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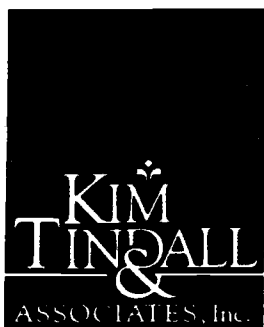
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**RESTORATION ADVISORY BOARD**

**APRIL 28, 1997**

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ORIGINAL



**CORPORATE OFFICE**

**San Antonio**

The Lincoln Center, 7800 I.H. 10 West, Suite 100

San Antonio, Texas 78230

(210) 377-3027 Toll Free 1-800-969-3027 Telefax (210) 344-6016

**BRANCH OFFICES**

**Laredo**

5703 Springfield

Laredo, TX 78041

(210) 726-3232

Fax (210) 725-3376

**Austin**

100 Congress Avenue

Suite 1800

Austin, TX 78701

(512) 452-0011

**Corpus Christi**

500 N. Water Street, #712

Corpus Christi, TX 78471

(512) 881-8909

Fax (512) 881-9717

1 APPEARANCES:

2 MS. ANNALISA PEACE  
Community Co-chair;

3 MR. EDWARD RIOJAS  
4 Kelly Air Force Base Co-chair;

5 MR. JUAN SOLIS, SR.  
Community Member;

6 MR. ALLAN HAGELTHORN  
7 Community Member;

8 MR. PARKER WILSON  
9 TNRCC, Austin;

10 MR. ARMANDO C. QUINTANILLA  
Keep South San Proud;

11 MR. GEORGE RICE  
12 Groundwater Hydrologist;

13 PROF. GENE W. LENE  
Academic Community;

14 MR. JIM CLARK  
15 San Antonio Metropolitan Health  
District;

16 MR. ED WEINSTEIN  
17 San Antonio Water System;

18 MR. NICOLAS RODRIGUEZ, JR.  
Bexar Metropolitan Water District;

19 MS. YOLANDA JOHNSON  
20 Committee for Environmental Justice  
Action;

21 MR. PAUL ROBERSON  
22 Greater Kelly Development Corporation;

23 MR. JOHN A. JACOBI, P.E.  
Texas Department of Health;

24 MS. CAMILLE HUENI  
25 Environmental Protection Agency,  
Region 6;

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JULIE A. SEAL  
Certified Shorthand Reporter  
and Notary Public.

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1                   On the 28th day of April, A.D. 1997,  
2                   between the hours of 6:00 o'clock p.m. and 10:00  
3                   o'clock p.m., the above entitled meeting came on  
4                   for discussion before said ANNALISA PEACE, and  
5                   the following proceedings were had:

6                                 MS. PEACE: The meeting will now  
7                   come to order.

8                                 I'd like to welcome you-all to the meeting  
9                   of the Restoration Advisory Board for Kelly  
10                   Air Force Base. The purpose of the Restoration  
11                   Advisory Board -- RABs allow members of the  
12                   community and representatives of the  
13                   installations, the U.S. Environmental Protection  
14                   Agency, state regulatory agencies -- TNRCC --  
15                   and the local governments to work together  
16                   toward a common goal.

17                                The RAB has a twofold purpose. First, the  
18                   RAB is a forum for representatives of the  
19                   installation, regulatory agencies and community  
20                   to discuss and exchange information about the  
21                   Department of Defense's environmental  
22                   restoration program. Second, the RAB gives  
23                   stakeholders the opportunity to participate in  
24                   the cleanup process and make their views known  
25                   to decision-makers.

1           The RAB's focus should be on the Department  
2 of Defense's environmental restoration program.  
3 Stakeholders may raise other issues, such as  
4 future land use, economic factors and jobs, but  
5 there are other forums in which to discuss those  
6 issues. It is the responsibility of all RAB  
7 members to ensure that discussions stay on  
8 track.

9           Remember, RABs are intended to promote  
10 cooperation between the government and the  
11 communities to establishing equal member status  
12 for all participants, sharing chairmanship of  
13 the board between the installation and the  
14 community and soliciting individual advice  
15 rather than forced consensus of. It is the  
16 Department of Defense's hope that this kind of  
17 partnership approach will result in  
18 environmental restoration decisions that meet  
19 the needs of the community and the Department of  
20 Defense -- and this is taken from the RAB  
21 Resource Book, which was published in September  
22 of 1996.

23           My name is Annalisa Peace and I am the new  
24 co-chair for the RAB and this is the first  
25 meeting that I'll be chairing. And we'll go

1 around, starting with Mr. Riojas, and allow  
2 everybody to --

3 MR. RIOJAS: My name is  
4 Ed Riojas. I'm also the co-chair of the RAB.  
5 I'm the executive director at Kelly Air Force  
6 Base.

7 MR. CLARK: Jim Clark with the  
8 Metropolitan Health District, an alternate  
9 member representing Sam Sanchez.

10 MR. WEINSTEIN: I'm Ed Weinstein  
11 with the San Antonio Water System.

12 MR. JACOBI: I'm John Jacobi with  
13 the Texas Department of Health, and I'm a  
14 candidate to serve on the RAB.

15 MS. HUENI: Camille Hueni. I'm  
16 with the Environmental Protection Agency out of  
17 the Dallas office.

18 MR. RIOJAS: We couldn't hear  
19 that.

20 MS. HUENI: Okay. My name is  
21 Camille Hueni. I'm with the Environmental  
22 Protection Agency out of the Dallas Region 6  
23 office.

24 MR. ROBERSON: For some reason,  
25 it's not picking up very good.

1 MR. WILSON: Parker Wilson, with  
2 the TNRCC in Austin. I'm sitting in for  
3 Gary Beyer today.

4 MR. SOLIS: Juan Solis, area  
5 resident for 38 years, member of the board.

6 MR. RICE: George Rice.

7 MR. RODRIGUEZ: My name is  
8 Nick Rodriguez. I'm with the Bexar Metropolitan  
9 Water District, deputy general manager there.

10 MR. QUINTANILLA:  
11 Armando C. Quintanilla. I live in the area.  
12 I'm a member of the Committee for Environmental  
13 Justice and the South San Proud neighborhood  
14 organization.

15 MR. ROBERSON: I'm Paul Roberson  
16 with the Greater Kelly Development Corporation.

17 MS. JOHNSON: I'm Yolanda Johnson  
18 and I'm with the Community for -- the Committee  
19 for Environmental Justice and also the  
20 restoration board here.

21 MR. LENE: I'm Gene Lene and I'm  
22 with St. Mary's University.

23 MS. PEACE: Okay. Thank you.

24 There are some changes on the agenda. I  
25 wanted to put some new items on the agenda that



1 didn't make it on the printed agenda. First of  
2 all, under Item I of Item C -- that's going to  
3 be moved down to the RAB training, Item 7. And,  
4 then, after administrative topics, we're going  
5 to add Item 3, which is going to be  
6 Dr. Yana Bland. She's going to report on the  
7 community health survey that was done in the  
8 North Kelly Gardens neighborhood, and, then --  
9 that will be Item 4. Then, Item -- the RCRA  
10 permit hearing will be Item 5 after the break --  
11 and, then, let's just go on down to -- and,  
12 then, we're going to add an Item 9, which is new  
13 business. We have three items of new business.  
14 Okay?

15 MR. QUINTANILLA: Madam Chair,  
16 I've got two questions concerning the agenda.  
17 We were supposed to discuss the frequency of RAB  
18 meetings -- the whole RAB board. It was left  
19 off the agenda. Where will that be discussed?

20 MS. PEACE: Under new business, I  
21 have three items. Let me mention some items:  
22 Frequency of meetings and, then, a request for  
23 accounting of the budget and, then, applications  
24 for new membership.

25 MR. QUINTANILLA: Why was it left

1 off?

2 MS. PEACE: Well, that, I don't  
3 know.

4 MR. QUINTANILLA: It was in the  
5 minutes, you know, that this was an item for the  
6 agenda and it isn't there. The other item that  
7 is not there that we asked for and was discussed  
8 at the last RAB meeting on January the 27th was  
9 the records from emergency fuel dumping. It's  
10 not on the agenda, either. When will that be  
11 discussed.

12 MR. RIOJAS: That's going to  
13 be -- Mr. Lankford is going to discuss that.

14 MR. QUINTANILLA: Where?

15 MS. PEACE: After --

16 MR. RIOJAS: Under community  
17 discussion? Community discussion.

18 MR. QUINTANILLA: Why was it left  
19 off, Mr. Riojas?

20 MR. RIOJAS: It's in there. It's  
21 just not identified as such.

22 MR. SOLIS: Where is the  
23 community discussion part? I don't see that.  
24 We came here from the community to speak here  
25 and I don't see a time for the community to

1 address this RAB -- or is the community being  
2 excluded?

3 MS. PEACE: No. That's Item 8 on  
4 the -- on the agenda, where it says,  
5 "Community Discussion, All Attendees." So --

6 MR. SOLIS: Which part? I'm  
7 sorry.

8 MS. PEACE: It's Item 8, where it  
9 says, "Community Discussion."

10 MR. SOLIS: Item 8. That's at  
11 the -- That's at the --

12 MS. PEACE: All attendees. So,  
13 what we'll do is, we'll have the report on fuel  
14 dumping by Mr. Lankford before that, so -- and,  
15 then, we'll have the community discussion and,  
16 then, the summary in closing. So, we're adding  
17 several items.

18 MR. SOLIS: Are you putting us at  
19 the end -- or where?

20 MS. PEACE: Well, that's where it  
21 customarily is.

22 MR. SOLIS: Why is the community  
23 at the end. Some of us work and we have to  
24 speak first.

25 MR. RIOJAS: Let me explain: The

1 way that the process works is the RAB meeting is  
2 a -- it's an open meeting of the Restoration  
3 Advisory Board. It is not community  
4 participation in the actual meeting --

5 MR. SOLIS: It is not for  
6 community participation?

7 MR. RIOJAS: Excuse me. Let me  
8 finish.

9 MR. SOLIS: It is not for  
10 community participation?

11 MR. RIOJAS: Excuse me, please,  
12 sir. The primary reason of this is for a  
13 meeting of the RAB. Your witnesses to the  
14 meeting and, then, there's an opportunity for  
15 the community to speak.

