UNIDENTIFIED MALE: What?

16 UNIDENTIFIED MALE: RPA.

17 UNIDENTIFIED MALE: Real Property
18 Agency. All they want to do is look good. "Here, look
19 what we're doing," you know. We spent -- How many
20 millions of dollars have you spent?

21 UNIDENTIFIED MALE: About 30 this year.

22 UNIDENTIFIED FEMALE: Thirty million?

23 UNIDENTIFIED MALE: No, total, total,
24 total.

25 UNIDENTIFIED FEMALE: Total, from the

1 time it started.

2 UNIDENTIFIED MALE: About 300.

3 UNIDENTIFIED MALE: Well, this is not
4 what your community relations report says in here. This
5 clean-up program isn't cheap. The Air Force is
6 committed to doing the job and so far has spent 100
7 million, so --

8 UNIDENTIFIED MALE: I don't know when
9 that was written.

10 UNIDENTIFIED MALE: This is your newest
11 thing. This is your newest --

12 UNIDENTIFIED MALE: I can tell you it's
13 more like a quarter of a billion.

14 UNIDENTIFIED MALE: Well, it's not here,
15 so again, where is the trust? You tell us one thing and
16 we're reading another thing.

17 UNIDENTIFIED MALE: It's more than this,
18 okay.

19 UNIDENTIFIED MALE: I think this is what
20 you got to work on.

21 UNIDENTIFIED MALE: Trust me, I've spent
22 twice as much as it says.

23 UNIDENTIFIED MALE: I know that.

24 UNIDENTIFIED FEMALE: Which means what,
25 Adam, though, is it clean though? It hasn't been clean.

1 UNIDENTIFIED MALE: We're getting there.
2 I got some maps I want you guys to look at outside.

3 UNIDENTIFIED MALE: And how long did it
4 take you, Adam? How long did it take you?

5 UNIDENTIFIED MALE: I'm not going to
6 debate tonight.

7 UNIDENTIFIED MALE: Okay, we're not going
8 to debate.

9 UNIDENTIFIED MALE: We have a lot of
10 people here that want to hear about some specific
11 topics, so if you don't mind --

12 UNIDENTIFIED MALE: Okay, the specific
13 topic we're talking about is the RAB right now.

14 UNIDENTIFIED MALE: Okay, we're kind of
15 getting off track though.

16 UNIDENTIFIED MALE: And making revisions
17 to the RAB, and all I'm doing is discussing some
18 possibilities.

19 UNIDENTIFIED MALE: If you guys want to
20 comment any further --

21 UNIDENTIFIED MALE: I'm commenting right
22 now, sir.

23 UNIDENTIFIED MALE: -- then come to the
24 meeting and given us some positive comments.

25 UNIDENTIFIED MALE: I came to the meeting

1 and I'm giving you some positive comments.

2 UNIDENTIFIED MALE: Thank you.

3 UNIDENTIFIED FEMALE: I'll give you some
4 positive comments. I'm glad for Mr. Quintanilla to
5 bring up the questions and the comments, and I'm sure,
6 as I see some of the audience, they're nodding and
7 agreeing with me. And as a RAB member, I agree with
8 Mr. Quintanilla and I support him.

9 UNIDENTIFIED MALE: So do I. That's why
10 I'm here.

11 UNIDENTIFIED FEMALE: Okay, and it's
12 nothing personal, Mr. Antoine.

13 MR. ANTOINE: I'm not taking it that
14 way. If I did, I wouldn't be sitting here.

15 UNIDENTIFIED FEMALE: Like last time.

16 MR. ANTOINE: You won't have to worry
17 about that.

18 UNIDENTIFIED FEMALE: Okay.

19 MR. ANTOINE: Anything else, sir?

20 UNIDENTIFIED MALE: Anybody else want to
21 make any comments?

22 UNIDENTIFIED MALE: One of the things I'm
23 noticing here, in your goals, I'm not reading anything
24 to help provide any type of assistance for the community
25 as far as the people out there that are sick, that are

1 suffering from --

2 UNIDENTIFIED MALE: It's not within the
3 parameters.

4 UNIDENTIFIED MALE: It's not within our
5 parameters as far as --

6 UNIDENTIFIED MALE: Yes, it is. Nothing
7 is keeping you or this Board from developing a
8 resolution and sending it up to the Department of
9 Defense stating this, with copies to the Congressmen.

10 UNIDENTIFIED MALE: I was talking about
11 providing assistance --

12 UNIDENTIFIED MALE: He doesn't have it
13 but there's ways that, you know, that he can get it, so
14 that the people can be helped.

15 UNIDENTIFIED MALE: I really feel that
16 one of our goals should be not only informing the
17 community but helping the community. You know, I keep
18 hearing talk about there's no direct relation and we
19 can't prove that what's in the water here is causing a
20 lot of the problems that are in the community as far as
21 illnesses are concerned.

22 Why aren't we doing more about that? Why
23 aren't we showing more interest in that particular
24 field? Why aren't we going actively looking for and
25 trying to resolve some of the illnesses that are out

1 there?

2 One case in point, a gentleman living in
3 the community, specifically my father-in-law, has got an
4 eye disease that no doctor can seem to find out why. No
5 doctor seems to know what's going on with him, but in
6 doing a little bit of research about the chemicals that
7 we're talking about, a lot of them do cause nerve
8 problems, and what he has, of course, is a nerve
9 problem.

10 So why aren't we trying to find these
11 people, locate these people, help these individuals?
12 Why can't that be in our goals?

13 UNIDENTIFIED MALE: I don't know if I can
14 speak to that issue in terms of being on the goals of
15 the RAB charter itself. I think since 1988 to the
16 present, there has been quite a bit done in that
17 particular area, with various assessments and studies
18 and all of that, that you just alluded to.

19 It's not something that I believe, right
20 now, is finished. I think the ATSDR, the Agency for
21 Toxic Substances and Disease Registers, has done
22 numerous assessments and will continue to do
23 assessments.

24 One of the things that they did find in
25 the first phase of assessments is they did find elevated

1 levels of liver cancer in this area, and they could not,
2 again, they could not attribute them to any one
3 specific, you know, cause, and I think the issue you
4 allude to in terms of whether this community is
5 suffering illness or not, I don't think anybody can
6 debate that there is illness in the community.

7 I think that finding the causes of that
8 illness is a lot harder to do.

9 The instruments that we use in public
10 health and in ATSDR are, at best, limited. That doesn't
11 mean that we do not go out and look for it. We've tried
12 to find clusters, tried to find association, tried to
13 find past employment histories. The most recent study
14 that was released that was done, was released last year,
15 which was a case mortality study of the former Kelly Air
16 Force Base workers. They went back and looked at for
17 the past 20 years the leading causes of death for former
18 Kelly Air Force Base workers.

19 And again, this was the first cut, the
20 first time that that study had been done. I mean, yes,
21 they didn't find a whole lot of things. They found some
22 elevated, some unexpected cases of, for instance, breast
23 cancer in some of the women working in blue collar
24 fields. They found some unexpected cases of cancer in
25 males. I mean, that's what you found in this

1 population.

2 The question is that in, and again, the
3 reason the study was done in the first place for this
4 particular study was done because it was a community
5 alarm in terms of the ALS, Lou Gherig's Disease, that
6 there was many former Kelly Air Force Base workers had
7 come forth and said, you know, "I have it" or "My dad
8 had it" or "An uncle of mine had it," and there's a
9 whole lot of them, we need to find out if there's a
10 higher incidence or not, and if that's the case. So the
11 study that was done was done by the Air Force. Excuse
12 me, I take it back. The Air Force paid for the study
13 but the Air Force did not do the study. It was done
14 from a contractor out of Massachusetts, a epidemiology
15 think tank out of Massachusetts that does this type of
16 work, and what they did is they looked at the death
17 certificates of those 20,000 workers, and many of those
18 20,000 or more workers are still alive. We don't know
19 ultimately what they will die from so that study may
20 have to be repeated in another five or ten years, to see
21 if the leading causes of death changes.

22 Over time, they probably will, but on
23 this first look that they looked at, they didn't see
24 that. So yes, they have looked at the health issues.
25 And we continue to look at the health issues in terms of

1 the workers at Las Palmas Environmental Health
2 Assessment Center. People still come in to say, "Look,
3 I worked at Kelly Air Force Base and let me tell you
4 what happened and what I'm doing and this is my health
5 issues and what I've done," that the staff there takes
6 those assessments, and again, we don't try to diagnose
7 what they have. We just take down the assessments, try
8 to verify what they have, check with the physicians to
9 see if that's what, you know, what they have and enter
10 it.

11 Many times the people that come into that
12 clinic don't even know they have, for instance,
13 diabetes. They walk in there, and they have physicians,
14 by the way. They have attending physicians. They walk
15 in there and they don't know that until they get
16 screened and they look and we run some tests on them,
17 but the most important thing we do at that assessment
18 clinic is to take the case history of that individual.
19 And the case history is like a 30 page document. I
20 mean, it takes about an hour or two hours just talking
21 to the individual. You don't come in and just say, "I
22 got a headache," you know. And the people that come
23 forth cannot be, you know, thanked more or appreciated
24 more because they take busy times out of their lives to
25 come in and give us this information. And we're

1 actually, you know, this assessment that we're doing is
2 actually part of the history of Kelly Air Force Base.

3 (Inaudible portion of tape.)

4 UNIDENTIFIED FEMALE: I have just three
5 different chemicals from the ATSDR up here that are on
6 this site that does say what they can cause.

7 UNIDENTIFIED MALE: Yes, all those
8 chemicals are concern that they talked about that we
9 know what they cause. We don't know if they have caused
10 that. See, that's the question.

11 (Inaudible portion of tape.)

12 UNIDENTIFIED MALE: Well, no, I don't
13 think -- My personal opinion on that is that it has not
14 been skipped over.

15 (Inaudible portion of tape.)

16 UNIDENTIFIED MALE: And I understand
17 that, but I think it's being addressed and I think it
18 will be addressed.

19 (Inaudible portion of tape.)

20 UNIDENTIFIED MALE: Well, there's two
21 ways of looking at those studies. One is the mortality
22 studies, which you just talked about, the death rates,
23 and another way is to look at registries of people to
24 see if there are other things that are occurring in
25 people that are still alive.

1 For instance, one of the things that
2 we're looking at right now is birth defects, to see if
3 there's any higher incidents of birth defects. Now this
4 is people that actually still live here. We're going
5 back and looking at the registries because we have more
6 complete information to do that.

7 When ATSDR did their first phase one
8 study, you know, the birth defects registry that the
9 State of Texas had was very incomplete, so we have more
10 data that's up to date, 2000, 2001. So one of the
11 things we're looking at is birth defects in this plume
12 area, to see if there's anything there that says we got
13 a problem there. So you look at what records you have.

14 UNIDENTIFIED FEMALE: If you go to the
15 public library, which I have, and you look at the
16 medical records and you look at the (Inaudible) zip
17 codes, you can see it's one of the highest lung cancer
18 rates in Texas.

19 UNIDENTIFIED MALE: Well, I would debate
20 that.

21 (Inaudible portion of tape.)

22 UNIDENTIFIED MALE: No, no, but I mean,
23 you have cases and you also have rates, you know. When
24 we look at those kinds of things, we look at rates per
25 hundred thousand, per hundred thousand populations.

1 (Inaudible portion of tape.)

2 UNIDENTIFIED FEMALE: Why would you
3 debate that? (Inaudible.) Why would you debate that?
4 I understand two things -- (Inaudible.)

5 UNIDENTIFIED MALE: I guess "Debate" is
6 the wrong word that I use, but I think one of the things
7 that we have to try to bring as much information to this
8 issue as much as is possible for us to gather, and our
9 job in public health is to gather this information, to
10 try to find out where -- if there is information there
11 that suggestions that there's a problem, then to bring
12 it to the attention of the people --

13 (Inaudible portion of tape.)

14 UNIDENTIFIED MALE: But Dr. Gerra has
15 looked at this information over and over again as well.

16 (Unidentified Female Speaking -
17 Inaudible.)

18 UNIDENTIFIED MALE: Well, I think, again,
19 that's an opinion that --

20 (Unidentified Female Speaking -
21 Inaudible.)

22 UNIDENTIFIED MALE: But that's strictly
23 an opinion. Dr. Gerra is the Director of Health for the
24 entire city and the county.

25 (Unidentified Female Speaking -

1 Inaudible.)

2 UNIDENTIFIED MALE: Uh-huh.

3 UNIDENTIFIED FEMALE: From the actual
4 (Inaudible) that I printed out from the website, and
5 from public screening. You say people weren't there to
6 say they just don't have headaches, they spend two to
7 two and a half hours there with them.

8 UNIDENTIFIED MALE: Right.

9 UNIDENTIFIED FEMALE: And I'm telling you
10 right now that I'm one of the community members.
11 There's plenty more that are here and this is just a
12 small number of us that are (Inaudible) plume.

13 I mean, there's so many more
14 (Inaudible.) You're saying now we're going to gather
15 information just to see if there's anything there, if
16 there's anything wrong. Well, there's a lot of
17 information right here pointing to that, so for you to
18 say this is what we're going to do -- (Inaudible.)

19 UNIDENTIFIED MALE: Excuse me,
20 Mr. Sanchez. We have several other people that need to
21 have a chance to comment.

22 UNIDENTIFIED MALE: Okay.

23 UNIDENTIFIED MALE: She just brought out
24 the point that I was trying to make.

25 UNIDENTIFIED MALE: Excuse me.

1 UNIDENTIFIED MALE: That we need to help
2 the people.

3 UNIDENTIFIED MALE: Excuse me.

4 UNIDENTIFIED MALE: And the charter or
5 what you have wrote up on this purpose is not enough.
6 We've got to do more.

7 Sam couldn't have gotten this money for
8 this study that he's making had it not been for some of
9 the RAB members that went out and knocked on the door of
10 the Congressman, not only here in San Antonio, not only
11 Congressman Rodriguez but also Congressman Gonzalez but
12 also in Washington D.C., and that's how he got the
13 money.

14 UNIDENTIFIED FEMALE: Mr. Sanchez, just
15 one area of concern. In listening to what you explained
16 about the mortality rate assessment, just one area of
17 concern, one flag that I would like to raise, and that
18 is having personal experience with people who have
19 suffered neurological type of diseases, the death
20 certificate will not -- In other words, the cause of
21 death is not going to be reflected as the neurological
22 disease.

23 In most cases, it's going to be an
24 opportunistic type of disease, infection, that is
25 identified as the cause of death. So how do you

1 address, as far as the mortality assessment, in
2 identifying, because we know that a lot of the side
3 effects or effects of some of these chemicals is
4 directed towards neurological types of malfunctions, and
5 that's not going to be reflected in a death certificate.

6 UNIDENTIFIED MALE: Well, that's the
7 major gap in doing case mortality studies, and you're
8 exactly right. Oftentimes what is written in a death
9 certificate --

10 UNIDENTIFIED FEMALE: Right.

11 UNIDENTIFIED MALE: -- is not the cause
12 of death. That's what the attending physician writes at
13 the moment of death. He'll write, you know, cardiac
14 arrest or he writes some other things.

15 I know when the Air Force did, when this
16 contractor that the Air Force hired to do this case
17 mortality study, when they did that study, one of the
18 most difficult things they had to do is what's called
19 case ascertainment, to look at the actual documents
20 themselves and read them to see exactly what was written
21 in that death certificate.

22 And even then, you know, you still have
23 to be skeptical in terms of what's there. But that's
24 the only thing you have going on in terms of mortality
25 studies.

1 I mean, I don't think we have anything
2 better right now to go back and look at those types of
3 records. A lot of those studies that are done about
4 clusters, you know, and this information, is done, the
5 leading expert, they go to the National Death Index,
6 which is the major data base for the leading causes of
7 death in the United States.

8 UNIDENTIFIED FEMALE: Where can I see
9 that?

10 UNIDENTIFIED MALE: That's the state of
11 record for the country. Yes, that's the statement of
12 record for the United States.

13 (Unidentified Female Speaking -
14 Inaudible.)

15 UNIDENTIFIED MALE: I can't argue with
16 that.

17 UNIDENTIFIED MALE: I just want to make a
18 comment. I mean, I don't think anybody here discounts
19 there are folks in the community that have health
20 problems. I think we all recognize that.

21 I think a lot of things have been done to
22 try to look at what maybe some of the problems are, see
23 if there's any linkage. As Sam said, a lot of what has
24 happened is ongoing. I think one thing we all have to
25 keep in mind though is when you're talking about

1 providing assistance or compensation to the folks in the
2 community that have been impacted, you know, the federal
3 government is not going to do that until there's some
4 direct linkage, and the RAB, the RAB --

5 (Unidentified Female Speaking -
6 Inaudible.)

7 UNIDENTIFIED MALE: Well, let me finish.
8 When the ATSDR program came out, the RAB, through the
9 TAP program, hired a toxicologist from the University of
10 Maryland that came in and did an independent review of
11 ATSDR's report and she did note some issues she had with
12 how they collected some of their data, how some of it
13 was interpreted, but one thing she did say is that, you
14 know, if you're looking for a direct epidemiological
15 link between the diseases, the health impacts, the
16 health problems that folks in the community have and
17 what has happened as far as contamination releases on
18 Kelly in the past or ongoing, you're probably never
19 going to find that, and that's, unfortunately, the
20 problem.

21 Nobody discounts the fact that there are
22 folks in the community that have health problems, but
23 being able to say that that is directly related to, you
24 know, what somebody did at Kelly as a worker or living
25 over the plume is something that you're going to have to

1 have in order to go back to the federal government.

2 The only real situations you may have is
3 in those occasions where somebody was, and you're
4 actually seeing this right now with the Department of
5 Energy, where people working on the, you know, the
6 nuclear weapons working were working around machine
7 brillings, and it was documented, and they have now come
8 down with something called brilliosis, which only comes
9 from the ingestion of machine brillings, so that can be
10 linked back and the DOE is providing compensation to
11 those individuals, but when you're talking about, you
12 know, a community and there's just no direct linkage to
13 their health --

14 (Unidentified Female Speaking -
15 Inaudible.)

16 UNIDENTIFIED MALE: I'm a geologist, I'm
17 not a health professional. I'm just telling you that
18 the RAB's only independent toxicologist gave a report to
19 the RAB saying you're not going to find probably this
20 epidemiological link between Kelly contamination and
21 health impacts in the community which would drive some
22 type of compensation.

23 UNIDENTIFIED FEMALE: Then what's the
24 point of the RAB?

25 UNIDENTIFIED MALE: Well, the point of

1 the RAB is to provide advice to the agencies that are
2 responsible for making sure that the ground water
3 contamination, soil contamination on Kelly Air Force
4 base are cleaned up to the applicable state and federal
5 regulations.

6 (Unidentified Female Speaking -
7 Inaudible.)

8 UNIDENTIFIED MALE: Well, that's two
9 different -- You're talking about the direct linkage to
10 health impacts as the State of Texas's program manager
11 who is overseeing this clean up. If you pollute the
12 environment, soil or ground water, you're responsible
13 for remediating that back to certain levels, so whether
14 you have impacted somebody's health or not, you still
15 have an obligation under the law to clean that
16 contamination up. That's why I'm involved.

17 (Unidentified Female Speaking -
18 Inaudible.)

19 UNIDENTIFIED MALE: That's not what I'm
20 saying.

21 (Unidentified Female Speaking -
22 Inaudible.)

23 UNIDENTIFIED MALE: Obviously the
24 discussion among the Board and the community tonight,
25 there's a lot of concern with the wording of the

1 purpose, mission and goals, and obviously as Mr. Muskez
2 has mentioned, there's a lot of members that aren't
3 here. So what I'd like to make a motion to do is accept
4 the two --

5 (Tape cut off. End of tape.)

6 (Beginning of Tape 2.)

7 UNIDENTIFIED MALE: -- coming up with
8 this committee issue is that there were problems at
9 previous meetings.

10 UNIDENTIFIED MALE: There was no problem
11 with the TRS committee.

12 UNIDENTIFIED MALE: Yes, there was.

13 UNIDENTIFIED MALE: We operated from 1994
14 until the year --

15 UNIDENTIFIED MALE: Recently. Recently
16 there is.

17 UNIDENTIFIED MALE: Because you haven't
18 had one, sir. You haven't had a meeting for five or six
19 months.

20 UNIDENTIFIED MALE: Mr. Chair, I can
21 speak to that.

22 UNIDENTIFIED MALE: When was you going to
23 have a meeting? When was your last meeting?

24 UNIDENTIFIED MALE: Let me just give you
25 some feedback on where the TRS issue is, and I think

1 that kind of brought this question up on the committees.

2 UNIDENTIFIED MALE: Okay.

3 UNIDENTIFIED MALE: The TRS meeting that
4 we had sometime in October, I believe it was, we voted,
5 we attempted to have an election on the chair person for
6 the TRS committee.

7 We ended up with some questions as to who
8 was eligible to vote and who wasn't.

9 At that point is when that kind of got
10 that started, because as it stands right now, people
11 just go to the TRS committee meetings and they vote, and
12 then we had a question as to where the Air Force
13 representatives also voted, and as a result, we ended up
14 with questions in that area, and that's what this is
15 attempting to clear up, and that's all I want to share
16 with you.

17 UNIDENTIFIED MALE: And they voted and
18 they weren't supposed to vote. That's what caused the
19 problem. I was there at that meeting.

20 UNIDENTIFIED MALE: Okay. Well, then you
21 can recall --

22 UNIDENTIFIED MALE: And there were people
23 that voted that shouldn't have.

24 UNIDENTIFIED MALE: I understand and we
25 brought issue to that --

1 UNIDENTIFIED MALE: That shouldn't have
2 voted. All we have to do was just re-do the election
3 over.

4 UNIDENTIFIED MALE: There's a mechanism
5 in the charter that states who shall and who shall not
6 be a voting member of sub committees. This provision
7 sets those up.

8 UNIDENTIFIED MALE: I think that if you
9 read it --

10 UNIDENTIFIED MALE: -- sets up that
11 mechanism.

12 UNIDENTIFIED MALE: I wouldn't have a
13 problem with the wording that's there. I think it gives
14 it some --

15 UNIDENTIFIED MALE: Is that the reason
16 you haven't had one for five or six months, a TRS
17 meeting?

18 UNIDENTIFIED FEMALE: That's it.

19 UNIDENTIFIED MALE: Because the TRS
20 committee was one of the most important committees that
21 there is.

22 UNIDENTIFIED MALE: And it was, and it
23 needs to continue, but the problem was at the October
24 meeting, there was an issue.

25 UNIDENTIFIED MALE: Well, we had one

1 following the October meeting.

2 UNIDENTIFIED MALE: Yes, we did.

3 UNIDENTIFIED MALE: Yes, we did.

4 UNIDENTIFIED MALE: And the issue
5 continued.

6 UNIDENTIFIED MALE: The issue continued
7 because of politics, I think, at the Air Force level,
8 not at my level.

9 UNIDENTIFIED MALE: There's a mechanism
10 that removes any interpretation and politics.

11 UNIDENTIFIED MALE: Who suggested that?
12 That's what I want to know.

13 UNIDENTIFIED MALE: Who suggested what?

14 UNIDENTIFIED MALE: This change right
15 here.

16 UNIDENTIFIED MALE: We discussed it.

17 UNIDENTIFIED MALE: That was part of the
18 discussion that came up in the meeting, the last meeting
19 that we had here. There was some input to that effect.

20 UNIDENTIFIED MALE: Right.

21 UNIDENTIFIED MALE: Then they took some
22 of that information, and then I'm sure that, as the
23 committee, they came up with this terminology, and
24 that's what they're presenting to us today, but it's
25 consistent with I think what was expressed at that

1 previous --

2 UNIDENTIFIED MALE: Now does this
3 paragraph preclude the problem from occurring again,
4 that the non-community members can vote?

5 UNIDENTIFIED MALE: I think it will
6 because it should say --

7 UNIDENTIFIED MALE: It doesn't say that.

8 UNIDENTIFIED MALE: It should say who the
9 committee members are going to be.

10 UNIDENTIFIED MALE: It says who the
11 committee members are going to be. But should the
12 non-community members vote? That's the key.

13 UNIDENTIFIED MALE: I think what it does,
14 it goes back to your original charter, which says that
15 government members do not vote, basically, because it
16 specifically spells out that he can appoint government
17 members and he appoints community members, so then you
18 go back to the original charter and you look at the
19 definition of government member, and in those
20 definitions, it says that we don't vote, and we don't
21 vote, we never have voted at any of the meetings.

22 UNIDENTIFIED MALE: They did vote, and
23 that's what caused the problem.

24 UNIDENTIFIED MALE: We never have voted
25 at any meeting, period.

1 UNIDENTIFIED MALE: They did vote.
2 Here's what it says. "However, in no circumstances
3 shall government Board members appointed to a committee
4 outnumber community Board members appointed to that
5 committee." That's what it says. That's it, period.
6 It doesn't say that government Board members cannot
7 vote.

8 UNIDENTIFIED MALE: It doesn't have to
9 because it's in here.

10 UNIDENTIFIED MALE: I think this does. I
11 think it should be more specific and clear.

12 UNIDENTIFIED MALE: It's in the
13 underlying rules of the RAB that they're not allowed to
14 vote.

15 UNIDENTIFIED MALE: But it's not in the
16 underlying rules of this addendum and we're going to go
17 by this addendum and then I'm going to say or somebody
18 is going to say where does it say that Mr. Wigger can't
19 vote?

20 UNIDENTIFIED MALE: Have I ever voted?

21 UNIDENTIFIED MALE: Or Mr. Sanchez can't
22 vote.

23 UNIDENTIFIED MALE: The only thing I vote
24 for is adjournment of this meeting.

25 UNIDENTIFIED MALE: You better believe

1 it.

2 UNIDENTIFIED MALE: I think we should
3 hold off on committees just because -- If we're going to
4 sit here and argue, let's go home.

5 UNIDENTIFIED MALE: I believe we should
6 hold off on committees just simply because it does, in
7 the wording here, refer to purpose above, and if we're
8 not going to vote on purpose, why vote on committees?

9 If we're not going to define what our
10 purpose is, why should we be defining what our
11 committees and sub-committees will be?

12 UNIDENTIFIED MALE: I'll go along with
13 this, providing you change it, and delete, you know, the
14 purpose, the mission and the goals from this, and all
15 we're going to vote is on this committee, committee
16 paragraph.

17 UNIDENTIFIED MALE: How about if I amend
18 my motion to remove the word "Above" from committees.

19 UNIDENTIFIED MALE: I'm sorry?

20 UNIDENTIFIED MALE: If I amend my motion
21 and remove the word "Above."

22 UNIDENTIFIED MALE: Well, if we could
23 have some discussion on the purpose and go back in my
24 original request and have in our purpose something set
25 up to involve the community to make aware the community

1 and actually getting some help to this community. You
2 know, if we can get that in purpose, then I have no
3 problem with it.

4 UNIDENTIFIED MALE: That's what I said.
5 I mean, I think the Chairman Pena has a lot of, you
6 know, a lot of things to say on this. He's got the
7 words in here, a lot of things to say at that point.

8 I mean, I'd like to remove it from
9 consideration tonight and just leave it until we can get
10 more of the members here, because actually, the word
11 "Above," you know, once this section is applied into the
12 rest of the charter, "Above" will actually refer to the
13 original purpose until it's amended.

14 UNIDENTIFIED MALE: Okay.

15 UNIDENTIFIED MALE: Which is extremely
16 wrong, I think.

17 UNIDENTIFIED MALE: And in looking at
18 that, I would say let's hold off on that until we get
19 exactly what we want to have on paper and then we can
20 vote on it.

21 UNIDENTIFIED MALE: I agree.

22 UNIDENTIFIED MALE: Rather than just
23 picking and choosing from what we want to say or what we
24 need to say, let's not verbalize it, let's get it down
25 on paper, let's get it on paper, let's look at it, let's

1 review it and then we'll be able to more clearly
2 understand what we're voting on.