16 MR. SOLIS: Well, we don't want  
17 to be at the end. We want to be at the  
18 beginning.

19 MR. RIOJAS: I'm sorry, sir. But  
20 that's the way that it's set up.

21 MR. SOLIS: No. We don't accept  
22 that.

23 MS. PEACE: Heretofore, we  
24 haven't had limits for times to speak -- for the  
25 community people to speak. But if you-all would

1 like to be at the beginning of the next meeting,  
2 we can schedule it at the beginning and give  
3 each speaker a minute. That way -- We have to  
4 have some schedule -- you know, we have speakers  
5 after that. But the reason it's been at the end  
6 is so that the speakers will know what time  
7 they're supposed to come on and what time  
8 they're supposed to be here -- like Dr. Bland  
9 and different ones -- that come from the outside  
10 that aren't RAB members. And, so, if you want  
11 to be on at the beginning next time, we can do  
12 that and allot, like, say, 20 minutes.

13 MR. SOLIS: We want to be on this  
14 one, not the next one. We're here today. We  
15 don't want to go at the end. Otherwise, it's  
16 not a community -- you know, it has no community  
17 representation, then.

18 MS. PEACE: Well, I'll make a  
19 note of that and next time -- We didn't get that  
20 request before this meeting and we have the  
21 agenda set and we've already --

22 MR. SOLIS: Well, we've requested  
23 it since St. John Berchermann -- that was the  
24 issue at that meeting -- about being at the end,  
25 again -- and at that meeting, they put us up

1 front -- because, again, it would bring  
2 community representatives. When are we going to  
3 speak? At 10:00 o'clock? At 10:30? That's  
4 impossible for working people. We're not  
5 professionals like you --

6 MS. PEACE: I understand.

7 MR. SOLIS: -- who can go in at  
8 whatever time you want.

9 MS. PEACE: Well, I'm a  
10 volunteer, as well -- and I understand that.  
11 But this is my first meeting as the co-chair and  
12 nobody made the request to me. But since you  
13 have made it and I understand that request, I  
14 can put it for the next meeting.

15 MS. LIMON: I didn't hear an  
16 answer of why we were left off. Why is it  
17 hidden? He says it's in there somewhere. Why  
18 is it hidden?

19 MS. PEACE: It's No. 8 -- Item  
20 No. 8.

21 MS. LIMON: No, that person that  
22 Mr. Quintanilla asked.

23 MS. PEACE: I don't understand  
24 why that was left off, either.

25 MS. LIMON: Well, he was asking

1 can -- tell him, so he can explain to you so we  
2 can all know.

3 MR. RIOJAS: Excuse me. Let me  
4 answer this gentleman. Another reason why we  
5 had it at the end -- so that members of the RAB  
6 can spend some time with the community to  
7 discuss the individual concerns. That was --  
8 That was the design and the way we put this  
9 together. And, thus far, as far as we know --  
10 and pretty well -- the community members can  
11 spend some time with RAB members afterwards.

12 MR. SOLIS: It's unacceptable,  
13 sir, because of the fact that that -- that kind  
14 of logic doesn't work. We're here to address  
15 the official body, not to talk over cookies and  
16 coffee. We're here to speak to the body -- and  
17 we've spoken to many of the people here sitting  
18 either within their agencies at the EPA, at the  
19 TNRCC level, Department of Defense, with the  
20 city -- and we've been getting the same kind of  
21 response.

22 Now, we thought since Anna Peace was more  
23 community representative than the previous  
24 co-chair that something would change -- the way  
25 that the community has been left out

1 consistently time after time after time. Now,  
2 what is it going to take? What is it going to  
3 take for you to change that.

4 MS. PEACE: All it takes is you  
5 making that request to me. Nobody before had  
6 made that request to me.

7 MR. SOLIS: We made the  
8 request -- We made the request -- not only  
9 Yana Bland to speak -- but I was supposed to be  
10 on there and so were a couple of other people.

11 As you well know, there was problems  
12 getting this agenda together because the RAB is  
13 controlled by the Air Force and it's their will  
14 and that's the only thing that gets on this  
15 piece of paper.

16 MS. PEACE: Well, I don't  
17 understand why --

18 MR. SOLIS: We're tired of it.

19 MS. PEACE: I don't understand  
20 why my agenda items were left off the paper,  
21 either. But I am chairing the meeting and I'll  
22 make sure that those items get on there.

23 MR. SOLIS: But we need to speak  
24 first. We need to talk about community  
25 concerns. Look, what is the purpose and mission



1 of the RAB if it wasn't to have community  
2 representation?

3 Now, out of all these people, I want to  
4 know how many people live in the vicinity of  
5 Kelly Air Force Base? How many people? And  
6 look at the rest -- look at the rest.

7 MS. LIMON: I think you have  
8 the -- As you can see --

9 MR. SOLIS: This is environmental  
10 racism.

11 MS. LIMON: You have been  
12 successful in discouraging people to come,  
13 because there are very few people here from the  
14 neighborhood because -- they say, "Why should we  
15 go?" The Air Force doesn't let us speak. The  
16 RAB doesn't let us speak. We're not included.  
17 This is why the people from the neighborhood are  
18 not here. But people like him and I -- we're  
19 going to be make you accountable.

20 MS. PEACE: That's fine. And,  
21 frankly, I would like to see more community  
22 members --

23 MR. SOLIS: How many people here  
24 come from the community and how many here are  
25 associated with the Air Force? Ask them to

1 raise their hands. And that's been the same  
2 case time after time in every meeting. It's not  
3 a new thing.

4 MS. PEACE: Well -- Okay.  
5 You-all have elected me co-chair and since I  
6 know that's your concern -- I don't understand  
7 why more community members don't apply to the  
8 RAB. Every time -- you know, I've told you-all,  
9 put in your applications.

10 MR. SOLIS: We asked for  
11 30 applications so we could get the community  
12 members around Kelly to join the RAB, because  
13 General Roberson told us -- and Bailey told  
14 us -- "Well, join the RAB if you're going to  
15 come and create these kind of problems here."  
16 We said, "Give us 30 applications." To date, we  
17 have not gotten them. To date, we have not  
18 gotten -- not even one. So, this is an -- this  
19 is a country club of the Air Force -- or what?  
20 I mean, it's disrepresentative of the community.

21 MS. PEACE: No, sir. It's just  
22 that nobody has made those requests of me since  
23 I've been here. I understand now --

24 MR. SOLIS: Do you have the  
25 membership applications right now, with you?

1 MS. PEACE: No. I did ask for  
2 some to be brought, but, apparently, they  
3 haven't been brought. But --

4 MR. SOLIS: See what I mean? I  
5 mean, you have a hundred Air Force people  
6 working on this and they seem to leave out every  
7 single thing that has to do with the community.  
8 We're getting tired of that -- I mean, really  
9 tired of that.

10 MS. PEACE: Well, I will do my  
11 best to make sure things change. We need to get  
12 this meeting --

13 MR. SOLIS: We need to hear the  
14 community first -- and I'm not -- for one, I'm  
15 not shutting up until we get that -- and you can  
16 do whatever you want to.

17 MR. RICE: I'd like to say  
18 something. Ruben -- you know, I'm on your side  
19 and I sympathize with you. But I'd like to just  
20 tell you-all something that you may not be aware  
21 of. The Air Force did its very best to keep  
22 very important items off of this agenda. They  
23 went so far as to tell Annalisa that she didn't  
24 have a right to put things on this agenda and  
25 she fought like hell. She fought to get

1 Yana Bland on the agenda and to get other area  
 2 items that the Air Force was trying to -- trying  
 3 to leave off. So, we're making a lot of  
 4 progress. So, this is her first meeting -- you  
 5 know, allow her to run it and then talk to her  
 6 afterwards. But she is fighting to ensure that  
 7 the Air Force doesn't pull the same kind of  
 8 stuff it's pulled for the last two and a half  
 9 years and keep our concerns off the agenda.

10 MR. SOLIS: But they're doing it  
 11 again today. I respect that and I will work  
 12 with Anna. But the point is that they're  
 13 getting away with it again. We've got  
 14 Mr. Bailey grinning right there, because -- you  
 15 know, he likes this kind of thing.  
 16 Mr. Roberson, you know, told us at the last  
 17 meeting we had at Kennedy High School that we  
 18 could bring our concerns and here they are. I  
 19 don't hear them saying --

20 MS. PEACE: I'm sorry. I didn't  
 21 know that you-all wanted it first, but that's  
 22 duly noted and I'll put it -- I'll put that on  
 23 the agenda for next time. But, at this time, it  
 24 is Agenda Item 8 and I will request that you-all  
 25 wait until that agenda comes up just because I

1 didn't know in advance and we do need to move  
2 along.

3 MR. QUINTANILLA: Annalisa, what  
4 would it take? How could we do this -- put them  
5 on first?

6 MS. PEACE: We could put them on  
7 first and schedule 20 minutes in each -- if  
8 there were a lot of speakers, we would have to  
9 limit them, depending on how many speakers  
10 signed up -- and we could have a sign-in  
11 sheet -- just like what they do --

12 MR. SOLIS: What time, now, are  
13 we going to speak? Can you tell us what time we  
14 will be speaking?

15 MS. PEACE: Well, it's  
16 scheduled -- it's going to be moved from  
17 8:00 o'clock to whenever you-all finish  
18 speaking.

19 MR. SOLIS: So, we're going to  
20 start speaking at 8:00 o'clock?

21 MS. PEACE: Yes -- Well, it's  
22 probably going to be later now, because we've  
23 had this holdup. We have a lot to cover, but --  
24 why don't you-all give me a chance to chair the  
25 meeting and, then -- whatever concerns that you

1 have, please get with me. You have my number --

2 MR. SOLIS: We've been getting  
3 together with everybody.

4 MS. PEACE: But nobody called me,  
5 personally -- and, so, I didn't know to --

6 MR. SOLIS: We didn't even get on  
7 the agenda.

8 MS. PEACE: Well, neither did I.

9 MR. QUINTANILLA: Annalisa, for  
10 the record, I am in favor of them speaking first  
11 for this meeting or in future meetings.

12 MS. PEACE: Okay. I don't think  
13 that's an unreasonable request.

14 MR. RIOJAS: For the record,  
15 George, I spoke with Annalisa one time. She  
16 asked me to make some adjustments to the  
17 agenda. I agreed. She asked me one time. I  
18 called her back and told her yes, for the  
19 record.

20 MR. RICE: Noted, Mr. Riojas.

21 MS. PEACE: There were -- you  
22 know, there was -- there were attempts to  
23 make -- get this put on beforehand, but this is  
24 my first -- my second meeting as co-chair -- and  
25 we're getting things ironed out.

1           Okay. We're going to go ahead to  
2           administrative topics, if that's okay with  
3           everybody. We've got two new candidates for  
4           membership, Mr. Larry Hoffman and  
5           Mr. John Jacobi. Mr. John Jacobi is with the  
6           Texas Department of Health. Now, why don't  
7           you-all go ahead and introduce yourselves and  
8           give a brief statement.

9                   MR. SOLIS: How did they get the  
10           membership applications and we didn't?

11                   MS. PEACE: I asked that the  
12           membership applications be brought for you-all.

13                   MR. SOLIS: I mean, is this a  
14           thing of keeping people of color off this  
15           board? I mean, all I see is mostly white  
16           folks. I'm sorry. But all I see is white  
17           folks -- and professionals, at that. So, there  
18           again, you're seating two new people and we're  
19           out here in the cold -- you know, having to  
20           fight the official chairs just to get our -- our  
21           word in. That is a sad state of affairs.

22                   MS. PEACE: No. I will have  
23           applications and they have been available to  
24           you-all at other meetings.

25                   MR. SOLIS: No, they have not,

1 ma'am.

2 MS. PEACE: Mr. Hoffman has  
3 asked -- been asked to replace one of the  
4 retiring members -- and the Texas Department of  
5 Health wanted to oversee this -- and, as a  
6 member, I think that's a good thing.

7 MR. SOLIS: But it's a stacked --  
8 it's a stacked board.

9 MS. PEACE: I would like to see  
10 members like you. You just need to turn in  
11 applications --

12 MR. SOLIS: But we have --

13 MS. PEACE: I will get them for  
14 you, I promise.

15 MR. SOLIS: This is ridiculous.

16 MS. PEACE: I wasn't aware that  
17 you-all had not been given applications, but I  
18 will see that you get them.

19 MR. RODRIGUEZ: Annalisa, let me  
20 say something. I understand what the gentleman  
21 is trying to explain and I understand after a  
22 long day -- you know, they certainly don't want  
23 to be another two hours so that they can make  
24 their presentation -- and I don't know that the  
25 discussions that are going to be discussed --



1 relevance to the fuel dumping sites -- that that  
2 would have a bearing on their discussions, if  
3 the meeting is taking place prior to everything  
4 else falling in line. What would be the problem  
5 in allowing these people to speak up right now?

6 MS. PEACE: Well, if that's  
7 agreeable to everybody, that's fine with me.

8 MR. RODRIGUEZ: I think we owe  
9 them that. I think we owe the community that.

10 MS. PEACE: So, we're going to  
11 change the agenda. We will vote on the new  
12 members after the members from the community  
13 speak.

14 So, if you would, please approach the  
15 microphone, whoever would like to speak.

16 MR. ROBERSON: Annalisa, I think  
17 we ought to get a show of hands on how many want  
18 to speak -- and, then, based on that, set a time  
19 for it.

20 MS. PEACE: Okay. How many  
21 people here would like to speak?

22 Five -- Well, no. Yana, you're on the  
23 agenda. So, we've got --

24 MR. SOLIS: She's speaking for  
25 community. We're a common presentation.

1 MS. PEACE: I have five people  
2 that want to make statements right now?

3 MS. BLAND: Can I just clarify  
4 that we requested that the health survey --

5 MS. PEACE: I'm sorry. You  
6 weren't here when I announced that the health  
7 survey -- you'll -- you're going to come right  
8 after the vote on new members.

9 MS. BLAND: We did -- in a  
10 meeting -- request that not only myself, but  
11 also members from the community speak about  
12 findings in -- in -- in the 20 minutes -- is  
13 what we had discussed -- and I will take some of  
14 that time -- and the remainder -- so, there will  
15 be time for other community members -- and  
16 that's how we had understood that you had agreed  
17 that the timetable be -- and, also, I passed on  
18 the request about the application forms -- just  
19 to clarify that -- that was our understanding,  
20 that those two -- 20 minutes for myself and the  
21 community and the applications.

22 MS. PEACE: I'm sorry. I had  
23 requested that application forms be brought here  
24 tonight, but, apparently, none were.  
25 Denton Lankford said that if you'd call his

1 office and give him your name and address, he  
2 will make sure that they're mailed to you. That  
3 number is 925-3100.

4 (Discussion off the record.)

5 MS. PEACE: Okay. Or if you'd  
6 like to sign a paper on the table at the back  
7 and say you want an application -- and we will  
8 mail those out to you -- make sure that those  
9 are mailed out to you. I'm sorry that they  
10 weren't here at the meeting to hand out tonight.

11 Mr. Rice?

12 MR. RICE: Regarding these  
13 applications -- I don't know if I can make this  
14 motion now or whether we actually consider new  
15 members. But I think most of us here know Ruben  
16 and Molina -- both of whom have expressed an  
17 interest for quite some time in becoming members  
18 of the RAB Board. So, I would like to -- I  
19 would like to see us consider the nominations  
20 tonight -- and, if possible, seat them on the  
21 board tonight.

22 MS. PEACE: Is that a motion?

23 MR. RICE: That's a motion.

24 MS. PEACE: Is there a second?

25 MS. JOHNSON: I second it.

1 MS. PEACE: So, we have the  
2 motion and a second. Is there discussion?

3 MR. RIOJAS: I believe that we  
4 have a finite number of members -- I want to  
5 say 23 -- is that not correct?

6 MR. RICE: I think it was 24, but  
7 I'm not certain of it.

8 MR. QUINTANILLA: Did the staff  
9 bring a copy of the charter? I think it's in  
10 there.

11 MS. PEACE: It was my  
12 understanding that there were four positions  
13 open for new members.

14 MR. RIOJAS: That would be fine,  
15 if there's four, but --

16 MR. QUINTANILLA: Again, did the  
17 staff bring a copy of the charter? May I look  
18 at it? It's in there.

19 MS. PEACE: Okay. Mr. Lankford  
20 needs some time to discuss it. Frankly, I'm  
21 amenable to even changing the limit if there's  
22 two of you-all that want to be on there. We can  
23 discuss that later. So, there has been a motion  
24 and a second and we will table that for the  
25 moment.

1                   Okay.

2                   MR. HAGELTHORN:   Okay.  I'd like  
3                   to add something here.  I don't think we can  
4                   change the limits as being co-chair --

5                   MS. PEACE:   We could limit.

6                   MR. HAGELTHORN:   No, we cannot do  
7                   that.  It has to go through the subcommittee and  
8                   the subcommittee has got to decide whether or  
9                   not we can do that.  You cannot do that as a  
10                  non-agenda item.

11                  MS. PEACE:   I'm sorry.  I wasn't  
12                  aware of that protocol.

13                  MR. RICE:   Excuse me.  My  
14                  understanding of the charter is that if this  
15                  board came up over-full and some members of the  
16                  community wanted to become members -- we said at  
17                  that time that we could consider them to become  
18                  members.

19                  MR. HAGELTHORN:   What we said at  
20                  two meetings ago is that we set the limit of the  
21                  number of people that can become members of the  
22                  RAB and that we would entertain the idea of  
23                  having non-voting members of the RAB -- which, I  
24                  think, Mr. Rice -- you were in great  
25                  disagreement with that idea -- but the motion

1 was passed last -- or two meetings ago -- that  
2 we set the number. Okay? That's two meetings  
3 ago. I don't think it's time to go ahead and  
4 change that again.

5 MR. RICE: We just --

6 MR. HAGELTHORN: I think there's  
7 a little more important issues right now.

8 MS. PEACE: The point of  
9 discussion, though -- to my way of thinking, if  
10 we have an arbitrary limit that limits --  
11 that -- that does not permit community members  
12 that want to be seated -- especially since there  
13 are so few on the RAB -- and if we assert that  
14 arbitrary limit to keep those people off the  
15 RAB, then I think we'll be doing exactly what  
16 Mr. Lopez --

17 MR. HAGELTHORN: I don't think  
18 it's -- I don't think it's any attempt to keep a  
19 member off the RAB. I think the question is, is  
20 whether or not the members that live in the  
21 community are supporting the positions --  
22 supporting the membership of the community in  
23 representing those members of the community. It  
24 has nothing to do with whether or not we have  
25 "X" number of members on the RAB.

1           As a member of the local community, I know  
2           I'm expressing my community's views. Whether or  
3           not Mr. Quintanilla is expressing his  
4           community's views -- or whether Dick is -- or  
5           Mr. Rice is expressing the community's views --  
6           that's a question that has to be asked, but to  
7           just go ahead -- because nobody wants to take  
8           the position and say, "We're expressing the  
9           community's views," and go ahead and open up the  
10          membership even further to more discussion and  
11          more debate and continue to not get anything  
12          done on this RAB, I don't think is the purpose  
13          of this meeting.

14                   MS. LIMON: Well, it's not being  
15          done because you're not here --

16                   MR. HAGELTHORN: Yes, ma'am.

17                   MS. LIMON: Why be on the board  
18          if we can't vote? We don't want to be puppets.  
19          We want to be --

20                   MR. HAGELTHORN: We're not asking  
21          you to be puppets, ma'am. What we're saying is  
22          that you need to ask your representative --  
23          your neighborhood -- who is Mr. Quintanilla --  
24          to support your views on this board. You need  
25          to ask Mr. Rice, who is a representative of your

1 community, to support your views.

2 It has nothing to do with whether or not we  
3 support your views or whether or not we think  
4 this is emotional -- or environmental racism --  
5 because I don't. I think we need to look at the  
6 purpose of this meeting and we need to look at  
7 what we need to do and whether or not we're  
8 holding one group accountable or not. The  
9 entire group is accountable.

10 MS. LIMON: If you had to  
11 continuously fight someone to have something on  
12 the agenda, do you think I'm going to trust the  
13 Air Force to do a proper investigation of the  
14 contamination? Do you think that I'm going to  
15 trust -- and especially a simple thing like  
16 that -- keeping something from the agenda?

17 MR. HAGELTHORN: Ma'am, we've  
18 asked other non-Air Force entities to conduct  
19 investigations and they've all come up with the  
20 same answers. We've asked Mr. Rice to make his  
21 presentation and his presentation was no  
22 different than what the Air Force and the other  
23 investigative agencies come up with.

24 MR. SOLIS: Who do you represent  
25 here?



1 MR. HAGELTHORN: I represent the  
2 taxpayers.

3 MR. SOLIS: Which ones?

4 MS. PEACE: Order.

5 MR. HAGELTHORN: Over on  
6 Marbach and 410.

7 MS. PEACE: Excuse me. What I  
8 would like to do is -- I'd like to postpone the  
9 agenda item -- that's voting on new members --  
10 until the next meeting, please -- and, then, we  
11 will get the members of the community that want  
12 to be voted on. We will also try to have the  
13 subcommittee called and have them change the  
14 rules, possibly, so that more members of the  
15 community can be added. If there is a member of  
16 the community that wants to be added that is not  
17 going to be added because of these arbitrary  
18 limits, then, I, myself, will step down so that  
19 that person can be added to the RAB. Because I  
20 think it's very important that the people that  
21 live here --

22 MS. LIMON: Are they going to be  
23 able to vote?

24 MS. PEACE: We are going to  
25 postpone the vote until the next meeting, if

1 that's okay.