3 UNIDENTIFIED MALE: Call the question
4 since my tabling the motion wasn't there and I'm going
5 to vote against it so all of us --

6 (Inaudible portion of tape.)

7 UNIDENTIFIED MALE: Come again? He says
8 he's willing to change it.

9 UNIDENTIFIED MALE: Calling the question.

10 UNIDENTIFIED MALE: Call the question.

11 UNIDENTIFIED MALE: Okay, objections to
12 the call?

13 Okay, let me understand then that I know
14 that the motion is still the one that you had out there,
15 is that correct, that the changes will be a change in
16 the title and change section 314, 112.2 of the original
17 charter to the suggested wording?

18 (Inaudible portion of tape.)

19 UNIDENTIFIED MALE: All those in favor of
20 the motion, which would be to make that set of changes,
21 can I see your hands, please?

22 Let's count. One, two, three, four,
23 five.

24 All those opposed.

25 One, two, three. Motion carries.

1 UNIDENTIFIED MALE: Mr. Facilitator,
2 who's going to be the chairman of the TRS committee
3 meeting on June 8th, or at the next meeting?

4 UNIDENTIFIED MALE: The committee
5 co-chair or his designee.

6 UNIDENTIFIED MALE: That's good.

7 UNIDENTIFIED MALE: And is that in
8 writing some place?

9 UNIDENTIFIED MALE: No. Maybe you ought
10 to make a recommendation to put it in the charter.

11 (Inaudible portion of tape.).

12 UNIDENTIFIED MALE: You seem to be.

13 UNIDENTIFIED MALE: No, no, no.

14 UNIDENTIFIED MALE: How about a motion
15 that you join the charter committee?

16 UNIDENTIFIED MALE: The TRS is a
17 committee and therefore the installation co-chair and/or
18 the committee co-chair will appoint the chairperson.

19 UNIDENTIFIED MALE: Did you hear what he
20 just said, that either you or the other co-chair?

21 UNIDENTIFIED MALE: I think that's what I
22 said. He'll decide.

23 UNIDENTIFIED MALE: They'll appoint a
24 chairperson.

25 UNIDENTIFIED MALE: They'll appoint a

1 chairperson.

2 UNIDENTIFIED MALE: Mr. Silvas points out
3 to us that amendments to the charter, and this is part
4 of the confusion that you're trying to work with, "The
5 charter may be further amended by two-thirds majority
6 vote of the members present at a meeting following such
7 a meeting in which the amendment was proposed. Such
8 proposed amendment should be in writing, distributed to
9 Board members prior to the meeting it is discussed and
10 considered."

11 What that's suggesting, it says it must
12 be amended by two-thirds majority vote of the members
13 present, and I'm sorry that includes all of the members.

14 UNIDENTIFIED MALE: Does it not also say
15 prior to the meeting?

16 UNIDENTIFIED MALE: It was proposed at
17 the last meeting.

18 UNIDENTIFIED MALE: It was proposed at
19 the last meeting.

20 UNIDENTIFIED MALE: Well, as a matter of
21 policy, TCEQ and EPA across the board do not vote, do
22 not participate in any votes on Restoration Advisory
23 Boards. We're here simply to provide information to the
24 Restoration Advisory Board to try to answer questions to
25 the community, so regardless of what it says in the

1 charter about who votes or doesn't, we, as a matter of
2 principle, do not. We abstain from voting, except on
3 adjournment.

4 UNIDENTIFIED FEMALE: Can I make a
5 comment? Can I make a comment?

6 UNIDENTIFIED MALE: Sure.

7 UNIDENTIFIED FEMALE: About the last one,
8 about the death certificates.

9 They can be distinguished what the person
10 died from. It all depends on the doctor and the medical
11 examiner.

12 My mother's cause of death two years ago
13 was specifically written as stomach cancer. These can
14 be linked through studies by epidemiologists and there
15 has been compensation for agent orange, Vietnam vets and
16 Ladina-based workers for chemical exposure. So to say
17 that there hasn't been for chemical exposure, that was
18 kind of like erroneous right there, Mr. Wigger.

19 MR. WIGGER: No, I think you
20 misunderstood what I said. What I said --

21 UNIDENTIFIED FEMALE: Oh, what did you
22 say?

23 MR. WIGGER: And we can read it back. Is
24 that --

25 UNIDENTIFIED FEMALE: Okay.

1 MR. WIGGER: Is that the RABs
2 toxicologist, Dr. Squib, University of Maryland, in her
3 review of the ATSDR Human Health Report, said that she
4 did not believe that you would find epidemiological link
5 and between health effects in the community and Kelly
6 Air Force Base contamination, that that was something
7 that would be very difficult to link. That's what I
8 said.

9 UNIDENTIFIED FEMALE: And at that
10 particular time. That's not to say that in the future
11 --

12 MR. WIGGER: No, and I never said that at
13 sometime in the future.

14 UNIDENTIFIED FEMALE: -- that it cannot
15 be done.

16 MR. WIGGER: And I never said that.

17 UNIDENTIFIED FEMALE: Okay. Well, then I
18 just want to further your statement by saying that, that
19 it may be in the future be done.

20 MR. WIGGER: That's always a distinct
21 possibility.

22 UNIDENTIFIED FEMALE: Yes, technology can
23 bring it to occur, and God willing, it will, in your
24 lifetime. Thank you.

25 UNIDENTIFIED MALE: Do we have a comment

1 by a community member back there?

2 (Inaudible portion of tape.)

3 UNIDENTIFIED MALE: Mark Wigger, TCEQ

4 (Unidentified Female Speaking -

5 Inaudible.)

6 UNIDENTIFIED MALE: No, I did not. The
7 Restoration Advisory Board, through the technical
8 assistance for public participation, it's a funding
9 mechanism that DOD has made available to the Restoration
10 Advisory Board. It allows the RAB to hire independent
11 consultants to come in and do reviews of documents.

12 The RAB selected Dr. Katherine Squib with
13 the University of Maryland. She's a toxicologist. She
14 provided a report on her review of the ATSDR human
15 health assessment.

16 (Unidentified Female Speaking -

17 Inaudible.)

18 UNIDENTIFIED FEMALE: The Department of
19 Defense pays for the grant. The RAB selects the
20 consultants that do the review. It's an independent
21 review that's provided for the RAB, paid for the by the
22 military.

23 UNIDENTIFIED FEMALE: I'm just curious,
24 why are we bringing people from other states to do those
25 kinds of studies rather than using our own people?

1 UNIDENTIFIED MALE: I don't have a clue.
2 (Unidentified Female Speaking -
3 Inaudible.)

4 UNIDENTIFIED FEMALE: The RAB requested
5 it. These members selected that person to do that.

6 (Unidentified Female Speaking -
7 Inaudible.)

8 UNIDENTIFIED MALE: No, no, no, they
9 provide a -- The RAB can, through this grant program,
10 can hire an independent consultant to come in and
11 provide a review of documents, an independent review, so
12 that they're getting some other perspective, their own
13 independent perspective of a document.

14 UNIDENTIFIED FEMALE: And how frequently
15 do they do this?

16 UNIDENTIFIED MALE: Adam, do you have an
17 idea?

18 UNIDENTIFIED MALE: Let me try it. We
19 get \$25,000 for that and we went out and got the people
20 from throughout the nation, because you can't go for a
21 specific person. There were people there from Texas,
22 from Texas A&M and from San Antonio, from San Francisco
23 area because of the big contamination there, and they
24 have all kinds of rules that it's got to be
25 diversified. There must be some women in there.

1 We got a woman, a toxicologist from the
2 University of Maryland, tops in the country. Her name
3 is Dr. Squib. And other people, scientists from the
4 state of Texas, from Texas A&M and California area,
5 that's where they come from, whenever there's a study
6 that's going to be made, and we think that we needed a
7 second opinion on it.

8 We vote on it at the TRS and that person
9 comes in, gives a report to the total RAB, and those
10 reports run anywhere from five to ten thousand dollars
11 per report. We try to get it as economically as we
12 can. Normally between six and nine thousand I think is
13 the most we ever paid for one of those reports.

14 (Unidentified Female Speaking -
15 Inaudible.)

16 UNIDENTIFIED MALE: I don't know. I
17 mean, that's a RAB decision.

18 UNIDENTIFIED MALE: There's been \$25,000
19 a year for two years allocated. I think we're in the
20 fourth year.

21 UNIDENTIFIED MALE: Yes, we're about out
22 of money.

23 UNIDENTIFIED MALE: And you divide that
24 by about four or five reports per year and they probably
25 get on the average six thousand or so, so let's say four

1 reports a year, and usually it's reports that we
2 generate to give to the state and EPA to review on
3 things we're going to be proposing.

4 UNIDENTIFIED MALE: Offhand, I can think
5 of maybe six or seven different instances where the
6 contractor reviewed a document, made a presentation to
7 the Restoration Advisory Board, but that's just --

8 UNIDENTIFIED MALE: There's probably
9 three or four a year.

10 UNIDENTIFIED FEMALE: Can I say something
11 about what you said about Dr. Squib?

12 If I understood, and I was at that last
13 RAB meeting, a member of it still, Dr. Squib said there
14 it was an inconclusive study. She said that there was
15 many questions still unanswered. That's not to say that
16 there was no connection of the health and illnesses.

17 UNIDENTIFIED MALE: If you will remember
18 what I said earlier, I said Dr. Squib, she had comments
19 and concerns about the study, but she also made a
20 statement, as I recall, during her presentation, that
21 was that, you know, finding an epidemiological link
22 between the illnesses in the community and actual
23 contamination from Kelly Air Force Base would probably
24 not be something that you could do, and that's as I
25 recall her saying that.

1 UNIDENTIFIED MALE: And I'd like to add
2 something to that. There's 300 bases in the United
3 States that have been contaminated by the Department of
4 Defense. There's only one base where it has been proven
5 that the contamination that went outside the base, and
6 that was in Camp Lejeune, North Carolina, I believe,
7 where the people actually drank the water. That's the
8 only time that --

9 UNIDENTIFIED FEMALE: The people that
10 were effected in Camp Lejeune were people that were
11 living in resident housing on the Marine installation.

12 UNIDENTIFIED MALE: On the base.

13 UNIDENTIFIED MALE: You know, that's
14 irrelevant. Whether it was somebody impacted off site
15 or on site, that's a link and between somebody drinking
16 or ingesting contaminating material. But as I
17 understand it, that's an ongoing study right now because
18 it just came to light in what, the last six months?

19 UNIDENTIFIED FEMALE: Yes, that hasn't
20 been settled yet.

21 UNIDENTIFIED MALE: Okay. I thought it
22 was off base.

23 UNIDENTIFIED FEMALE: No.

24 UNIDENTIFIED MALE: Because I know that
25 Lowery Air Force Base has the same problem with the

1 contamination that's going off base and there's no
2 linkage there, Reese Air Force Base, I believe, here in
3 Texas, where the contamination has gone off base, and
4 also another base in Massachusetts, where the
5 contamination has gone off base, and those are just Air
6 Force bases and there's no linkage there.

7 In order for there to be a linkage, you
8 either have to drink the contaminated water, rub it on
9 your skin, take a bath with it or breathe it through the
10 air, and they can't find that linkage.

11 Here at Kelly, they've looked at all the
12 other two possibilities except the air. The air
13 emission study is yet to --

14 UNIDENTIFIED FEMALE: To be done.

15 UNIDENTIFIED MALE: Excuse me, we're over
16 time.

17 UNIDENTIFIED MALE: Okay.

18 UNIDENTIFIED MALE: We just have a couple
19 agenda items and a speaker. (Inaudible.)

20 I don't have any illusion we'll be
21 finished by 9:00 but I'd kind of like to get this moving
22 in that direction.

23 So having said that, the topic is the
24 site S7 briefing. Scott Courtney is here to make that
25 presentation for us and the Board members.

1 MR. COURTNEY: Good evening, ladies and
2 gentlemen. My name is Scott Courtney. I work for Booz
3 Allen Hamilton. I'm a consultant and I work for the Air
4 Force here at former Kelly Air Force Base. I've been
5 working here for approximately six years now. I've
6 primarily been focusing on east Kelly and the off site
7 ground work contamination.

8 I've been asked to come here tonight. I
9 guess at the last RAB meeting, there was some questions
10 about site S7, the former herbicide storage site on east
11 Kelly, and I guess the current RAB members wanted to get
12 some information on the what's the story of the site,
13 what's the history, what was the contaminants and the
14 clean-up, and so we've put together this presentation
15 for your benefit.

16 Okay, the first thing, there's some
17 nomenclature that we need to kind of straighten out.
18 This presentation is on the site S7 herbicide storage
19 area. It's also referred to as the IRP site SS0009, so
20 some of the figures you will see may be labeled site
21 SS009 as well, and I'll try and point that out.

22 Just to put together a little historical
23 site --

24 UNIDENTIFIED FEMALE: What does IRP stand
25 for?

1 UNIDENTIFIED FEMALE: Installation
2 Restoration Program. It's the Air Force program for
3 addressing the major sites on base.

4 And again, just a little historical
5 review, what occurred there, the clean-up history and
6 things of that nature.

7 Next slide, please.

8 Okay, here you can see main Kelly right
9 here, we're sitting right in one of these buildings
10 right along in here. This is east Kelly, for those of
11 you who are not familiar with it, and this area down in
12 here on this figure is labeled site SS009. This whole
13 area was part of the investigation.

14 This little area right here is actually
15 what was the IRP site and was site S7 where the
16 herbicides were stored, okay, just for a little
17 geographical location.

18 Next slide, please.

19 Okay, just a little general summary about
20 the site. It's approximately a two acre site located
21 there in the southwest corner of east Kelly. It stored
22 drums containing herbicides, and in the late '60s, early
23 '70s, all of the herbicides, also sort of referred to as
24 agent orange, that came and went to Vietnam, Kelly was a
25 depot for storage and transfer of that material and it

1 was stored on this site in east Kelly.