2 Can I have a show of hands --

3 MR. SOLIS: But what we demand is  
4 that this -- this RAB should be one-third  
5 represented from the community being affected by  
6 the contamination of the Air Force Base and  
7 that's not happening. We should have at least  
8 one-third -- you know, otherwise, it's  
9 environmental racism. Whether that man over  
10 there agrees with it or not, to our community --  
11 the ones that are being poisoned -- it is,  
12 because we're not being heard -- and we are  
13 disproportionately being impacted by the  
14 contamination here and we're not being  
15 represented by gentlemen like him and people  
16 that do not -- are not aware of what's happening  
17 in the community.

18 How many -- The only two community people  
19 that live adjacent to the area --

20 MS. PEACE: Two?

21 MR. SOLIS: Two people.

22 MS. PEACE: Well, Mr. Solis --

23 Well, actually, there's three --

24 MR. SOLIS: He don't even know  
25 what's going on.

1 MS. PEACE: If it would be  
2 amenable to you-all, what I would like to do is  
3 have the subcommittee have -- call a meeting  
4 before our next RAB meeting so that they can  
5 discuss expanding the limits -- and you-all  
6 will be notified -- the members of the  
7 community will be notified of that meeting so  
8 that you can come in during that subcommittee  
9 and watch the process and make comments --

10 MR. SOLIS: Is that going to be  
11 six months -- or how many months --

12 MS. PEACE: No, that will be  
13 before the next RAB meeting -- and I'm hoping  
14 that we'll set the next RAB meeting for May.

15 MR. RICE: Question: How many  
16 open slots are there now?

17 MS. PEACE: I'm informed that  
18 there are three.

19 MR. RICE: That means we  
20 currently, have 21 members; is that right.

21 MR. RIOJAS: Twenty-three.  
22 Twenty-three is the number, George.

23 MR. RICE: Twenty-three?

24 MR. RIOJAS: Also, if I may add  
25 to what Ms. Peace said -- that in the meantime,

1 also, people who want to be considered for  
2 members can fill out their application and send  
3 it in and that would be a topic --

4 MR. SOLIS: If we ever get them,  
5 we could.

6 MR. RIOJAS: Sir --

7 MR. RIOJAS: We would already be  
8 on it.

9 MS. PEACE: I understand that.  
10 I'm sorry. I thought that --

11 MR. SOLIS: The Air Force --

12 MR. RIOJAS: I'm giving you the  
13 respect of listening --

14 MR. SOLIS: You have not given me  
15 any respect, sir, because we're not being  
16 represented on this board. That is a lack of  
17 respect. You want to give me tactics -- you  
18 know, recognition -- I don't need that.

19 MR. RIOJAS: Thank you.

20 MS. PEACE: Like I said -- So,  
21 what I'm saying here is that in the -- we will  
22 have the election -- we'll postpone them until  
23 the next meeting. Any members of the community  
24 that want to be on the RAB, please submit your  
25 applications before the next meeting -- and you

1 will be informed, also -- I'm going to put a  
2 sign-up sheet back there during the break. If  
3 you want to be informed of when the subcommittee  
4 meeting is, put your name and your telephone  
5 number so that you can attend that meeting and  
6 watch the process where they discuss, you know,  
7 whether or not to add more than 23 members --  
8 and I would urge them to do that, frankly.

9 Okay. We're going to go ahead and move on  
10 now, if that's okay -- starting with Yana Bland  
11 and Mr. Solis --

12 MR. QUINTANILLA: I just counted  
13 the members, Annalisa Peace, from the minutes of  
14 the last meeting -- starting with Mr. Solis on  
15 down -- and I only count 18 members.

16 Let me go through the line for you:  
17 Mr. Juan Solis, Ms. Annalisa Peace,  
18 Dr. Gene Lene, Mr. Paul Person,  
19 Mr. Ed Weinstein, Mr. Gary Beyer, Paul Roberson,  
20 Mr. Edward Riojas, Mr. Tom Culbertson,  
21 Mr. Sam Sanchez, Armando Quintanilla,  
22 Mr. George Rice, Mr. Nicolas Rodriguez  
23 Ms. Yolanda Johnson. Members absent without an  
24 alternate are Mr. Sam Murrah,  
25 Mr. Allan Hagelthorn, Mr. Thomas Moore,

1 Mr. Carl Nixon. That makes a total of 18.

2 MS. PEACE: Well, it's 17,  
3 actually, because Tom Culbertson resigned.

4 MR. QUINTANILLA: I beg your  
5 pardon?

6 MS. PEACE: It's 17, because  
7 Tom Culbertson resigned.

8 MR. QUINTANILLA: So, how many  
9 members do we actually have now?

10 MS. PEACE: You counted 17?

11 MR. RICE: That would make six  
12 slots.

13 MR. QUINTANILLA: I counted 18.

14 MS. PEACE: Okay. But  
15 Tom Culbertson --

16 MR. QUINTANILLA: As of the last  
17 meeting, we had 18 members, yes.

18 MS. PEACE: Okay. So, that's 17  
19 now. So, then, we have --

20 MR. QUINTANILLA: Five vacancies.

21 MS. PEACE: Five vacancies.

22 MR. QUINTANILLA: Six vacancies.

23 MS. PEACE: Okay. So, we have  
24 six vacancies. So, we have two candidates here  
25 and as many people in the community that want

1 to -- because we can -- these are -- these are  
2 subject to voting. So, as many people from the  
3 community that want to put in their application  
4 and be considered for election to the RAB for  
5 the next meeting -- and we will vote on that --  
6 the first thing -- and, then, seat you at that  
7 meeting, if that's okay.

8 Okay. Before we get to Dr. Bland -- I  
9 forgot -- Can we have a discussion of approval  
10 of the minutes from the last meeting? Were  
11 there any amendments to the last meeting?

12 MR. HAGELTHORN: Yeah. I have a  
13 change to the minutes.

14 MS. PEACE: Okay.

15 MR. HAGELTHORN: Members absent  
16 without an alternate -- I disagree with  
17 that -- Paul Person is my alternate. He was  
18 here. Therefore, I was here with an alternate.

19 MS. PEACE: Okay.

20 MR. HAGELTHORN: Or absent with  
21 an alternate, I should stay.

22 MR. QUINTANILLA: So, I counted  
23 him twice and it's 16 members that we're -- we  
24 have.

25 MS. PEACE: Okay.

1 MR. QUINTANILLA: Because I  
2 counted him as a member.

3 MS. PEACE: I hope -- you know,  
4 there are plenty of places left for members of  
5 the community. I hope they will get  
6 applications in for people that want to fill  
7 these vacancies.

8 Okay. Are there any amendments to the  
9 minutes?

10 Okay. Is there a motion to approve the  
11 minutes?

12 MR. RICE: I move to approve  
13 them.

14 MS. PEACE: Okay. Second?

15 MR. WEINSTEIN: Second.

16 MS. PEACE: All in favor, say  
17 "aye."

18 (Vote by the RAB members.)

19 MS. PEACE: All opposed?

20 Okay. The minutes are approved from  
21 January 27th.

22 Now, we're going to move to Dr. Yana Bland  
23 and members of the community. They have done a  
24 community health survey in North Kelly Gardens  
25 neighborhood and they're going to give a



1 presentation on that survey and the results and  
2 what -- the results they've gotten so far --  
3 and, then, have time for questions from the  
4 audience.

5 So, if you-all will introduce yourselves --

6 MR. SOLIS: My name is -- Is this  
7 on?

8 I'm just going to start introducing our  
9 presentation tonight -- because, on many  
10 occasions, we've had the opportunity to see the  
11 high tech presentations that the Air Force has  
12 done and the job they have done -- what we  
13 basically consider covering up the situation  
14 here at Kelly.

15 My name Ruben Solis. I'm with Southwest  
16 Workers Union. I'm a community organizer and  
17 our concern has been environmental racism and  
18 how it's manifested itself here in this  
19 process -- not only involving the Air Force  
20 Base -- Kelly, in particular -- but also  
21 involving the City of San Antonio, but the  
22 Greater Kelly Development Corporation and the  
23 process that was undertaken during the base  
24 closure hearings that were held in the area in  
25 different schools.

1           We participated in all those school  
2           hearings -- and, at those hearings, we presented  
3           many of the concerns that the community had  
4           concerning the base closure. In any opposing  
5           event, there might have been anywhere from  
6           ten to 15 community representatives who spoke  
7           about the concern that they were having in  
8           relation to their health and the impact upon  
9           their health due to the contamination at Kelly  
10          and other problems associated with that.

11           Since our coming into the picture, what we  
12          have seen -- because we organized it -- an  
13          environmental justice tour that also came by the  
14          fuel storage tanks a few years back where we  
15          noted the kinds of problems that are associated  
16          with those kind of jet fuel storage tanks -- and  
17          we also spoke to the community about the kinds  
18          of things that they have seen going on -- not  
19          only at those tanks -- but also at the site that  
20          has been so -- cleansed -- and called SB-1 or  
21          S-1 -- or whatever -- the codes that they call  
22          it. But it's a community called North Kelly  
23          Gardens and it's a neighborhood that was there  
24          for a long time -- and even before those tanks  
25          went up there.

1           Now, since that time, this community has  
2           felt a lot of health problems. We did an  
3           initial survey asking people what kind of  
4           symptoms they were feeling to see if there was  
5           any connection. As it turns out, there was a  
6           lot of connection from our of point in view in  
7           that a lot of the respondents to our  
8           questionnaire -- it was a simple questionnaire.  
9           We were not approaching it as scientists. But  
10          it told us that there was clusters of symptoms  
11          having to do with -- with respiratory and upper  
12          respiratory and central nervous kinds of  
13          problems.

14                 So -- not being scientists -- we  
15          contacted people that -- that we could work with  
16          who could develop a scientific questionnaire  
17          instrument -- and that's where Dr. Yana Bland  
18          and some of the other people have participated  
19          with us -- Dr. Legator -- came into the  
20          picture. Now, I'm saying this because we're not  
21          here simply to disrupt your meeting. It should  
22          be our meeting. It should be our meeting  
23          talking about our problems -- not somebody  
24          else's little pet project so that they can get  
25          recognized within the Air Force or within the

1 city -- and we have those kind of careerist-type  
2 persons (sic) -- and they have not been hearing  
3 what the community has been saying. We have  
4 said it over and over and over again.

5 The last meeting we disrupted of this RAB  
6 meeting was -- was at St. John Berchermann --  
7 and, there again, we brought the same problem --  
8 that time we had about ten people who were  
9 allowed to speak, finally -- and, then, they --  
10 they poured out their hearts about the problem  
11 and here we are back to square one as if we've  
12 never said anything. Nobody knows what's going  
13 on and all we have is a bunch of reports from  
14 the city and from agencies that all they tell us  
15 is there's no problems.

16 If there's no problems, then why are you  
17 here? Why are you meeting to begin with? And  
18 those are the kinds of -- the way that this  
19 thing has been framed from the very beginning  
20 was that the first Air Force report that came  
21 out acknowledging the problem of contamination  
22 was that -- primarily, that it was within the  
23 base perimeters and that it was going to be  
24 cleaned up in 30 years. So, what happened in  
25 the community and what happened in many people's

1 minds is put off the problem until 30 years.

2 That's what happened. That's what that did.

3 Every -- Every strategy that the Air Force  
4 has been presenting has been about damage  
5 control from day one. All the strategy has been  
6 to say that the only contamination is the  
7 shallow water underground aquifer and that  
8 there's a thousand feet of clay of which it will  
9 never get to the aquifer -- and, then, we asked,  
10 "Well, why are you closing" -- "capping aquifer  
11 wells on the base and why was the Roselawn well  
12 closed off by the" -- "by the Bexar Metropolitan  
13 Water?" And, so, you get a little bit of -- a  
14 string of questions and we begin to make so many  
15 questions that we said, "We need to do a further  
16 study of this problem and bring some scientists  
17 into the picture" -- and we did that -- and  
18 that's where Yana Bland and -- and the other  
19 work done --

20 Chavel Lopez, my -- my colleague, is going  
21 to speak about some of the things that we found  
22 in the first initial survey and, then, Yana, of  
23 course, will speak to the -- to the further  
24 survey that we did and some of the findings.

25 Thank you.

1 MR. LOPEZ: Thank you, Ruben.

2 Now, in 1984, like Ruben was saying, we did  
3 conduct a survey that was done of our homes --  
4 and we went house to house -- the majority of  
5 the houses in the North Kelly Gardens area --  
6 and it was a survey that asked the residents if  
7 they had -- if they had had -- ever had any  
8 nosebleeds, if they had ever had any coughs, if  
9 they had ever had any rashes, different types of  
10 things that -- that we thought would be relevant  
11 to the types of -- the types of contamination  
12 that was in the community -- and what we found  
13 is -- in the report -- was that a large  
14 percentage of the community did, in fact, have a  
15 lot of the symptoms that we -- that were  
16 described in the -- in the survey.

17 Those symptoms are in this -- in the  
18 survey right -- in this report -- that we --  
19 we turned in some -- some of the -- the  
20 symptoms to the -- to the RAB even before the --  
21 this comprehensive report came out. Now, I just  
22 want to state also that -- you know, other than  
23 the things that we found in -- in the -- in the  
24 first health survey that we did, I also want to  
25 talk about some of the incidents that we've had

1 with the Air Force since we've started this  
2 campaign for justice -- for environmental  
3 justice here in the North Kelly Gardens  
4 community.

5 Ruben was talking about environmental  
6 racism and that's exactly what we feel -- that  
7 the community feels that is going on here in  
8 the -- with Kelly Air Force Base. One is that  
9 we've been confronted. We've been threatened,  
10 for example, by Kelly officials to be thrown in  
11 jail for exercising our constitutional rights  
12 for freedom of -- for freedom of assembly and  
13 freedom of -- to protest. We've been harassed.  
14 We've been -- Even -- We've even been attacked,  
15 you know, by -- personally, by a member of  
16 the -- of the Kelly -- Kelly Air Force Base,  
17 Mr. -- I don't want to mention names.

18 But, also, the other things that have  
19 happened is that we were going to have a  
20 meeting, also, at one of the churches. We  
21 had -- also, a Kelly Air Force Base official  
22 call the priest and tell him that we were a  
23 bunch of radicals and then the priest decided  
24 not to have the meeting there. We had -- I can  
25 go on and go on and be -- explain of different

1 incidents that we've had with Kelly Air Force  
2 Base.

3 Look at the RAB here -- you know, the RAB  
4 only have very few people of color on the RAB --  
5 and, now, we have a gentleman on the RAB, for  
6 example, that went to -- for example, the  
7 gentleman who was just talking here who wants to  
8 limit -- keep it limited -- you know, we feel  
9 that the -- that at least one-third of the  
10 people -- the people that are represented on the  
11 RAB should be community people, people of color  
12 from -- that live right in the adjacent area of  
13 Kelly Air Force Base. This gentleman here said  
14 he lived on -- on Marbach and 410 -- you know,  
15 that's the example of the type of people that  
16 are -- the majority that are representing the  
17 RAB here right now. We're tired of that. We  
18 want to see some real true environmental justice  
19 here -- you know, the only way we feel that this  
20 is going to happen is by having the community  
21 represented in this RAB.

22 Thank you.

23 DR. BLAND: Well, I want to thank  
24 you for your time. I know you have a lot on  
25 your agenda and -- I did bring transparencies



1 and I did actually inform Dr. Marvin Legator,  
2 the toxicologist, and Dr. Moira Dolan, the  
3 medical doctor, and Dr. Neal Carmen, who are a  
4 few of the people on the oversight committee for  
5 this health study. But, as you know, they are  
6 professionals and they have to know that they  
7 have time to speak. But they all have  
8 professional interest and concern in the study  
9 and would be very willing to come if they were  
10 given due notice.

11 So, I -- I don't want to take too long and  
12 I do want it to be open to questions, too. So,  
13 I'm going to just give you a little bit of  
14 summary and I -- a little bit of my background.  
15 I -- I did my first degree in economics -- and,  
16 as John Marquand said, in the long run, we're  
17 all dead, anyway. Well, you might think that,  
18 but I do think it's important that while we're  
19 living, we live healthily. And, so, my concern  
20 went from economics to health economics and,  
21 then, I did my thesis in pedology, as well --  
22 health and development.

23 So, if you would take this view of public  
24 health, which I think you-all know has had a  
25 great tradition and has lead to many lives being

1 saved, then what is this public health  
2 tradition? And we're looking at scientific  
3 evidence of disease causation and, then, moving  
4 toward disease prevention. In this case, since  
5 1983, the Air Force has released information  
6 about groundwater contamination by very  
7 dangerous toxins. Carcinogenic, in the case of  
8 benzene, perchloroethylene and TCE, as well --  
9 trichloroethylene. And, so, we're talking about  
10 a long-term cumulative exposure. And, again,  
11 I'd like to put another kind of philosophical  
12 view on this, is that nothing in the -- in the  
13 biosphere is actually totally isolated from  
14 anything else. So, if we're talking about  
15 groundwater contamination, then it is within the  
16 biosphere. Everything touches everything else  
17 within the biosphere. Eventually, there is a  
18 circle to life. And, so, we cannot kind of  
19 adhere to the view that -- of straight lines --  
20 like -- well, this is a groundwater  
21 contamination that is contained with a straight  
22 line -- and I think there's great potential --  
23 especially when we're talking about TCE and PCE,  
24 which are heavier than water -- for those  
25 contaminants to migrate down, especially when

1 you think about seepage around wells and, maybe,  
2 wells not be being plugged properly. And, so,  
3 this -- this -- this is another kind of  
4 philosophical view we have when we talk about  
5 public health -- and, in fact, that we are  
6 talking about the biosphere.

7 And, so, where -- so, again, I've had some  
8 questions about the community health study.  
9 It's not a piecemeal health study. It's not a  
10 chemical study. It's a participatory process.  
11 It's one that's been initiated by the World  
12 Health Organization -- and, in fact, I was  
13 involved with a Health 2000 Partnership in  
14 Austin before doing this study -- before being  
15 asked by the community to look into this. And,  
16 so, what we're looking at is a more sensitive  
17 tool than exact data -- which is what we -- you  
18 can -- you'd see with your pedological  
19 studies -- a more sensitive tool -- where you're  
20 going in and asking the individuals about their  
21 health in a very detailed and professional  
22 manner and, then, obtaining a community health  
23 profile -- and from this community health  
24 profile, then, you can infer as to the  
25 causation. And, so, this is an approach that's

1 being used increasingly. It's one that has led  
2 to at least 18 communities around the  
3 United States being relocated and it's one that  
4 the National Research Cancer Committee, in 1991,  
5 advocated.

6 And, so, the -- part of the procedure for  
7 us at the beginning was to go to the Air Force  
8 and to meet with the personnel there and inform  
9 them what we were doing and to say that we were  
10 open at any time to having meetings. Not once  
11 have we been approached to have a meeting about  
12 our work. So, as I said, in order to do this  
13 we -- we -- it's an interdisciplinary  
14 approach -- and we have a number of  
15 professionals on an oversight committee -- and  
16 we went to Dr. Marvin Legator of Galveston UTMB,  
17 the toxicologist there, to get the best survey  
18 design. There are other survey designs, but  
19 this is a Texas-based one and it's very  
20 comprehensive -- the most comprehensive I've  
21 ever seen. It's 1,111 questions -- the whole  
22 survey -- and it's very tapered, as you'll see  
23 from the results.

24 And, so, we went back to the community,  
25 which is just north of the base, which is down

1 wind of -- of any air pollution coming from the  
2 base, because the prevailing winds are south,  
3 southeasterly -- and where, already, the --  
4 CEJA, the Committee for Environmental Justice,  
5 had detected recurring chronic illnesses. And,  
6 so, also -- of course, it's a community that has  
7 lain above these contaminated plumes of water  
8 for many years -- and it's also down gradient  
9 from S-1 hazardous waste pit, which was in use  
10 from 1960 to 1973 and often overflowed -- and  
11 which is seen by the Air Force as the cause of  
12 the groundwater contamination.