2 The site was utilized for about two
3 years. As stuff was coming back over from Vietnam, it
4 was brought there and stored there. The total number of
5 drums that came in and came out was not real well
6 documented but we know where they were stored and the
7 general operations there. They were stored on some
8 wooden pallets, and in the end, the herbicides were all
9 shipped to Johnston Island and disposed of through,
10 there's an incinerator ship called Ship Volcanis.

11 I believe there was a report here last
12 week or at the last RAB that was available for some
13 people to look at that discussed that incineration
14 effort. That's what happened to all of the agent
15 orange. All the excess surplus agent orange and
16 herbicides was incinerated out on Johnston Island, and
17 that's where the material from Kelly was shipped there.

18 UNIDENTIFIED MALE: Are you talking about
19 Johnston Island or Johnston Atoll?

20 MR. COURTNEY: Yes, sorry. I hastily
21 prepared this.

22 UNIDENTIFIED MALE: There's a Johnston
23 Atoll.

24 MR. COURTNEY: Johnston Atoll, Johnston
25 Island.

1 UNIDENTIFIED MALE: They're not the same.

2 MR. COURTNEY: Okay. In the Johnston
3 Atoll area is where the incineration occurred.

4 UNIDENTIFIED FEMALE: When you looked for
5 the total number of drums, that was not documented?

6 UNIDENTIFIED MALE: That's crazy.

7 UNIDENTIFIED FEMALE: How could that
8 possibly be?

9 MR. COURTNEY: Okay, if I could, the
10 information we have, the information is from the
11 restoration activities and the reports from all the
12 restoration activities. We don't necessarily have at
13 our disposal all the records of every drum and every
14 piece of equipment and every pallet of material that
15 came in and out of Kelly's entire history at every
16 location.

17 UNIDENTIFIED MALE: You said it was two
18 acres. How many drums will fit into two acres?

19 MR. COURTNEY: I guess it all depends on
20 the how you stack them.

21 UNIDENTIFIED MALE: They were stacked one
22 time.

23 MR. COURTNEY: I haven't done the
24 calculation, Mr. Quintanilla.

25 UNIDENTIFIED MALE: I saw those drums and

1 this is the reason I'm asking.

2 MR. COURTNEY: Well, if we could move on
3 here, I have a picture of the drums stored there.

4 UNIDENTIFIED MALE: Okay. Maybe we'll
5 estimate.

6 UNIDENTIFIED MALE: Let's let him finish.

7 MR. COURTNEY: I'll be happy to take
8 questions during or after.

9 Okay, next slide, please.

10 Okay, again, here's just a little more,
11 little close-up view. Rainmaker Park is right here and
12 this is the area that has been identified as where the
13 drums were stored, site SS009, also known as S7.

14 This larger area is former storage yard
15 68 where other equipment and supplies were stored. The
16 whole area was a storage area. That's pretty much what
17 they did on east Kelly.

18 UNIDENTIFIED MALE: Where was the DRMO?

19 MR. COURTNEY: Well to the north.

20 UNIDENTIFIED MALE: Okay.

21 MR. COURTNEY: Well to the north.

22 UNIDENTIFIED MALE: Okay.

23 MR. COURTNEY: Next slide, please.

24 Here this is the best picture I have. It
25 was out of one of the restoration reports where I was

1 scanning in and incorporated it in the presentation, but
2 you can see the drums here and the stand up there, so
3 there's quite a few drums. I don't know that the exact
4 number is all that relevant.

5 We conducted an environmental
6 investigation long after the drums were gone so I don't
7 know the exact number that came in and came out is all
8 that relevant to our investigations and the clean-up
9 that we conducted.

10 UNIDENTIFIED MALE: You said these were
11 stored in drums. What type of drums are we talking
12 about?

13 MR. COURTNEY: Fifty-five gallon drums.

14 UNIDENTIFIED MALE: Phosphate, metal?

15 MR. COURTNEY: Steel drums.

16 UNIDENTIFIED MALE: Steel drums?

17 MR. COURTNEY: Uh-huh.

18 UNIDENTIFIED MALE: Do we have any type
19 of information coming to us about what type of pressure
20 those steel drums will take and different environmental
21 conditions, heat, pressure?

22 MR. COURTNEY: If you will let me proceed
23 on, I'll be able to address that in the presentation,
24 because that's one of the findings is there were
25 numerous investigations occurred at the site. Some of

1 these drums were documented as leaking and it was due to
2 the expansion and contraction due to the heating. It's
3 hot here in south Texas.

4 UNIDENTIFIED MALE: One other thing.

5 MR. COURTNEY: Yes.

6 UNIDENTIFIED MALE: I'm not familiar with
7 the area, so Rainmaker Park, you said, was right next to
8 that. What type of facility is that? Is it a --

9 MR. COURTNEY: It's just like a little
10 recreational facility that was --

11 UNIDENTIFIED MALE: Kids could play or
12 something?

13 MR. COURTNEY: Well, I don't know so much
14 kids. I mean, this was an active military
15 installation. I think it was more just a place --
16 (Inaudible.)

17 UNIDENTIFIED MALE: Yes, I think it was
18 more for, you know, the base personnel and things of
19 that nature.

20 UNIDENTIFIED MALE: It's where the RV's
21 are.

22 MR. COURTNEY: No, that's up to the
23 north. That's up to the northwest.

24 UNIDENTIFIED MALE: Okay.

25 MR. COURTNEY: If you go back, if we go

1 back to the previous slide, I can kind of show some of
2 the -- That was up in here. This is where the RV's
3 were.

4 (Inaudible portion of tape.)

5 MR. COURTNEY: Right here.

6 (Inaudible portion of tape.)

7 MR. COURTNEY: There's a two foot high
8 berm that's identified. There's a dirt berm there.

9 Okay, so now if we could go on. Thank
10 you, Suzy. One more.

11 Okay, here's a summary of the
12 investigations that were conducted. Initially in 1982,
13 there was what we referred to as the Phase 1 Record
14 Search. Across the base they were doing these record
15 searches to determine what was stored where, what
16 materials were handled, things of that nature. That's
17 when initially there was some indication, okay, drums of
18 herbicides were stored at this location.

19 In 1991, there was the initial site
20 investigation report. They went and selected some
21 samples. As a result of the evidence that the drums had
22 leaked that was identified from the record search and
23 things of that nature, the site specific environmental
24 baseline survey on the southwest corner of east Kelly
25 was conducted in this region. There was an effort to go

1 ahead and transfer the property. There was a tenant
2 wanting to move in. RealCar American was wanting to
3 move into the site.

4 The environmental baseline survey was
5 conducted as part of the property leasing operations.

6 The information from 1991 was again
7 brought forward in '96. There was also identified in
8 the final baseline survey for the realignment.

9 In '97 is when the bulk of the work was
10 conducted at the site. You see we refer it to it as the
11 IRP site, SS009 closure report.

12 In '96, the data was selected. I'll show
13 you some of that information here in a little while.
14 That's where we went and did the final site
15 characterization, identified the chemicals of concern,
16 compared them to the regulatory standards and determined
17 what type of clean-up was needed and then conducted that
18 clean-up and submitted the closure report to the state
19 and EPA for approval.

20 There was also information presented in
21 the site specific environmental baseline survey from
22 August, 2001 that incorporated all the previous
23 information, and then this information was also
24 summarized in the Zone 4 records facilities
25 investigation report that has been submitted to the

1 State of Texas as well.

2 UNIDENTIFIED MALE: You say chemicals of
3 concern. I'm not sure exactly what all chemicals we're
4 looking for there. Can you elaborate on that?

5 MR. COURTNEY: Yes, I'm going to get into
6 the actual investigations here in just a moment.

7 Okay, so next slide, please.

8 Okay, this first investigation, the draft
9 investigation report on east Kelly for this site back in
10 '91, of all the records search that was conducted and
11 compiled, this is the only storage location noted in the
12 report was this one area in east Kelly.

13 This has been pretty much determined this
14 is the only area where these herbicides were stored in
15 these mass quantities. There may have been, you know, a
16 little small can of application somewhere else but the
17 major storage occurred at this location.

18 It was determined some of the drums did
19 leak due to expansion and contraction and this initial
20 report identified elevated levels of inorganics, which
21 are the metals contamination, arsenic and things of that
22 nature, as well as some low levels of dioxins and furoin
23 concentrations.

24 Dioxins and furoins are an impurity in
25 the actual herbicide. They're part of the manufacturing

1 process, and we'll get more of that later.

2 There was a preliminary risk assessment
3 done at that time, evaluating the dioxin and furoin
4 concentrations. It was determined that there was no
5 significant health risk as a result of those low level
6 concentrations but it did identify that there was some
7 more elevated levels of arsenic and beryllium in the
8 soil and it indicated that there were some potential
9 existing and future migration pathways, as well as
10 potential human receptors, and it just recommended that
11 we conduct additional sampling, more fully characterize
12 the nature and extent of the contamination and also do a
13 more quantitative risk assessment to characterize the
14 waste.

15 Now I want to point out, this was all
16 done in 1991, and in '93, the state passed their Risk
17 Reduction Standard rules, which changed how sites are
18 investigated and the data evaluated.

19 In '91, we would have gone on more just a
20 risk assessment basis. Then the state promulgated the
21 new rules and so we had clean-up standards to apply the
22 data to. So I just want to point that out as far as the
23 time line goes.

24 Okay, next slide, please.

25 Okay, so I'm going to kind of skip

1 forward here from '91 to '96. There were several other
2 surveys and minor studies that were conducted at the
3 site, but in response to the change in rules and
4 regulations, re-evaluating the site and the data, the
5 need to assess and collect more data, as well as the
6 need to close the site and prepare it for the incoming
7 tenant, RealCar, again wanted the site.

8 So in the 96/97 time frame, a more
9 aggressive effort was conducted. Additional surface and
10 sub-surface sampling was conducted and evaluated against
11 the new rules, the Risk Reduction Standards and all the
12 available site data, all the way back, the information
13 from '81 all the way up through the data collected in
14 '96 was evaluated against the new standards to
15 determine, again, the chemicals of concern, and to
16 address your question, the chemicals of concern are
17 those chemicals that are detected at the site, at
18 concentrations, can exceed Risk Reduction Standard rules
19 and regulations and things of that nature.

20 We sample for a wide range of chemicals
21 and we identify those that actually are elevated to a
22 point that they need to be addressed from an
23 environmental standpoint.

24 To sort of sum it up, okay, again, we did
25 additional analysis for the dioxin, furoins, arsenic, as

1 well as other metals that were identified previously.

2 Again, the dioxin and furoins, the reason
3 they were sampled for was to determine where the
4 herbicides might have been placed and where they
5 leaked. Dioxin and furoins, again, they're an impurity
6 that get incorporated into the mix, just from the
7 manufacturing process.

8 Now the thing about them is they're very
9 slow to degrade and they're very good indicators of
10 where that herbicide might have leaked because they're
11 not very mobile.

12 If you find dioxin and furoins, chances
13 are this is where it leaked, okay. And so we use it to
14 help kind of identify the areas of the site where we
15 need to focus our investigation.

16 The background for dioxin and furoins,
17 and I didn't want to get too much into the technical
18 details, but it's measured from eight parts per trillion
19 of something called a toxicity equivalent quotient, and
20 that's a number calculated based on a number of factors,
21 toxicity and things of that nature.

22 Of the data collected, 11 out of 67
23 samples were above the background and they ranged from
24 anywhere from just above eight parts per trillion up to
25 117 parts per trillion, but the important note is none

1 of the values were above the Risk Reduction Standard
2 values, Risk Reduction Standard 2.

3 Risk Reduction Standard 1 would be
4 background values. Obviously we had stuff above
5 background, but then the next bar we have to clear is,
6 is there anything above Risk Being Reduction Standard 2
7 values that would require clean-up. And for the dioxin
8 and furoins, none of the concentrations were above the
9 Risk Reduction Standard values. And again, these
10 reports have been submitted to the state and the EPA and
11 been approved, so --

12 UNIDENTIFIED MALE: To get this straight
13 for my own self here.

14 MR. COURTNEY: Uh-huh.

15 UNIDENTIFIED MALE: Background values,
16 we're saying that we're looking at it, we know that it's
17 there. If it's above eight parts per trillion, but
18 anything -- Let's say we have got 117 parts per
19 trillion. So what would be the number that would have
20 to be over in order to meet the risk reduction?

21 MR. COURTNEY: Okay. And the reason I
22 didn't go into this, it could get very long and I'd be
23 happy to sit down. I brought the report for anybody who
24 wants to spend more time.

25 The thing with dioxin and furoins is

1 there's a very long and exhaustive list of these dioxin
2 and furoins. They call them congeners, just all kinds
3 of different little types of them, and they all have
4 their own risk reduction standard value, so without
5 presenting a very long and laborious table showing
6 nothing but hundreds and hundreds of numbers, I just
7 summed it up with this one comment, that none of those,
8 for all that long list of contaminants, none of them
9 were above the Risk Reduction Standard 2 values that
10 would require any remedial action.

11 So now for the arsenic, that's a little
12 different story. Arsenic was detected. Arsenic is a
13 component of the herbicide and it was detected. The
14 background is 8 1/2 milligrams per kilogram. That's
15 more along in the parts per million versus the dioxin
16 and furoins, which is the parts per trillion. So you
17 can see there's a big difference in the toxicity of the
18 two just based on that.

19 But anyway, it was detected in about 41
20 of the 48 samples that we collected in the area.
21 twenty-seven of those were above the background. The
22 maximum concentration was around 226 milligrams per
23 kilogram, and they were detected above the clean-up
24 standards.

25 Now at the time for arsenic, the clean-up

1 standards, there's industrial standards, which is this
2 is considered an industrial site, so we look at Risk
3 Reduction Standards, industrial values, and then there's
4 also residential values.