13 So, after having obtained training at  
14 Galveston on interviewing techniques and the  
15 whole methodology of the survey, we visited 143  
16 households in the area of North Kelly Gardens,  
17 and the -- the summary -- whenever we have time  
18 we will show you exactly -- the map -- the  
19 location map that's in the report. This is an  
20 area which, according to the electoral register,  
21 is 91 percent Mexican-Americans -- and we had a  
22 response rate of about 50 percent, which is  
23 actually much better than a lot of surveys I've  
24 seen where with random sampling you go to one in  
25 every four houses and, then, you'd only have --

1 at most, 25 percent if everyone was responded --  
2 and, of course, some of the houses were empty.  
3 So -- So, we had -- we ended up with 107  
4 adult respondents who had completed the very  
5 large survey, which often took us two to three  
6 hours to complete -- just to give you an idea of  
7 the depth of questions -- and 48 children -- and  
8 it was fairly -- a good range of ages and --  
9 and -- and -- actually, we had twice as many  
10 women than man responding on the whole, which is  
11 something you will often find in community  
12 health studies, too -- because women will be at  
13 home or have more time. And, so, we went in not  
14 really knowing what we would find at all -- and  
15 this is the way to do an objective study. I  
16 think the results -- although we haven't  
17 finished doing all the analysis on them -- and I  
18 know some people have raised the question about  
19 the control -- it is hard, very often, to find a  
20 control that is an uncontaminated community of  
21 91 percent. In this case, we had to find  
22 91 percent Mexican-Americans. And, so, what  
23 Dr. Legator suggested in this case is to check  
24 our internal controls after we had looked into  
25 the data more -- which -- which we are -- we are

1           undertaking no -- statisticians are undertaking  
2           now -- to look at distance and -- disease  
3           incidence, for instance, is one of them.

4           So, what -- So, what we found so far is  
5           that 91 percent of the adults that responded to  
6           the survey and 79 percent of the children are  
7           suffering multiple illnesses. And the central  
8           nervous system disorders and ear, nose and  
9           throat conditions are among the most widespread  
10          and have incapacitating illnesses -- and  
11          these -- these illnesses are, of course, the  
12          ones that have been consistently associated with  
13          those toxins that are indicated; the benzene,  
14          chlorobenzene, the TCE, the PCE, the jet fuel  
15          vapors. If you read any of the literature --  
16          for instance, the ATSDR literature is very good  
17          on this -- they will immediately say that the  
18          chronic effects of this will be neuropathy,  
19          which is a central nervous system disorder and  
20          ears, nose and throat disorders, as well.

21          If you look into the central nervous system  
22          disorders in more detail you find that eight out  
23          of ten of the adults -- eight out of ten of the  
24          adults surveyed suffer from these central  
25          nervous system disorders; 88 percent have loss

1 of sensory powers, which means that they have  
2 trouble smelling, tasting, seeing, hearing,  
3 touching, holding things; 57 percent feel  
4 fatigue -- that is not related to lack of  
5 sleep -- and it's one or more days a week --  
6 and the criteria here will -- you can see the  
7 criteria in the summary are quite strict, so  
8 that -- they are an important part of the  
9 survey -- the criteria for each symptom that we  
10 asked about. Fifty-four percent have frequent  
11 headaches one or more times each week; 61  
12 percent, trouble of sleeping; 46 percent,  
13 numbness -- and I'd like you to remember as we  
14 go along, we're talking about people here.  
15 Again, of the adults responding, seven out of  
16 ten suffer from ear, nose and throat disorders;  
17 of these, 40 percent of burning eyes, unrelated  
18 to allergies, one or more times each month;  
19 39 percent, sinus infections more than three  
20 each year; and 34 percent, a very dry throat one  
21 or more times a week.

22 The next system -- biological system that  
23 was reported to have been under -- under attack  
24 was 61 percent of the adult population suffered  
25 immune disorders. For instance, 44 percent of



1 these are three colds or infections a year, so  
2 that their immune system cannot fight against  
3 infections; 36 percent, nonseasonal allergies,  
4 two or more times a year; 20 percent have loss  
5 of hair, a patch bigger than a quarter.

6 Muscle and bone diseases are also being  
7 felt by a large proportion of the community.  
8 Sixty-eight percent of the adults have muscle  
9 and bone diseases; of these, 40 percent are  
10 painful limbs, hands or feet once or more each  
11 week; 36 percent suffer stiffness in joints --  
12 and these are under 50 years of age -- they  
13 suffer this condition once or more times a week;  
14 and 33 percent arthritis or rheumatism developed  
15 during exposure periods.

16 Skin disorders were also high amongst the  
17 adults and -- and -- and the children;  
18 55 percent of the adult respondents suffer daily  
19 or recurring skin disorders; of these,  
20 40 percent are red, scaly, dry or itching skin;  
21 35 percent, unusual rashes; 15 percent,  
22 dermatitis at least once a month. Among the  
23 adults, the least reported disorders were those  
24 of the endocrine system. A total of  
25 32 endocrine system disorders were reported

1           affecting 27 percent of the adult population.  
 2           So, this was the lowest we found. Twenty-seven  
 3           percent of the adult population have endocrine  
 4           system disorders -- and, again, it's very high  
 5           for the lowest figure. If you -- If you compare  
 6           this to a Texas -- If you compare one of these,  
 7           14 percent of the adult population suffer from  
 8           diagnosed diabetes -- that's within the  
 9           endocrine system -- we found that 14 percent  
 10          suffer diagnosed diabetes -- and this is well  
 11          above the comparable average of 6.5 percent for  
 12          all adults in Texas and 9.3 percent for  
 13          Hispanics in Texas. So, that gives you some  
 14          comparison. This is the lowest incidence of  
 15          diseases we're looking at here and, still,  
 16          they're twice the average -- and this comes from  
 17          the Texas Diabetes Society.

18                 When we went on to children, we found that  
 19                 six out of ten of the children suffer ear, nose  
 20                 and throat disorders -- and, again, when we  
 21                 think about children, we do need to think about  
 22                 their achievement at school and how this kind of  
 23                 recurring chronic illnesses affect their ability  
 24                 to pass their exams and to succeed in life. So,  
 25                 ear, nose and throat disorders of a recurring

1 nature -- especially if they're burning eyes and  
2 sinus infections and ear infections -- are, of  
3 course, very distracting, if not painful.

4 Five out of ten of the children suffered  
5 digestive disorders; of these, 27 percent  
6 stomach pains one or more times each month,  
7 et cetera. Fifty-three percent of the children  
8 were reporting to have immune disorders;  
9 50 percent of these have more than three colds  
10 or infections a year. Again, there were a high  
11 proportion of nonseasonal allergies. Fevers:  
12 17 percent of these had fevers once or more each  
13 month; tonsillitis and loss of hair.

14 Respiratory problems: Forty-one percent of  
15 the child population had lung problems;  
16 23 percent persistent coughing on a daily basis  
17 in a smoke-free environment; 19 percent,  
18 wheezing or asthma at least once a month;  
19 17 percent bronchitis at least twice a year --  
20 and it goes on -- and 43 percent suffer nervous  
21 system disorders; 42 percent of these had  
22 headaches at least once a week; dizziness at  
23 least once a week and; then, nearly one-third of  
24 the children were reported by their parents to  
25 have learning disorders -- and that was --

1           although it was not the highest category, I  
2           think it's of particular concern because one  
3           would expect some bias to underreporting in this  
4           from a mother talking about their child. So, we  
5           did a little objective research on the question  
6           of learning ability and achievement and, indeed,  
7           we found that the TAAS results for the closest  
8           schools were much lower than the average. This  
9           is minimum -- meeting minimum expectations --  
10          the MME records.

11                    Again, part of the survey was, then, to  
12          look for more objective evidence -- and we -- we  
13          were part of the team led by George Rice in  
14          the -- in the soil sampling area -- and we  
15          found -- against controls, we found very high  
16          levels of arsenic, barium and lead -- and,  
17          again, this is very suggestive of health ill  
18          effects in the area. And another professional  
19          doctor is, at present, carrying out clinical  
20          evaluations of the subpopulation that is  
21          suffering from lung problems, and has found  
22          that, in fact, there is a very high level of  
23          lung disorders.

24                    And, so, what -- what we conclude is that  
25          the health survey has revealed a very high

1 incidence of diseases that are consistent with  
2 chronic exposure to neurotoxins and chemicals  
3 such as hydrocarbons, benzene, TCE, toluene,  
4 xylene and PCE -- the very chemicals that the  
5 Air Force Base has -- has evidenced that was --  
6 were -- have been contaminating that community.

7 A high incidence of neurological disorders,  
8 ear, nose and throat diseases, immune disorders  
9 and multiple illnesses are consistently  
10 associated with chronic exposure to these  
11 contaminants. And, so, we -- we have taken up  
12 your time today because we feel a great urgency  
13 to share these results and to see whether we can  
14 work toward disease prevention and proper  
15 cleanup in the area and some more cooperation on  
16 this.

17 Thanks.

18 MR. QUINTANILLA: I have some  
19 questions, please, Yana. This report that you  
20 have just made, will it be made available to the  
21 Edgewood Independent School?

22 DR. BLAND: We'd be happy to make  
23 presentations. We just have to have some  
24 notice.

25 MR. QUINTANILLA: Will the

1 City of San Antonio receive a copy of this  
2 report -- the Health Department?

3 DR. BLAND: Wherever you would  
4 like us to send it --

5 MR. QUINTANILLA: I would like  
6 for you to do that.

7 DR. BLAND: Okay.

8 MR. QUINTANILLA: Also, perhaps,  
9 maybe ATSDR in Atlanta, Georgia, should receive  
10 a copy of your report, along with Mr. Jacobi and  
11 the Texas Department of Health should also  
12 receive this -- this report -- and -- and, if  
13 Mr. Jacobi is here today, I'd like to hear his  
14 comments on the report.

15 MR. JACOBI: I'm not a  
16 toxicologist, but I can get it to a toxicologist  
17 at TDH and we will have it evaluated. I would  
18 ask for a copy of the survey, though.

19 MR. RIOJAS: May I ask a couple  
20 of questions, also?

21 You have given this information to ATSDR;  
22 is that correct?

23 DR. BLAND: There was a -- I  
24 think we -- we sent them our preliminary  
25 findings. We, actually, are updating the report

1 at all times.

2 MR. RIOJAS: Do you still have  
3 more -- more data to the ATSDR?

4 DR. BLAND: We could send him --  
5 We could send him our updated version.

6 MR. RIOJAS: Please do. Because  
7 they owe us a report back in about six weeks  
8 time. Any information -- Any additional  
9 information that you have really needs to get to  
10 them because they're making the assessment for  
11 us.

12 I'd like to ask another couple of  
13 questions, too. This study is a result of a  
14 survey?

15 DR. BLAND: Yes.

16 MR. RIOJAS: Was an examination  
17 associated with the survey -- or this is just  
18 the data gathered from the people that were  
19 surveyed?