5 I believe at the time, the industrial
6 numbers were 200 milligrams per kilogram. Kelly Air
7 Force Base and the State of Texas agreed to a clean-up
8 value of 20 milligrams per kilogram, which now meets the
9 current residential standards. So even though the site
10 was an industrial site and was going to continue to be
11 an industrial site, Kelly conducted a clean-up down to
12 residential standards, down to residential levels, down
13 below the 20 milligrams per kilogram.

14 There were some other metals that were
15 detected above the background, but again, they were
16 below the Risk Reduction Standard 2 value, so no
17 additional remediation was required based on those other
18 types of metals, only the arsenic drove the clean-up at
19 the site.

20 Next slide.

21 Here is, and again, I'm going to
22 apologize a little bit for the graphics. I had to pull
23 these out of a figure and import them in and they
24 weren't as nice and neat as I would have liked.

25 This is the main area right here. This

1 is the site. You see the majority of the data was
2 collected in here and then we actually scattered out all
3 over and collected additional data to determine, you
4 know, the nature, and we're required to determine the
5 extent of the contamination as well as identifying the
6 contaminants of concern. But the bulk of the activities
7 and bulk of the contamination was identified right in
8 this area right here. And again, this is that Rainmaker
9 Park area right here.

10 Next slide.

11 Okay, this is just, again, the removal
12 action here. Twenty milligrams per kilogram was the
13 Risk Reduction Standard. We excavated about a 1.3 acre
14 area, about 200 by 250 feet. The excavation was down to
15 one foot.

16 All the contamination of the site was in
17 the very near surface soils, actually probably only in
18 the top inch or two, but we went ahead and excavated
19 down to one foot and then we confirmed. You know, we're
20 required to collect confirmation sampling at the base of
21 the excavation to determine that they're above, that the
22 concentrations left in place are below the 20 milligrams
23 per kilogram.

24 We excavated approximately 3000 cubic
25 yards of soil. It was properly disposed of, and the

1 TNRCC approved closure of the site in 1997.

2 Again --

3 UNIDENTIFIED MALE: Do you know where
4 that soil was disposed of?

5 MR. COURTNEY: You know, off the top of
6 my head, and I knew I was going to get asked that
7 question, but off the top of my head, I'm not sure. It
8 might have gone to Coalville Gardens or one of the
9 approved landfills, but it was profiled and
10 characterized and disposed of and manifested properly
11 and all that.

12 Again, this is just a little map showing
13 these are the concentration profiles. The 20 milligrams
14 per kilogram line is this outside. Everything above
15 that line down to about a depth of one foot is in this
16 area.

17 UNIDENTIFIED FEMALE: What area is that?

18 MR. COURTNEY: This is the area where the
19 excavation was conducted, right there.

20 UNIDENTIFIED MALE: Right there on the
21 right of that is still that Rainmaker Park?

22 MR. COURTNEY: Yes, right here.

23 UNIDENTIFIED MALE: That faint blue line
24 that we're looking at is that two foot berm that you
25 spoke of earlier?

1 MR. COURTNEY: I don't know the two foot
2 berm is actually even there any more. I mean, it was
3 there at the time.

4 UNIDENTIFIED MALE: That's what I'm
5 saying.

6 MR. COURTNEY: Right. But now this whole
7 --

8 UNIDENTIFIED MALE: I make a distinction
9 though that you did take delineation samples and there
10 was nothing in the park?

11 MR. COURTNEY: Oh, yes, yes, we took
12 samples --

13 UNIDENTIFIED MALE: You took samples --

14 MR. COURTNEY: Right. Like these samples
15 right here, see, this is the 20 milligram per kilogram
16 line right here.

17 UNIDENTIFIED MALE: Okay.

18 MR. COURTNEY: So samples collected here
19 and here and here are below the 20 milligram per
20 kilogram, and so concentrations, all this in this area
21 out here would be protective of residential type
22 standards.

23 UNIDENTIFIED MALE: How far from the
24 surface was the water table?

25 MR. COURTNEY: Oh, down there about 15 to

1 20 feet.

2 UNIDENTIFIED MALE: 15 to 20 feet?

3 MR. COURTNEY: Right. And I should point
4 out, I didn't earlier, I think this is it right there.
5 I believe that's MW134, which is a monitoring well that
6 was installed in 1994 as part of this overall
7 assessment.

8 Soil samples were collected at the
9 surface and at depth on the way down that were all below
10 any, that were all below clean-up standards for the
11 arsenic, and the ground water was sampled and it's
12 sampled on an annual basis and there's never been any
13 arsenic or dioxin or furoins detected above any type of
14 regulatory standard in that ground water well. And the
15 gradient is towards that direction.

16 UNIDENTIFIED MALE: How about thallium
17 and beryllium, were they tested?

18 MR. COURTNEY: Oh, absolutely,
19 absolutely.

20 UNIDENTIFIED MALE: Because there was one
21 artesian well closed right next to Kelly because of
22 thallium.

23 MR. COURTNEY: Right. And on this map
24 scale, it's up over here somewhere.

25 UNIDENTIFIED MALE: Okay. It wasn't your

1 thallium?

2 MR. COURTNEY: No, sir.

3 UNIDENTIFIED MALE: Okay.

4 MR. COURTNEY: That was somebody else's
5 thallium.

6 UNIDENTIFIED MALE: I figured you would
7 say that.

8 UNIDENTIFIED MALE: Let's put it on the
9 ballots.

10 UNIDENTIFIED MALE: No, it was thallium.

11 MR. COURTNEY: Okay, to wrap it up, site
12 S7 was the only known herbicide storage area on all of
13 Kelly. The clean-up was for arsenic. Again, about a
14 1.2 acre area, cleaned up to 20 milligrams per kilogram,
15 closed the site under Risk Reduction Standard 2. It
16 actually meets residential standards.

17 The dioxin and the furoins didn't really
18 pose a problem; neither did the other metals that are
19 identified. And RealCar American has been a tenant
20 there and actively operating for quite some time.

21 UNIDENTIFIED MALE: In your presentation,
22 you mentioned that some of the barrels leaked and you
23 had 47 out of so many samples proved positive, that sort
24 of thing.

25 MR. COURTNEY: Uh-huh.

1 UNIDENTIFIED MALE: Now this started
2 happening around 1994 and you didn't clean it up until
3 1997 or before, during the Vietnam war.

4 There was a lot of rains between that
5 time and the time that you cleaned it up.

6 Did any of that contamination go into the
7 neighborhoods? Did you test the neighborhoods for any
8 of those metals, beryllium, thallium, arsenic, dioxins?

9 MR. COURTNEY: What we did, in response
10 to that very question, and you may remember this,
11 Mr. Quintanilla, because you were around when we did
12 this effort. When Dr. Squib came, made her assessment,
13 through input from you and others, that issue was raised
14 by Dr. Squib.

15 We conducted a risk assessment where
16 whatever drainage might occur off of this site, there's
17 a number of assumptions there. You're assuming that the
18 water was carrying the sediments; you're assuming the
19 sediments were carrying the contaminants and then you
20 assumed those contaminants then settled like in Six Mile
21 Creek, which is where the drainage pathway was for that
22 area. So we conducted what we call a focus risk
23 assessment.

24 We presented this information in the
25 past. What we did is we took the maximum concentrations

1 detected at the site for the dioxin and furoins and the
2 other metals. We assumed that they made it into the
3 creek and that those concentrations were in Six Mile
4 Creek. This is just, you know, a paper study. And then
5 we did what we call, we looked at various scenarios. We
6 looked at what we considered the most likely exposure
7 scenario; who would be exposed to that. Chances are we
8 considered it to be one of the most sensitive receptors,
9 which would be young children playing in the creek,
10 okay.

11 We feel like that was our most
12 conservative approach was to take the maximum
13 concentrations, put it in Six Mile Creek and let the
14 kids play in that, and the risk assessment was conducted
15 by very recognized professional people, and we've got
16 that documentation, indicated that the exposure
17 durations, the type of exposure they would get did not
18 lead, would not lead to any elevated health threats
19 based on those maximum concentrations put in the ditch
20 and allowing the children to play in it.

21 You know, we did not go and collect
22 samples throughout the neighborhood. Dioxin and furoins
23 --

24 (Tape cut off.)

25 (End of Side 1.)

1 (Tape 2, Side 2.)

2 MR. COURTNEY: -- is into Six Mile
3 Creek. All of the sediments, all of the rain,
4 everything washing off the streets, it all makes it to
5 Six Mile Creek eventually, and so to go and collect
6 samples now in the '90s and late early 2000's, to try
7 and assess what might have been in the ditch in the '70s
8 is kind of a moot point.

9 That area floods all the time. Whatever
10 sediments are there are displaced during the flood. New
11 sediments are deposited during the latter events. The
12 next big flood comes, those sediments get removed and
13 stripped out, and so to go and collect a bunch of data
14 really would be fairly meaningless. I mean, it might
15 provide some valuable information regarding health and
16 safety, but attributing it to a certain contaminant
17 source or determining what those impacts are is -- well,
18 it's really not in our purview.

19 UNIDENTIFIED MALE: You're saying that is
20 clean now?

21 MR. COURTNEY: Pardon me?

22 UNIDENTIFIED MALE: You're saying that is
23 clean.

24 MR. COURTNEY: The site?

25 UNIDENTIFIED FEMALE: Yes.

1 MR. COURTNEY: Oh, yes, yes. It was
2 clean before RealCar America took it over, it was clean
3 down to residential standards.

4 UNIDENTIFIED MALE: You also mentioned --

5 UNIDENTIFIED MALE: What's the surface
6 drainage?

7 MR. COURTNEY: If we go back to one of
8 the slides, Susan, if you don't mind. I appreciate
9 that.

10 Go on back and we'll get a bigger figure.

11 Okay. Here is east Kelly, the boundary.
12 Six Mile Creek -- well, the drainage would be, I guess,
13 to the south, and some of it runs off a little bit.
14 There's a little street right down here that kind of
15 floods. Actually water runs onto east Kelly from there
16 and then, you know.

17 UNIDENTIFIED MALE: But in doing your
18 investigation (Inaudible), so you covered this area?

19 MR. COURTNEY: Right.

20 UNIDENTIFIED MALE: So if you had an
21 (Inaudible) drainage surface drainage in some direction,
22 that would have been identified by the --

23 MR. COURTNEY: That's a good point.

24 UNIDENTIFIED MALE: (Inaudible) --
25 sediment program, you would have identified it and the

1 rules would have then required you to step out and
2 follow that, right?

3 MR. COURTNEY: Right. We identified
4 contamination in this area and slightly beyond that that
5 we attribute to migration. We know pretty much the area
6 where it was stored.

7 Some of that contamination appeared to
8 migrate slightly beyond that extent. We attribute that
9 to migration either through wind, rain, mechanical
10 transport, whatever. But yes, certainly in the samples
11 we collected down here, and we've done all kinds of
12 other sample collection associated with the RFI, the
13 Recla Facilities Investigation on east Kelly and not
14 identified any other contamination in that area as well.

15 UNIDENTIFIED MALE: And when you say
16 there was some right outside of that area and you say it
17 could have been attributed to wind, can this type of
18 toxins can be airborne?

19 MR. COURTNEY: Certainly anything that
20 can be attached to a dust particle can be airborne.
21 See, we've done some real exhaustive analysis of this
22 site in response to the Dr. Squib's review. She raised
23 concern about ATSDR's evaluation. We did an exhaustive
24 response to her review. We did a situation where we
25 looked at airborne contaminants from a site on east

1 Kelly that had much higher concentrations than here, and
2 we did another one of those risk assessments and we
3 looked at, okay, if you took those maximum
4 concentrations and if you put an individual standing at
5 that site inhaling that dust of those concentrations
6 over a long period of time, what would the risk be and
7 we saw no elevated risk from there, and we looked at
8 that again as a conservative way of viewing it.

9 If the risk is not there from a person
10 standing at the site, then the dilution and dispersion
11 from wind and dust would greatly reduce that risk, so
12 through that effort, we feel like that there hasn't been
13 any elevated risk to the residents in the area.

14 UNIDENTIFIED MALE: So when you say a
15 long period of time, how many years are we talking
16 about?

17 MR. COURTNEY: You know, the risk
18 assessors, there's one right there. I don't know.
19 Ivan, do you remember?

20 UNIDENTIFIED MALE: For cancer, it would
21 be 70 years.

22 MR. COURTNEY: Seventy years.

23 UNIDENTIFIED MALE: Seven?

24 UNIDENTIFIED MALE: Seventy.

25 MR. COURTNEY: Seventy.

1 UNIDENTIFIED MALE: Seventy years?

2 MR. COURTNEY: Uh-huh. And what I would
3 want to do --

4 UNIDENTIFIED FEMALE: Did you say 70 or
5 17?

6 UNIDENTIFIED MALE: Seventy.

7 UNIDENTIFIED FEMALE: Seventy years?

8 UNIDENTIFIED MALE: Seventy years.

9 UNIDENTIFIED FEMALE: And you actually
10 did this study here?

11 MR. COURTNEY: He didn't but he works
12 with this.

13 UNIDENTIFIED MALE: This is a risk
14 assessment so a study wasn't actually done. It was just
15 what we think might have happened had someone actually
16 been standing there for 70 years.

17 UNIDENTIFIED MALE: Ingesting the maximum
18 contamination, you're saying higher arsenic levels?

19 MR. COURTNEY: Not just arsenic but some
20 of the other, the TPH's and PAH's.

21 UNIDENTIFIED MALE: In terms of 70 years,
22 are we talking about 70 years as a full grown adult, 70
23 years as a fetus, 70 years as a child? Are we talking
24 about the development cycle of the person during that
25 time or are we thinking that way or are we just saying a

1 person standing there 70 years?

2 MR. COURTNEY: No, those studies are done
3 and they identified various receptors and they have
4 different toxicology effects on sensitive receptors, the
5 elderly and the young and things of that nature.

6 So when we do the risk assessments, we
7 don't look at just one deal, we try to look at across
8 the board and look at the various effects.

9 UNIDENTIFIED MALE: Okay.

10 MR. COURTNEY: That was something that
11 Dr. Squib pointed out, was maybe the ATSDR didn't do as
12 thorough a job of evaluating the sensitive receptors so
13 we tried to incorporate that into our response to her
14 questions.

15 UNIDENTIFIED MALE: Okay. So I'm still a
16 little confused on this risk assessment.

17 It's just what we think. How are we
18 gathering this information to say this is what we
19 think? Why are we gathering that information? How is
20 it that we're collecting that?

21 What type of study has been linked to say
22 that okay, if we have a pregnant person standing there
23 and there's a fetus that's ingesting this, how is that
24 effecting that fetus 20 years down the line? What types
25 of studies are you gathering your thoughts from?

1 UNIDENTIFIED MALE: Well, I'm not sure
2 what they did in this particular case, but typically,
3 the risk assessment is done assuming that exposure is
4 over the course of a lifetime, the childhood period as
5 well as adulthood. Exposure is during that time
6 period. And again, the risk estimate typically
7 represents an upper bound. We'll never know exactly
8 what the risk is, but when we calculate the risk, we're
9 aiming for what risks might be at the most, at the very
10 most, theoretically.

11 When the risks assessments were done, as
12 Scott described it, they are very, very, conservative
13 estimations.

14 UNIDENTIFIED MALE: So what I'm really
15 trying to get to is what type of hard factual evidence
16 do we have to say this is what we're basing our risk
17 assessment off of?

18 MR. COURTNEY: Well, risk assessments,
19 they're just a paper study to determine what the effects
20 might be.

21 UNIDENTIFIED MALE: So there's really
22 nothing hard evidence that we have to say, "Hey, this is
23 why we think this?"

24 MR. COURTNEY: Well, let me explain how
25 risk assessments are typically used.

1 We collect good hard data at the site.
2 We collect the soil and ground water and we identify
3 those contaminants of concern and the levels of those
4 concentrations.

5 We know from these vast data bases and
6 scientific studies and research what types of toxic
7 effects and hazardous effects those specific chemicals
8 have on humans, young, old, things of that nature.

9 So we take the site specific data. We
10 take the compound specific toxicity information and we
11 try and predict what the hazards might be and you try to
12 get a range of hazards, and the EPA states, said
13 anything between 1 in 1000 and 1 in a million, if that's
14 the only elevated risk -- What you're trying to do is
15 identify is there an elevated risk. There's a risk for
16 anyone to get almost any kind of disease or, you know,
17 get cancer or diabetes or anything for people in the
18 area.

19 What we try to identify from these risk
20 assessments is, as a result of those contaminants
21 present, is there an elevated risk, is there something
22 that causes concern. And then in a risk-based approach,
23 if that elevated risk is identified from the risk
24 assessment, then you would go and clean up the soil to a
25 concentration that would bring the risk back down. So

1 we don't tie it directly, okay, well, we've got a risk
2 so somebody downstream must be contaminated and we need
3 to go find that person. It's really, is there a risk at
4 the site that's greater than what risk might normally
5 occur, and if so, let's address it. That's how we use
6 that information.

7 UNIDENTIFIED MALE: Our risk value is
8 (Inaudible.)

9 UNIDENTIFIED MALE: Okay, there's one in
10 a million.

11 (Unidentified Female Speaking -
12 Inaudible.)

13 (Unidentified Male Speaking - Inaudible.)

14 UNIDENTIFIED MALE: But of course, the
15 higher the contamination level, the higher the risk, and
16 that would be factored in, correct?

17 MR. COURTNEY: Sure, sure.

18 UNIDENTIFIED MALE: The models they use
19 for this risk assessment, they don't just use any
20 model. It's a model that's approved or developed by the
21 agency, is that correct?

22 MR. COURTNEY: Yes, yes.

23 UNIDENTIFIED MALE: And the models are
24 usually, I guess, attacked to see if they hold up with a
25 certain level of error factors factored in?

1 MR. COURTNEY: Yes. We do what's called
2 a sensitivity analysis. We don't just stick a number in
3 and say okay, that's the answer. We do sensitivity
4 analysis. We look at the different input parameters and
5 we kind of vary those within the range of the
6 assumptions that we have to see what effects might be,
7 so if we're off a little bit here, how does that effect
8 the results. And then if we do something that says
9 well, if we're off a little bit, it could greatly effect
10 the results, then typically we would do something to
11 kind of refine that estimate and get a better idea of
12 what that input value would be.

13 UNIDENTIFIED FEMALE: You keep saying
14 "We." Who is "We?"

15 MR. COURTNEY: Okay. Well, the Air Force
16 is conducting these studies.

17 UNIDENTIFIED MALE: But when you say
18 "We," are you included in that? How many are included
19 in that?

20 MR. COURTNEY: Well, I work to support
21 the Air Force and in a number of ways we help identify
22 the sites and how to go about assessing them. When the
23 data gets collected, we help evaluate it.

24 There's consultants and contractors, as
25 well as Air Force personnel, and government personnel,

1 the EPA and the state, and it's a collaborative effort.
2 We might prepare the information but it gets submitted
3 to the state and the EPA, as well as we come and present
4 it to the RAB.

5 UNIDENTIFIED MALE: That we, we're the
6 people who are looking at what you've done and determine
7 whether you got it right or not.

8 MR. COURTNEY: Right. Okay.

9 UNIDENTIFIED FEMALE: You've been talking
10 about the risk factors and you said nothing is a risk
11 factor, but yet you're also saying that there are higher
12 risks from more contamination, okay. But then you said,
13 "I don't know if the exact number is all that relevant."

14 So what I'm saying is that number is
15 relevant because of the risks. How many barrels were in
16 those two acres? The more barrels, the more the risk,
17 but you're saying the exact number is not relevant, but
18 to me it is.

19 MR. COURTNEY: Well, what I said was the
20 number of barrels is sort of irrelevant because it's how
21 much leaked out of the barrels that's really important.

22 UNIDENTIFIED FEMALE: Right.

23 MR. COURTNEY: And when we sample the
24 soil, we collect samples from the soil and we determine
25 what those in-place concentrations are and it doesn't

1 matter if one out of a thousand drums leaked all of its
2 content or a thousand drums leaked a small part of their
3 contaminants, the contaminants in place is the
4 contamination in place and that's what we assessed the
5 nature and extent of and determine what needs to be
6 cleaned up, and it's that data that we do the risk
7 assessment on.

8 The risk assessment isn't on the number
9 of drums that were out there, it's on the contamination
10 that we measure.

11 UNIDENTIFIED FEMALE: So what kind of
12 assumptions can be made of these children that are on
13 paper, these children, if they're drinking the water for
14 70 years, if they're drinking the water in that Six Mile
15 Creek? What kind of assumptions can be made?

16 MR. COURTNEY: Well, we haven't done that
17 particular study. I think you could assume if there
18 were concentrations that were high enough in the water
19 and somebody drank it for 70 years, there would be an
20 elevated risk.

21 UNIDENTIFIED FEMALE: I would assume
22 that.

23 MR. COURTNEY: Yes. I mean, I think we
24 can all make that judgment call.

25 UNIDENTIFIED FEMALE: Right, just like

1 there are areas --

2 MR. COURTNEY: Right.

3 UNIDENTIFIED MALE: The risk assessment,
4 from what you just said, your risk assessment doesn't
5 include that, the consumption of the water?

6 UNIDENTIFIED MALE: No, we did a specific
7 risk assessment, what's called a recreational use
8 scenario, putting that child in the river for that one
9 scenario. We've done innumerable risk assessments. We
10 look at the consumption of the water.

11 You know, again, I'd like to point out,
12 the water we're drinking in this part of the world is
13 from the Edwards. It's over a thousand feet deep. It's
14 not impacted by these activities. It's good, clean
15 water. That's the water people drink.

16 UNIDENTIFIED MALE: I'd like to add on to
17 that that of course we know --

18 UNIDENTIFIED MALE: Raise your hand if
19 you --

20 UNIDENTIFIED MALE: -- toilet in your
21 house, you know you probably had to clean up toilet once
22 or twice by running a snake through your lines, so we
23 know those pipes can leak.

24 MR. COURTNEY: Oh, sure.

25 UNIDENTIFIED MALE: We're talking about,

1 of course, incoming water leaking also, so we know that
2 this ground level water that you keep speaking of can
3 come into your home through your faucet.

4 MR. COURTNEY: No.

5 (Unidentified Male Speaking - Inaudible.)

6 UNIDENTIFIED MALE: Most of the ground
7 water that we're talking about that's contaminated is
8 deeper than what your water lines at your house are
9 buried.

10 MR. COURTNEY: Right.

11 UNIDENTIFIED MALE: Your water lines in
12 your house are probably buried no more than two feet
13 deep. We're at least 10 or 12 feet deep, most of our
14 ground water that's contaminated.

15 UNIDENTIFIED FEMALE: I have a list of
16 peoples' names though that they're no longer drinking or
17 using the water in their house and that they actually
18 have been through lawsuits because the water is
19 considered unsafe. And that's --

20 UNIDENTIFIED MALE: You know, I can't
21 help but thinking there's an issue with their plumbing
22 in their house.

23 UNIDENTIFIED FEMALE: I doubt that.

24 MR. COURTNEY: Yes, that's with them and
25 SAWS.

1 UNIDENTIFIED MALE: Back to your risk
2 assessment real quick.

3 MR. COURTNEY: Okay.

4 UNIDENTIFIED MALE: I was trying to
5 understand, you say recreational use. Are we talking
6 about swimming in it?

7 MR. COURTNEY: Yes. And we look at those
8 type of exposure scenarios. I believe there's some
9 minor ingestion involved, you know, just incidental
10 ingestion I think is what they refer to it as, mainly as
11 dermal exposure of soil contaminants through the skin.

12 UNIDENTIFIED MALE: Anybody who knows
13 where Six Mile Creek is?

14 UNIDENTIFIED FEMALE: Yes.

15 UNIDENTIFIED MALE: If you've been
16 through this creek, this is where San Antonio, all their
17 storm water drainage discharge is. There are shopping
18 carts in there, there are old tires, there are
19 refrigerators that's covered with literally trash. I
20 don't think that anybody is going to be down in that
21 creek drinking that water for 70 years.

22 Again, this site was closed out due to
23 appropriate risk levels. The Air Force went out and
24 conducted an additional risk assessment above and beyond
25 what was required to demonstrate this site was safe,

1 just to address the comments that have been brought up,
2 you know, by Ms. Squib, and this site meets all the code
3 requirements. The concentration systems that are out
4 there for arsenic right now are less than what you would
5 typically find in a field that has been used
6 (Inaudible.)

7 UNIDENTIFIED MALE: (Inaudible) when the
8 warehouse there on east Kelly was a warehouse that
9 stored paint, barrels and barrels of paint, and also
10 other things that were there.

11 Anyways, so many thousands of gallons,
12 some of it containing arsenic from those things, went
13 into the creek. The following morning, the kids were
14 bathing in that water. It was tested and found that,
15 you know, that one incident did not effect the kids.

16 UNIDENTIFIED MALE: I don't have any
17 knowledge on that. We're here, you know, there are
18 discussions that talk about the -- (Inaudible.) They
19 claim the site is appropriately within the standards.
20 They went beyond what was, you know, required.

21 UNIDENTIFIED MALE: And you all approved
22 it. It's clean.

23 CHAIRMAN: Folks, I'm going to have to
24 push this along. We're at the 9:30 mark and we still
25 have --

1 UNIDENTIFIED FEMALE: One quick comment.
2 I was just going to say it's so ironic that we're
3 looking at the risk that that compound might have
4 created and spend millions to clean it and then make the
5 land safe, but yet what about the people who live nearby
6 the leak? Was it safe for them at that time? That's
7 the ironic thing about this is that we're, the community
8 members that live nearby, you know, where it leaked and
9 the fumes might have gone into the air.

10 (Unidentified Male Speaking - Inaudible.)

11 UNIDENTIFIED FEMALE: Yes. Well, that's
12 why, even as of today, at Tinker, there are people in
13 their '50s right now who are contracting cancer and
14 dying young.

15 UNIDENTIFIED MALE: Another thing I would
16 like to add also is I know we had said the ground level
17 water that we're talking about being 30 feet deep.
18 Forgive me for not remembering exactly what year we had
19 that huge flood.

20 UNIDENTIFIED MALE: '98 and 2000.

21 UNIDENTIFIED MALE: Our ground level
22 water, if I remember correctly, was two feet below
23 surface level. It did rise to that level at one point
24 throughout that flood.

25 (Unidentified Male Speaking - Inaudible.)

1 UNIDENTIFIED MALE: So once again, to
2 make the connection, the ground level water that we're
3 talking about here, it can rise and fall according to
4 weather patterns, so with the contaminations that are in
5 the ground level water rising to that effect, are we
6 even thinking about how that might be airborne at that
7 point? Have we conducted any studies to that? Have we
8 looked at that at all, anybody?

9 I would take that as a no.

10 UNIDENTIFIED MALE: Contaminants of what?

11 UNIDENTIFIED MALE: Any ground level
12 water contaminants that we're looking at throughout the
13 years of the flood rising to the levels that they did
14 and then, of course, coming out through storm drains,
15 through whatever resources that it could find to come
16 up, at that point becoming airborne, is that a
17 possibility? Have we looked at that possibility at
18 all? Have we looked at whether --

19 UNIDENTIFIED MALE: The Air Force has
20 evaluated the potential for the multi-organics in the
21 ground water at the plume well site to have impacted
22 indoor air through volatilization, they've done those
23 studies.

24 UNIDENTIFIED MALE: What were the results
25 of those studies?

1 UNIDENTIFIED MALE: That the VOC's were
2 not of a level to cause any kind of risk or anything.

3 UNIDENTIFIED MALE: So do we have a
4 number as to what number we're looking at there or what
5 concentration they're at?