20 DR. BLAND: The actual figures I  
21 gave you are off the data analysis -- off the  
22 survey.

23 MR. RIOJAS: The statistics of  
24 the survey?

25 DR. BLAND: Yeah. In addition,

1 Dr. Moria Dolan is doing clinical evaluations of  
2 certain diseases, especially respiratory. So,  
3 she -- her -- I have mentioned her in the  
4 summary -- and she has a fuller report -- her  
5 own report in this -- and we also have a fuller  
6 report about air pollution in this study. I do  
7 have more copies of that.

8 MR. RIOJAS: And my last question  
9 is: You're a doctor of letters?

10 DR. BLAND: Letters?

11 MR. RIOJAS: Yes. In other  
12 words, a Ph.D.?

13 DR. BLAND: Yes. I have Ph.D. in  
14 economics --

15 MR. RIOJAS: Economics with  
16 health?

17 DR. BLAND: Yes, health  
18 economics.

19 MR. RIOJAS: You're not a medical  
20 doctor?

21 DR. BLAND: No. No. This is an  
22 interdisciplinary approach -- and, for sure, not  
23 one person could cover all of it -- but  
24 Dr. Dolan is -- and UTMB -- obviously, they're  
25 all connected with doctors up there.



1 MR. RIOJAS: Thank you.

2 MR. ROBERSON: Dr. Bland, could I  
3 ask you a question? That was a very good  
4 presentation. Thank you very much.

5 DR. BLAND: You're welcome.

6 MR. ROBERSON: The methodology on  
7 the questionnaire, you said that's being used  
8 more and more. Do you know of any studies where  
9 they've taken questionnaire data and correlated  
10 it with actual -- either review of medical  
11 records or exams by physicians to see what the  
12 correlation is between the results of the  
13 questionnaire and the actual hard data?

14 DR. BLAND: Well, there are a  
15 variety of community health studies being done.  
16 Sometimes, if you get a bigger grant than we  
17 did, you have a couple of nurses taking blood at  
18 the time that you are asking the questions and  
19 you have a room set up. And, so, there are  
20 different variations of a health study. We --  
21 We were advised by Dr. Legator that in this case  
22 it would be -- the best step, first of all,  
23 would be to go and find out what the health  
24 profile of the community is -- and I think the  
25 only assumption you really have to make in this

1 case is that people are telling the truth -- and  
2 there was no incentive for them to do otherwise,  
3 because we weren't offering them anything. We  
4 didn't have lawyers. We purely said we're doing  
5 a health survey. And, so, in our case what  
6 we -- what we've done is do that health survey  
7 and, then, at the same time, we had an oversight  
8 committee that was meeting regularly that had  
9 doctors in it -- and, then, Dr. Dolan wanted to  
10 follow up on specific subpopulations of that --  
11 of the respondents -- and she has already done  
12 clinical evaluations on lung efficiency.

13 MR. ROBERSON: It would really be  
14 helpful, probably, when that data is available  
15 to --

16 DR. BLAND: That is available.  
17 Yes, it's available in this --

18 MR. ROBERSON: But I guess the  
19 answer to my question is, you don't know if  
20 there have been any correlation studies where  
21 they see if -- see what the correlation is  
22 between the reports that people give on  
23 questionnaires and the actual results of either  
24 review of medical records or physical exams?

25 DR. BLAND: Well, I -- I -- I

1 think that it usually goes -- in some -- I  
2 don't think it's -- you're talking about a kind  
3 of test afterwards, aren't you -- a test as to  
4 whether --

5 MR. ROBERSON: Well -- you know,  
6 I agree with your assumption that people are --  
7 intend to tell the truth, but -- you know, you  
8 only really know whether this questionnaire data  
9 is valid if you actually -- you know, have  
10 some -- you know, analytical work done on the  
11 available records or physical exams. So,  
12 that's -- that's what I'm trying to get at --  
13 whether you know of any studies like that or  
14 not.

15 DR. BLAND: Well, a lot of the  
16 community -- as I said, a lot of the community  
17 health studies that have been done do follow up  
18 medical evaluations -- and we are doing those  
19 follow-up medical evaluations.

20 MS. PEACE: Has there been an  
21 overview -- I think what he's asking is if there  
22 has been an overview or a study done on -- you  
23 know, how valid these surveys are when compared  
24 with doctors' --

25 MR. SOLIS: See, this is a

1 classic tactic of questioning the validity of  
2 the study. See, he's got a vested interest to  
3 protect. Now, the real question -- let me  
4 finish -- the real question should be has  
5 Greater Kelly Development Corporation, with  
6 millions of dollars in its pocket, done this  
7 kind of survey and has the Air Force, with the  
8 millions that it's spent, have they done this  
9 kind of survey? That's the real question you  
10 should be asking.

11 MR. ROBERSON: Dr. Bland, if I  
12 could ask you one other question? The issue of  
13 a control group -- which you brought up --  
14 that probably is a valid issue. When they  
15 actually do that work of the internal data -- to  
16 see if they can find controls for the internal  
17 data -- that would be very helpful to bring back  
18 to the RAB and -- and to share with us.

19 DR. BLAND: As I say in the  
20 summary, we are -- we are continuing to work on  
21 this and one of the -- and we are -- we have  
22 been open from the start to share our  
23 information. But just to go back to your  
24 previous question, I think that in a situation  
25 where you had some question of doubt as to

1 whether there were chronic illnesses actually  
2 being suffered, then I would allow some doubt  
3 into my mind, maybe, about whether or not there  
4 was a problem in the area. But in all my  
5 reviews -- and there is growing literature on  
6 community health studies -- in all my reviews,  
7 I've not seen one community with as high an  
8 incidence of illnesses as this community.

9 MR. ROBERSON: I want to  
10 comment. I think your presentation was very  
11 professional and it's given me a better insight  
12 into -- into -- into what the study consists  
13 of -- and I thank you very much.

14 MS. JOHNSON: Yana, I'd like to  
15 remind you that Dr. Dolan has asked for medical  
16 records and we're in the process of doing that  
17 to back up the study -- and, also, she took  
18 blood from some of the people. So, we've done  
19 that and we're going to do a backup study, too.

20 MS. PEACE: Mr. Rice?

21 MR. RICE: Yana, everything I've  
22 heard the Air Force say about this is that there  
23 is no health problem and no -- not only is there  
24 not a health problem now, but there's no reason  
25 to believe there will be one in the future. So,

1 my question is: What is the difference between  
 2 the sort of information the Air Force is looking  
 3 at and what you have done? Are you using a  
 4 technique that either the Air Force simply  
 5 doesn't recognize as being valid or are you  
 6 using a technique that is relatively new or --  
 7 why -- why would there be that difference  
 8 between what you and Dr. Legator are saying and  
 9 what the Air Force is saying?

10 DR. BLAND: The community health  
 11 study approach is not new. It was -- for  
 12 instance, 1890s -- it lead to discovering how  
 13 cholera was spreading. It's not a new  
 14 approach. Its being rapidly adopted and  
 15 upgraded. The surveys, for instance -- survey  
 16 designs are being upgraded. We -- We got a much  
 17 thicker one than we expected, but it was  
 18 upgraded -- that was good. I don't believe I've  
 19 seen any work that the Air Force has done on  
 20 health analysis. I might be wrong, but -- I  
 21 guess the Air Force's position has been one that  
 22 hasn't been informed by a health analysis.

23 MS. PEACE: I believe they're  
 24 still waiting on the ATSDR report.

25 Are there --

1 MR. HAGELTHORN: I have some more  
2 questions, please. In your report, you stated  
3 143 households in the immediate area -- Okay.  
4 You visited 143 households. How many households  
5 are in the immediate area? What was your  
6 sampling population, in other words?

7 DR. BLAND: That was the sampling  
8 population.

9 MR. HAGELTHORN: No. Your  
10 sampling population is 143 out of how many?

11 DR. BLAND: No. We -- We -- We  
12 visited 143 --

13 MR. HAGELTHORN: You visited 143,  
14 you interviewed 107 women. Of the 143, how many  
15 households are there in the sampling area?

16 DR. BLAND: Well, we -- we took  
17 an area that contained these 143 houses --

18 MR. HAGELTHORN: I understand  
19 that. You sampled 143 houses. Of this area  
20 that you went in to sample -- 143 houses --  
21 how many houses are there?

22 DR. BLAND: I think you might be  
23 asking -- you're asking the wrong question.  
24 Because if you want the percentage, then we  
25 visited 143 -- that was our sample.

1 MR. HAGELTHORN: That was your  
2 sample. I understand that. Of the 143 that you  
3 sampled, how many homes, in addition to the 143,  
4 are in your sampling area? You sampled 143.  
5 That was your sampling area. In that area --  
6 the entire encompassing area -- how many houses  
7 are there?

8 DR. BLAND: Well, we didn't want  
9 to go out of that area, because then we'd be  
10 getting, for instance, to the streets right by  
11 I-90 and we didn't want to confound the possible  
12 pollutants. So, we -- we stuck to --

13 MR. HAGELTHORN: So, you picked  
14 143 houses out of 143 houses?

15 DR. BLAND: We went street by  
16 street, house by house. We had a cluster  
17 approach. We didn't go one every four houses in  
18 an area.

19 MR. HAGELTHORN: So, you picked  
20 143 houses and hit all 143 houses?

21 DR. BLAND: We -- We picked  
22 certain streets. The streets that lie just  
23 north of the base.

24 MR. HAGELTHORN: Okay.

25 DR. BLAND: And we went and



1 covered those streets.

2 MR. HAGELTHORN: Well, what I'm  
3 getting at is --

4 DR. BLAND: And those streets  
5 contained 143 houses.

6 MR. HAGELTHORN: -- that you're  
7 making -- you're making statements of  
8 percentages here, which affect the whole  
9 population -- and you're only giving us a finite  
10 number of people that you sampled. So, the  
11 question is: Of the number of people that live  
12 in the area, how many of those did you sample?

13 MR. SOLIS: You should know  
14 that. You're a community rep.

15 DR. BLAND: I said at the  
16 beginning that about --

17 MR. HAGELTHORN: So, there's only  
18 283 houses in -- around Kelly Air Force Base?

19 DR. BLAND: No, no, no. We're  
20 talking about one very small area of the  
21 perimeter of the area. We're just talking about  
22 North Kelly Gardens.