6 UNIDENTIFIED MALE: It's in the study. I
7 don't know.

8 UNIDENTIFIED FEMALE: Which study are you
9 talking about?

10 UNIDENTIFIED MALE: Ground water indoor
11 air study.

12 UNIDENTIFIED FEMALE: You're talking
13 about the air study that was conducted by
14 Dr. Squib?

15 UNIDENTIFIED MALE: No, Dr. Squib didn't
16 conduct any indoor study that I'm aware of.

17 UNIDENTIFIED FEMALE: Okay, which one?

18 UNIDENTIFIED MALE: She recommended one.

19 UNIDENTIFIED FEMALE: Yes, she did.

20 UNIDENTIFIED MALE: The Kelly, I think.

21 What, Zone 4?

22 UNIDENTIFIED FEMALE: So I can look it
23 up. Zone 4, go ahead.

24 UNIDENTIFIED MALE: Zone 4 indoor air.

25 UNIDENTIFIED MALE: Ezmerelda, it's very

1 recent. I don't think it's been finalized yet.

2 UNIDENTIFIED FEMALE: Oh, it hasn't been
3 finalized. Thank you.

4 UNIDENTIFIED MALE: It's up for review.

5 UNIDENTIFIED FEMALE: Thank you,
6 Mr. Miller.

7 UNIDENTIFIED MALE: We've both reviewed
8 it. I've sent comment to them, and I think basically
9 the report says that there was no harm, I don't think
10 they found anything period. It was non-detect in any of
11 their samples is what they found.

12 UNIDENTIFIED MALE: Let me clarify.
13 We've been evaluating this for three or four years now.
14 What they're speaking of is only the most recent reports
15 is where we continue to do Zone 4 analysis. We've
16 evaluated the ground water and indoor pathway
17 (Inaudible), and the bottom line is the concentrations
18 of the volatiles in the ground water is not high enough
19 to produce a risk, an elevated risk to the indoor air,
20 in our opinion.

21 The first set of reports that was
22 submitted stated to the EPA that was the conclusion. At
23 the advice of the City of San Antonio and Dr. Squib, we
24 have now conducted additional sampling. That data has
25 come back. We have evaluated it and again the results

1 appear to be the same. The concentrations in the ground
2 water are not high enough to produce a risk for the
3 indoor air.

4 UNIDENTIFIED FEMALE: Are those actual
5 measurements or are they based on --

6 UNIDENTIFIED MALE: They're actual
7 measurements.

8 UNIDENTIFIED MALE: Did you actually
9 measure the houses based on the Dr. Squib
10 recommendations?

11 UNIDENTIFIED MALE: We did do indoor
12 air. We did sub-slab samples and structures. We didn't
13 go in peoples' homes off base.

14 MR. QUINTANILLA: See, you did it in
15 Lowery Air Force Base up there in Denver for those
16 people but you wouldn't do it for us over here. That's
17 what I'm trying to get at.

18 UNIDENTIFIED MALE: Would you let me
19 finish, Mr. Quintanilla?

20 MR. QUINTANILLA: No, I'm done. You're
21 done too.

22 UNIDENTIFIED MALE: No, he's not done.

23 UNIDENTIFIED MALE: We collected samples
24 where we anticipated the concentrations may be high
25 enough to produce a risk to indoor. Wherever we could

1 find the structures, okay. I mean, we didn't just go
2 over -- Believe it or not, we did a scientific
3 evaluation. We did it based on the City of San
4 Antonio's consultant's recommendations. We went and
5 collected some samples in houses. We went to three
6 different locations.

7 UNIDENTIFIED FEMALE: Three different
8 locations out of 20 thousand homes? Wow.

9 UNIDENTIFIED MALE: Gee.

10 UNIDENTIFIED MALE: Excuse me.

11 UNIDENTIFIED MALE: Excuse me.

12 UNIDENTIFIED MALE: Excuse me. I mean,
13 let's show a little bit of respect for folks here. I
14 mean, they're trying to answer the questions.

15 The recommendation from the City of San
16 Antonio's consultant was that they go and look at areas
17 that were slab construction. Most of the homes are
18 pier and beam and that was one of the critiques was that
19 they assumed all pier and beam, you need to go back and
20 look at it for slab construction, so they went out and
21 tried to find structures that was slab. That was the
22 specific target at this latest round.

23 It wasn't, you know, just only go to
24 three locations. It was specifically slab
25 construction. Does the slab itself act as some form of

1 a cap that allows the volatiles to build up underneath
2 of it? That was the purpose of that, and they had
3 difficulty in actually finding --

4 UNIDENTIFIED FEMALE: But Mr. Wigger --

5 UNIDENTIFIED MALE: -- where they could
6 go and get the samples.

7 UNIDENTIFIED FEMALE: That's why we
8 question it. As RAB members, that's why we question it,
9 because it was based on slab, the model that was used.
10 We needed --

11 UNIDENTIFIED MALE: We wanted you to test
12 the piers, the piers.

13 UNIDENTIFIED FEMALE: Yes, most homes
14 over here are on wooden piers and you knew that.

15 UNIDENTIFIED MALE: We knew that, and
16 that was supposed to have been the reason for the test.
17 And who was this consultant?

18 UNIDENTIFIED FEMALE: For the city.

19 UNIDENTIFIED MALE: The consultant was
20 Zephyr Environmental. And the reason they did not use
21 the piers was because the likelihood of finding the gas
22 was greatest in a slab scenario.

23 UNIDENTIFIED FEMALE: But there's very
24 little homes --

25 UNIDENTIFIED MALE: You're not going to

1 find it in a pier and beam because the gas would have
2 volatilized and you would have come back here and said,
3 "Well, we didn't find it. We looked for it in the wrong
4 place. We looked for it in the pier and beam."

5 The likelihood of finding this particular
6 gas was greatest if you found it near slab and that's
7 why the slab controlled it, and this was not just our
8 opinion, this was the opinion of the contractor who did
9 that.

10 UNIDENTIFIED FEMALE: And there's no
11 other way of testing?

12 UNIDENTIFIED MALE: I mean, the Denver
13 people, when they did that particular study, they found
14 it to be faulty because they did it -- It was a two
15 story construction in a pier and beam.

16 UNIDENTIFIED FEMALE: Yes, and that was
17 another fault.

18 UNIDENTIFIED MALE: And that particular
19 study was faulted.

20 UNIDENTIFIED FEMALE: Right.

21 UNIDENTIFIED MALE: So they did look in
22 the areas where you have the greatest likelihood of
23 finding it. Why look for some place where you're not
24 going to find it?

25 UNIDENTIFIED MALE: What my question

1 would be is why slab, why would the concentrations --
2 because I'm not sure, I don't know about these things.
3 Why would a slab collect that type of material more so
4 than a pier and beam?

5 UNIDENTIFIED MALE: It works as a cap.
6 This can build up. On a pier and beam, you have, you
7 know, you have crawl spaces.

8 UNIDENTIFIED MALE: You have ventilation.

9 UNIDENTIFIED MALE: Yes.

10 UNIDENTIFIED MALE: And this stuff we get
11 into the crawl spaces, it would basically volatilize
12 out. It wouldn't concentrate, but under a concrete
13 slab, you know, the theory is that it potentially could
14 build up over time and accumulate over the slab and then
15 if there was like an utility, like a water line that
16 came through or if there was a crack in the slab or
17 something like that, that would allow concentration for
18 it to move in there, but that's what we're looking at.

19 Just simply because with a slab, there's
20 a difference in construction techniques that might, you
21 know, one construction type of technique might be more
22 of a risk than the others as far as houses, the
23 foundation of the home we're building or whatever we're
24 building.

25 UNIDENTIFIED MALE: So on that point

1 then, wood being a porous material, wouldn't that type
2 of gas then come into the wood? Have we had a study to
3 say let's go to homes that are no longer used, vacant
4 homes in the area, whatever, you know, homes that are
5 going to be scheduled for tear down, whatever that may
6 be, and we have some type of discussion where we could
7 take those piers then, wood being a porous material,
8 wouldn't that then collect and store inside of that wood
9 or is that not something that would happen?

10 UNIDENTIFIED MALE: No, because what they
11 actually did is they went out and they actually, they
12 put short wells into the soil. They actually collected
13 soil gas from these wells, all right. And if the soil
14 gas at those locations never gets high enough to be a
15 risk, all right, anything that would then get closer to
16 the surface or may be coming in contact with wood
17 obviously would have to be at a lower concentration, so
18 if you established at say five feet of depth or
19 something, the concentration of the soil gases are below
20 any kind of a threshold who are any kind of concern, you
21 know, there would be no purpose in doing any further
22 testing as far as, you know, what that might possibly
23 cause as a problem.

24 It was just simply a comment, hey, what
25 about a slab that is impermeable. That's why they

1 looked at that.

2 CHAIRMAN: Folks, it's 20 till 10. Would
3 you give me permission to move ahead with this meeting,
4 please?

5 MR. QUINTANILLA: I just have one small
6 question here.

7 Those wells were dug, those test wells
8 were dug around the 1994, 1996, 1998 time frame. The
9 contamination started way back, way before 1988.

10 Is it possible that all the toxic fumes
11 that were there, vinyl chloride, had already gone out of
12 the air by the time you all started that, those tests?

13 UNIDENTIFIED MALE: I think we're looking
14 at what the concentrations are out there and what their
15 potential risks are right here and now. I don't know,
16 Armando. That's what the purpose of the study was, the
17 here and now.

18 UNIDENTIFIED MALE: You know, the
19 contamination though started 30, 40, years ago, and
20 we're just testing it now.

21 UNIDENTIFIED MALE: I understand.

22 UNIDENTIFIED MALE: It could all have
23 evaporated.

24 UNIDENTIFIED MALE: I understand. The
25 purpose of the study was what is here now, nothing more

1 than that.

2 CHAIRMAN: I'm going to go ahead and just
3 step ahead here because, you know, this process has to
4 continue.

5 We're at Section VIII, which is the
6 announcements, where we're asking RAB community members
7 if there are any events or issues relevant to your
8 constituencies that you would like to report on or
9 announce about.

10 Yes, ma'am?

11 UNIDENTIFIED FEMALE: I'm sorry, but
12 before we leave, I just want to ask a quick question.

13 Is there a test of some sort that could
14 test the homes made with the wooden beams? I mean, is
15 there some kind of -- Does anyone know?

16 UNIDENTIFIED MALE: We didn't just --
17 yes, you can test. You can collect the samples in that
18 crawl space. It could be done.

19 UNIDENTIFIED FEMALE: Uh-huh.

20 UNIDENTIFIED MALE: But those crawl
21 spaces are vented. They're open to the atmosphere and
22 the likelihood that you would get anything is very low
23 because of the way it's vented. It's not likely that it
24 would accumulate there. There's a gas that's a very,
25 very volatile gas that would likely just dissipate

1 rapidly upon entering the atmosphere. And the models
2 that's been developed don't even give you that
3 opportunity, because it can be accumulated. I can only
4 assure you that we've done our best effort in trying to
5 evaluate this pathway and determine if there is a risk.

6 UNIDENTIFIED FEMALE: And that's all
7 documented?

8 UNIDENTIFIED MALE: Yes, and we presented
9 this information to the RAB and to the TSR on several
10 occasions in the past. This information has been out
11 there.

12 UNIDENTIFIED MALE: I know you've been,
13 and every time we discuss it, it was either done too
14 late or not done at all, or the reporting wasn't done.

15 UNIDENTIFIED FEMALE: It just sounds so
16 ridiculous. The number three out of --

17 UNIDENTIFIED MALE: (Inaudible.) I know.

18 CHAIRMAN: Folks, if you want an agenda
19 item for another meeting where we're going to do this,
20 then we'll do this, then we'll do that, but at this
21 point, you have to let it go.

22 We're in that section that asks for
23 community update on issues relevant.

24 Have any of you brought issues that you
25 think the RAB needs to be aware of? Okay.

1 UNIDENTIFIED MALE: We're still on item
2 eight?

3 CHAIRMAN: We're on item eight.

4 UNIDENTIFIED MALE: Are we that far?

5 CHAIRMAN: Yes, already.

6 UNIDENTIFIED MALE: I thought maybe we
7 were on item two.

8 UNIDENTIFIED MALE: Can we move on?

9 CHAIRMAN: Yes.

10 UNIDENTIFIED MALE: I'd like to bring
11 something up just real quick.

12 I'm here representing Mr. Silvas, who
13 couldn't make it this evening. He asked me to bring an
14 audio recording that he has from a Mr. Robert Lynch,
15 indeed stating that there is contaminants present and
16 that they are, of course, present at this time. With
17 the permission of the Board, I would like to play this
18 for you all.

19 CHAIRMAN: No.

20 UNIDENTIFIED FEMALE: Who's Robert Lynch?

21 UNIDENTIFIED MALE: Unfortunately I
22 wasn't able to get that information. We met briefly --

23 UNIDENTIFIED MALE: We can come back and
24 listen to it.

25 CHAIRMAN: This is a community comment

1 section. We're talking about the things that are going
2 on that the RAB needs to know about. This is probably
3 not that --

4 UNIDENTIFIED FEMALE: As a community
5 member, I would like to hear that.

6 CHAIRMAN: And I think that would be
7 wonderful, and if you want to present that to the Board
8 --

9 UNIDENTIFIED MALE: You can do that after
10 the meeting.

11 CHAIRMAN: Yes. Shut it down and then
12 anybody that wants to hear that can stay and listen.

13 CHAIRMAN: And certainly it's capable of
14 being added as an agenda item by presenting it to the
15 executive committee, but I think that we're at a point
16 in this particular meeting where we can't take any more
17 agenda items in this meeting. And that's not my job,
18 but absent a community co-chair for this meeting, I sort
19 of have to do something to get us through the process
20 here because I'm losing people real fast here and
21 they're being here but they're not.

22 Would you settle for letting us get that
23 on as an agenda item, go to the executive committee,
24 where you'll have some data where you can tell us who
25 this person really is and what that audio tape has to

1 say?

2 UNIDENTIFIED MALE: Yes.

3 CHAIRMAN: That would be great. If you
4 wouldn't mind, we'll do that.

5 Announcements, events, anything? Yes,
6 sir.

7 UNIDENTIFIED MALE: Yes, I'd like to
8 thank the folks who were hosts out here. I brought four
9 sections of chemical students from Palo Alto College.
10 One of my students is in here and also one of my
11 colleagues showed up.

12 I'd like to thank -- Brittany, would you
13 please reflect in the record who the people were,
14 acknowledge them in the minutes?

15 BRITTANY: Yes.

16 UNIDENTIFIED MALE: Okay, because you
17 know who they are and I can't remember at the moment.
18 The rest of these folks don't care, but it was really
19 awesome.

20 I was sitting here thinking, I've been
21 through six tours with member of different people. Each
22 one of them was extremely enthusiastic, knowledgeable,
23 personable, awesome. For you folks who are not taking
24 advantage of that church group, groups, what would be
25 scout troops, whatever, you and your classes over there

1 in the environmental side of the fence, really it's
2 worth the time. It brings, I don't want to embarrass
3 Alex but I think you're sitting here watching chemistry
4 in action, right, and it's just a valuable teaching
5 tool, and I thank you all for that.

6 CHAIRMAN: Thank you, sir.

7 Okay, GKDA update.

8 UNIDENTIFIED MALE: Gary apologized. He
9 had to leave to go to another meeting.

10 CHAIRMAN: All right. San Antonio
11 Metropolitan Health District update. Mr. Sanchez,
12 anything special?

13 MS. SANDERS: I left some fliers here at
14 the desk to keep to keep June 26th open for a workshop
15 that we're planning on having at Our Lady of the Lake
16 University.

17 For those people that are in the
18 community that would like to know more about it and
19 would like to, you know, find out about it, I'll be glad
20 to talk to you about it after the meeting, or would like
21 to have a part in that discussion in terms of developing
22 the agenda also. It's a workshop that's going to be on
23 environmental issues and on economic issues in this part
24 of the city.

25 Of course, we're going to touch on Kelly

1 Air Force Base and the clean-up but we're also going to
2 try to touch on some other areas too. There's some
3 social indicators that we need to talk about in this
4 part of the city. Anyway, it will be kind of an
5 interactive deal so we're not going to be lecturing to
6 you. It will be kind of like we're talking right now.

7 CHAIRMAN: That's the 26th?

8 UNIDENTIFIED MALE: 26th of June, if you
9 keep that date open, and we're going to put it in the
10 newspapers and get you more information.

11 CHAIRMAN: Thank you, sir.

12 AFRPA, Mr. Antoine, things that you would
13 like to --

14 MR. ANTOINE: I would just like to bring
15 to the attention of the RAB members and the community
16 members, based on the request for us to continue to find
17 ways to show progress at Kelly, that we have some
18 additional posters out in the entryway that we just
19 completed that include the 1998 data on essentially how
20 big the ground water plume was at the time when it was
21 fully defined as opposed to what it looks like today.

22 If you lift it up, you can kind of make a
23 comparison as to how things are changing, so we're
24 looking for more ways to show in simple forms how things
25 are progressing, and if any of you have ideas, ways that

1 we can show, you know, how we're doing, you know, we're
2 open to any recommendations. That's just one way in
3 terms of the ground water that we're trying to do that.
4 We've got, as I mentioned earlier, a huge program this
5 year to continue to install remedies for clean-up in and
6 around Kelly, with the off base being a large portion of
7 that, this year to the tune of about 30 million dollars
8 overall. And we hope to have most of those remedies in
9 place by the end of this year, which means that we're
10 going to have all the systems in for the ground water,
11 we hope, by the end of this year. In other words,
12 anything that's going to continue clean up, we hope that
13 we'll get the money and the opportunity to install this
14 calendar year.

15 CHAIRMAN: Okay. I'm sorry, Norma, I
16 jumped right over top of you. It was not personal.

17 Norma Landez is going to give us some
18 BRAC team clean-up update.

19 MS. LANDEZ: Thanks. We had a meeting
20 today, TCEQ, EPA and AFRPA, and we talked about several
21 things. The first item was discussion of the base wide
22 ecological risk assessment and includes both Zones 1 and
23 2, 3 and 5. Zone 4 was done separately with the Zone 4
24 RFI, and concluded that there's no risk to the aquatic
25 and also the omnivorous birds along Leon Creek, and we

1 did submit the final tier 2, tier 3 ecological risk
2 assessment report to the agencies just last week, or at
3 the end of April, I'm sorry, and it will be available at
4 the PCEH office, I think, pretty soon. We just gave it
5 to your secretary and she will be submitting it over
6 there.

7 The other thing we discussed was an
8 update on the Building 361 radiation. We're still
9 waiting for Boeing to provide us with the report, GDKA
10 to provide the report over to us so we can submit that
11 to the agencies also and their last parts of the review.

12 The other thing that was provided to to
13 us was a review of the Zone 1 corrective measures study
14 by Lackland Air Force Base's contractor, and they did,
15 Lackland Air Force Base presented it to the public at
16 the April community --

17 (Unidentified Male Speaking - Inaudible.)

18 MS. LANDEZ: Yes, last month, and I'm
19 assuming that they have it available in the public
20 libraries for you to review, and we're going to be
21 submitting it to the regulators this month is what I
22 understand.

23 And let me see. We talked about the site
24 S7 issue here that we discussed just a little while ago
25 and also we also discussed -- One of the questions last

1 month at the RAB meeting was the agent orange storage in
2 some warehouses.

3 We went ahead and we reviewed all of our
4 documentation, all of the realignment, environmental
5 baseline studies, the site specific baseline studies
6 that we did, and we could not find any documentation,
7 except for site S7, where we had any storage of agent
8 orange in any warehouses, and we're putting a report
9 together that we'll be able to provide next month to the
10 RAB, or I guess at the next RAB meeting. I'm sorry.

11 We also updated our current activities at
12 all across the base. We discussed activities at site
13 E1, area C on Mr. Reese's property are still ongoing.

14 We installed monitoring wells along the
15 Building 360 PRB that we just finished installing and we
16 should be getting some samples of ground water
17 developing the wells and getting samples of the ground
18 water within the next couple of weeks, and we also
19 discussed statuses of our closure report, and that's all
20 we talked about today at our meeting. And so we'll be
21 providing you with minutes as soon as we have all
22 reviewed them at the next month's meeting.

23 CHAIRMAN: It sounds like a pretty busy
24 meeting you had.

25 In his role as parliamentarian, I have to

1 turn to Mr. Denitio to talk to us a little bit about
2 status of the motion that we looked at earlier today.

3 MR. DENITIO: Well, obviously there's
4 some confusion, was and is, on who is a voting member.

5 The staff has advised me that there's no
6 underlying provision that states that government
7 agencies are not voting members.

8 With that stated, Roberts Rule has
9 nothing here or our charter states who is a voting
10 member and nothing in the governing rule states who is a
11 voting member.

12 Roberts Rule is there for the vote, which
13 means that all members. The charter states members
14 present, not members, or voting members, members
15 present, which means that even if you abstain, you're
16 still counted, literally. So with that, we had 13. We
17 needed nine.

18 Basically all that kind of drops out and
19 there's a question that's going, the bigger question
20 that's going to have to be raised is in terms of this,
21 you know, the Board, is do the government members want
22 to be considered voting members, because there's nothing
23 that states that we can't include you or exclude you
24 from voting, you know, in the charter, if that would be
25 in the Board's wishes, but that's something we, because

1 we don't have that at this time, you know, we have to
2 take it up at another time.

3 Amendments to the charter actually
4 require two-thirds of the members present, which means
5 in order to amend the section that states how we amend
6 it, you guys have to vote, government members have to
7 vote at least once, either that or not be here the day
8 that we do that.

9 UNIDENTIFIED MALE: I can do that.

10 MR. DENITIO: So, I mean, there's other
11 issues involved. Roberts Rules actually specifically
12 states it's not recommended that any guidelines state
13 members present, because of this, or yes, members
14 present, because of this rule. It removes your ability
15 to remain neutral on an issue, because if you're
16 abstained, it's automatically a negative vote.

17 CHAIRMAN: So do I understand then that
18 the upshot of that for the vote that occurred earlier is
19 that the only way that vote could have been passed would
20 have been with nine positive votes, and we did not have
21 that so that did not pass, is that correct?

22 MR. DENITIO: Because we had five
23 affirmative votes, three stated negative votes and X
24 amount of unstated negative votes, which are
25 abstentions, and therefore it doesn't matter how many

1 abstentions you have --

2 UNIDENTIFIED MALE: You still don't have
3 the nine --

4 UNIDENTIFIED MALE: Right. We'll have to
5 take it up at a later issue, in July, or even later than
6 that. Even further than that, we're going to have to
7 look at the whole charter in terms of who is a voting
8 member, who wants to be a voting member and, you know,
9 how we define it.

10 UNIDENTIFIED MALE: Mike, it seems like
11 for people like Sam, who represents a government entity,
12 you know, Bexar Health, or anybody else that's on --

13 (Tape cut off. End of Tape 2.)

14 (Beginning of Tape 3.)

15 UNIDENTIFIED MALE: -- those that vote,
16 and if you abstain, you're not considered a member for
17 that vote. So it's only those voting members and
18 members, really the same term, but "Members" is actually
19 the recommended term.

20 CHAIRMAN: So is it your plan to raise
21 that issue through the executive committee?

22 MR. DENITIO: The charter committee is
23 going to have to meet in the meantime and we'll be going
24 through a lot of these other issues to clear up a lot of
25 other questions.

1 CHAIRMAN: Okay.

2 UNIDENTIFIED MALE: But I think one of
3 the things that the executive committee should go and
4 look at is the Department of Defense rules that
5 establish RABs defines community members, so there is
6 some guidelines in there that they should look at.

7 CHAIRMAN: Yes.

8 MR. DENITIO: I mean, there's underlying
9 and there's questions as to who, you know, and Armando
10 Quintanilla is of one belief and staff is of another
11 belief. I mean, somewhere it's written down.

12 MR. QUINTANILLA: My belief is this: I
13 mean, I did not only get it from the regulations that
14 were established at that time, which was a guidance,
15 that specifically said that, and also the lawyers
16 agreed, his lawyers agreed that the community members
17 should not be voting. And that's the reason it's in
18 there, not because of Armando Quintanilla.

19 MR. DENITIO: No, I'm not saying that.
20 I'm just saying I'm not privy to any of that
21 information.

22 MR. QUINTANILLA: But, you know, the
23 upshot of all this is what we did today didn't count.

24 CHAIRMAN: That's right.

25 UNIDENTIFIED MALE: That's correct.

1 MR. QUINTANILLA: All right, so I won.

2 CHAIRMAN: Let me continue to move us
3 ahead. That's a discussion that needs not to be held at
4 10:00 at night.

5 UNIDENTIFIED MALE: I think we have a
6 quorum --

7 UNIDENTIFIED MALE: Yes, it's in the
8 charter, it's in the charter.

9 UNIDENTIFIED MALE: But what was the
10 number?

11 UNIDENTIFIED MALE: Staff, what is a
12 quorum?

13 UNIDENTIFIED MALE: A quorum is nine
14 members of the Board, plus the installation co-chair,
15 provided that six community members form part of that
16 group.

17 UNIDENTIFIED MALE: The presence of nine
18 members in addition to the installation co-chair shall
19 constitute a quorum at any regular special Board
20 meeting, provided that at least six of those nine
21 members present are community members.

22 CHAIRMAN: Okay. All right. Let me
23 continue to move us ahead.

24 Action items from previous meeting, there
25 were three. One of them was that the Air Force evaluate

1 the baseline survey of agent orange stored at Kelly.
2 That was, in fact, the presentation that you heard this
3 evening.

4 Item number two, Veterans' Affairs
5 Administration expert to brief community on agent orange
6 and chemicals therein at the next meeting. That's the
7 one that I told you about that we got the cancellation
8 on this afternoon. With your permission, we'll carry
9 that forward as an action item for the next meeting.

10 And item number 3, spill report, summary
11 report at each FRS and RAB meeting. That was left to
12 the executive committee to decide how to do that. The
13 executive committee decided that spill report summaries
14 will continue to be reported at the TRS meetings, which
15 obviously is one of the important reasons to keep that.

16 UNIDENTIFIED MALE: Sir, it's not in
17 accordance with the charter, it's not in accordance with
18 the law.

19 CHAIRMAN: All I'm telling you is what
20 the executive committee reported.

21 UNIDENTIFIED MALE: I know what you said
22 but I still want to hear any spill releases, any
23 releases, toxic releases. There were none.

24 UNIDENTIFIED MALE: No.

25 UNIDENTIFIED MALE: That's all you have

1 to say, and I don't see why the big objection from the
2 executive committee. That's all that's needed.

3 CHAIRMAN: You know how those committees
4 can be.

5 UNIDENTIFIED MALE: That's all you say.

6 CHAIRMAN: Okay. I'm going to move us
7 ahead.

8 The next RAB meeting is scheduled for
9 Tuesday, July 20, 2004 at 6:30. We're back on the
10 schedule for Kennedy. The TRS meeting is scheduled for
11 Tuesday, June 8, 2004 at Environmental Health and
12 Wellness Center. That one obviously has some issues
13 associated with it but that schedule remains in place.

14 Having said all of those things, I would
15 invite somebody to make a motion that we adjourn.

16 UNIDENTIFIED MALE: I make a motion.

17 CHAIRMAN: Second?

18 UNIDENTIFIED FEMALE: Second.

19 CHAIRMAN: All in favor?

20 (Response of "I.")

21 CHAIRMAN: Opposed?

22 Meeting adjourned.

23 (End of tape.)

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1 THE STATE OF TEXAS)
2 COUNTY OF BEXAR)

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REPORTER'S CERTIFICATE

I, LYNNE M. RODRIGUEZ, a 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 from an audio recording, of the proceedings recorded herein.

I further certify that I am neither attorney nor counsel for, nor related to, nor employed by any of the parties to the action in which this testimony was taken. Further, I am not a relative of any attorney of record in this cause, nor do I have a financial interest in this action.

SUBSCRIBED AND SWORN to on this the 27th day of July, 2007.

Lynne M. Rodriguez
LYNNE M. RODRIGUEZ, CSR
for the State of Texas,
Certification No. 8640

FINAL PAGE

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