23 MR. HAGELTHORN: That's what I'm  
24 trying to get at, because you're very unclear in  
25 your presentation.

1 DR. BLAND: I'm not saying -- I'm  
2 not saying --

3 MR. HAGELTHORN: These numbers --

4 DR. BLAND: -- that this  
5 representative --

6 MR. HAGELTHORN: These numbers --  
7 Okay. So, these numbers that you've presented  
8 represent the 143 houses you sampled and not the  
9 entire population surrounding Kelly Air Force  
10 Base? A true statement?

11 MS. PEACE: Could you describe  
12 the boundaries that -- within -- which is in  
13 the -- What were the boundaries?

14 MR. RIOJAS: I think what she's  
15 saying, Allan, is that she selected an area and  
16 probably sampled almost everybody in that area,  
17 but did not go beyond certain boundaries.

18 MR. HAGELTHORN: I understand  
19 that. That's what I finally figured out. That  
20 she's sampled -- she's picked a certain area,  
21 she sampled those people within the area -- and  
22 the question now is: Are these percentages  
23 you've presented only with the sampling area and  
24 do not look at the entire population as a  
25 whole?

1 DR. BLAND: Well, it --

2 MR. HAGELTHORN: It has to be one  
3 way or another. It can't be both. This is  
4 statistics, right?

5 MR. SOLIS: You're the community  
6 rep. You're supposed to know that.

7 MR. HAGELTHORN: That's why I'm  
8 asking the question.

9 MR. SOLIS: You haven't never  
10 visited that community.

11 MR. HAGELTHORN: Yes, I have.  
12 Thank you.

13 DR. BLAND: Can I go over this  
14 procedure again? If --

15 MR. QUINTANILLA: No. Yana, in  
16 that area -- how many houses are in that area  
17 where the survey was taken? Was it about 500?  
18 About 400? About 300?

19 DR. BLAND: No. There are 143  
20 houses in the area that we had marked off that  
21 we wanted to survey. Of these 143 households,  
22 not everyone wanted to sit down for three hours,  
23 not everyone was in -- although, we -- you know,  
24 we tried to find them in -- and, so, of those  
25 143 households -- which I've assumed -- made the

1 assumption that there were two adults and two  
2 children in each household -- so, there would  
3 have been 286 adults of those 143 households.  
4 We, then, had valid respondents of 107 adults.  
5 So, we had 107 respondents of -- and, again,  
6 it's an assumption -- but I told you've the  
7 assumption -- 286 adults. So, we have nearly  
8 half of the community represented in our  
9 study -- and, as I said at the beginning, this  
10 is fairly high for a community health survey,  
11 because you usually go for about 25 percent at  
12 the most. So, I would say, on that basis, that  
13 it's fairly representative of that actual  
14 community. That's all we looked at. We didn't  
15 go east -- or Jamar Village -- or any other  
16 possible area. We just looked at that  
17 community.

18 MR. HAGELTHORN: So,  
19 statistically, you looked at a given area -- a  
20 boundary -- which contained 143 houses; is that  
21 correct?

22 DR. BLAND: Right.

23 MR. HAGELTHORN: Okay. No more  
24 than 143? So, you have a -- you've delineated  
25 an entire area of 143 houses within that area?

1 DR. BLAND: Yeah.

2 MR. HAGELTHORN: Okay. You  
3 sampled 107 of those 143?

4 DR. BLAND: No. We -- We -- We  
5 went to every house.

6 MR. HAGELTHORN: Yes. I  
7 understand you went to every house. You had  
8 respondents of 107.

9 DR. BLAND: Our respondents were  
10 107 adults and 54 children.

11 MR. HAGELTHORN: Now, each of the  
12 107 that you presented, did you give them this  
13 1,111 question questionnaire? And, so, they --  
14 in three hours, these people completed an 1,111  
15 question questionnaire -- in three hours?

16 DR. BLAND: It was one to three  
17 hours, yeah.

18 MR. HAGELTHORN: Okay. Could we  
19 get a copy of that questionnaire?

20 DR. BLAND: Sure.

21 MR. HAGELTHORN: Could we also  
22 get a copy of the letter of introduction and the  
23 purpose of your sample that you've made in your  
24 presentation to every person you interviewed?

25 DR. BLAND: We -- We --

1 MR. HAGELTHORN: Obviously, you  
2 must have had a script that every person -- so  
3 you were consistent when you went through the  
4 sampling of why you went and did the sampling?

5 DR. BLAND: Yeah. We have notes  
6 for our interviewers. We'll be happy to show  
7 you the notes.

8 MR. HAGELTHORN: I would like to  
9 see that. Thank you.

10 Definitions --

11 DR. BLAND: If you would like to  
12 see a letter --

13 MR. HAGELTHORN: Well, whatever  
14 you used to brief the people who were going to  
15 give the sampling so that you were consistent  
16 throughout the sampling -- any statistical  
17 analysis --

18 DR. BLAND: And, again, any time  
19 you guys have time, Dr. Legator, who actually  
20 designed the study, will be happy to come. It's  
21 just that we haven't been asked to give a  
22 presentation. We were never asked back after  
23 two years.

24 MR. HAGELTHORN: Okay. Looking  
25 at your survey of 79 percent of the children

1           suffered multiple illnesses; 91 percent of the  
2           adults suffer from multiple illnesses -- how  
3           does that compare with the rest of San Antonio  
4           as a whole -- or the rest of the community with  
5           an industrial complex around it? Have you  
6           looked at that information? Because I know you  
7           didn't do a control survey. So, I'm asking a  
8           comparison survey, now.

9                     DR. BLAND: Well, it is hard to  
10           get comparisons on morbidity.

11                    MR. HAGELTHORN: Okay. I  
12           understand that .

13                    DR. BLAND: For instance,  
14           asthma -- you cannot get asthma morbidity dates  
15           in Texas. You can get asthma mortality for over  
16           50 years old.

17                    MR. HAGELTHORN: Good. I'm glad  
18           you brought up asthma because this next question  
19           is -- which I had outlined here -- you have a  
20           23 percent base on coughing for children;  
21           90 percent wheezing or asthma; and 70 bronchitis  
22           at least twice a year; 10 percent pneumonia.  
23           Are these backed up by medical evidence or this  
24           is just what people have said?

25                    DR. BLAND: The survey -- After

1 each question, the survey asked, "Have you been  
2 to a doctor about this," and there was a whole  
3 section on what drugs you might be taking  
4 prescribed by doctors. And, as I said, we do  
5 have a medical doctor who is collecting medical  
6 records right now.

7 MR. HAGELTHORN: I mean, I can  
8 sit here and look at this statistical analysis  
9 all -- What I would really like -- What I really  
10 would like is a complete statistical analysis of  
11 your entire survey, the breakdowns of each  
12 question by question for all 1,111 questions and  
13 the sampling population.

14 MS. PEACE: I think it might be  
15 appropriate -- since they have collected --  
16 and -- in the interim, I believe she said that  
17 they have had a doctor collecting health records  
18 and -- as well as Dr. Legator designing control  
19 measures and doing a comparison -- that -- are  
20 those complete at this time, Yana, or are they  
21 being completed?

22 MS. JOHNSON: We're in the  
23 process of that.

24 DR. BLAND: Dr. Dolan has  
25 completed her lung efficiency evaluation and



1 they exactly corroborate what we found on a  
2 subjective basis.

3 MR. HAGELTHORN: So, then, you  
4 don't have any problem presenting your  
5 statistical analysis of all 1,111 questions  
6 presented on these 107 questionnaires?

7 DR. BLAND: I don't have any  
8 trouble at all. Any time you -- you find time  
9 for a longer discussion about this, we'd be  
10 happy to do it.

11 MR. HAGELTHORN: No. I would  
12 like you to present that information whether or  
13 not we have a discussion or not. You're  
14 presenting information evidence as -- as  
15 factual. I would like to see the information.

16 DR. BLAND: Do you want a copy of  
17 the survey?

18 MR. HAGELTHORN: Please.

19 DR. BLAND: Fine.

20 MR. HAGELTHORN: I'd like the  
21 survey and results -- statistical analysis of  
22 the results.

23 DR. BLAND: I'm not sure what you  
24 want.

25 MR. HAGELTHORN: The numbers.

1 DR. BLAND: We have -- We have --

2 MR. HAGELTHORN: I want the  
3 numbers. All the -- 107 questionnaires -- the  
4 breakdown of 107 questionnaires. Of each of the  
5 1,111 questions that were asked, there should be  
6 107 answers. So, I want -- I want to see 107  
7 answers or -- you know, an approximate number of  
8 that -- of each of the questions.

9 MS. PEACE: Excuse me. Could I  
10 interrupt just -- Mr. Hagelthorn, could you  
11 discuss this with Dr. Bland during the break --  
12 and we'll move on.

13 Do we have any other questions?

14 MR. QUINTANILLA: What are you  
15 going to do with all this data?

16 MR. HAGELTHORN: I want to look  
17 at it -- just like Mr. Rice wants to look at  
18 other information. You want to look at  
19 information. Statistics is -- I like  
20 statistics. You can make statistics look like  
21 anything you want. I want to see --

22 MR. QUINTANILLA: Are you going  
23 to make a report and that sort of thing?

24 MR. HAGELTHORN: I want to see  
25 it.

1 MR. RODRIGUEZ: I have a question  
2 to ask, if I could -- and this is, obviously, a  
3 concern that I have. You mentioned on -- the  
4 detection of thallium contamination is  
5 200 percent above permitted levels -- and I -- I  
6 would agree that that's probably what it is, but  
7 I think what would help is if you printed the  
8 minimum levels or maximum levels allowed and  
9 what the above percent was -- you know,  
10 it's .0002 and it came out as .00022 -- I think  
11 that would -- certainly would indicate a better  
12 percent as far as what it actually is.

13 DR. BLAND: That's a good point.  
14 We were talking about this before and it does  
15 include the actual letters in the report.

16 MR. QUINTANILLA: One more  
17 question: How were you funded to do -- to help  
18 us on this? It's a massive task -- a big task.

19 DR. BLAND: Well, I must say a  
20 lot of the work was volunteer. But our funding  
21 came from the James R. Dougherty Foundation,  
22 which is based in Beeville.

23 MR. QUINTANILLA: For the record,  
24 what was the name of the foundation again?

25 DR. BLAND: James -- The

1 James R. Dougherty, D-o-u-g-h-e-r-t-y.

2 MR. QUINTANILLA: Thank you very  
3 much. We really appreciate it.

4 MR. RIOJAS: Dr. Bland, thank you  
5 very much and you were very gracious  
6 acknowledging your report. We appreciate it  
7 very much.

8 MS. ADAMES: My name is  
9 Dominga Adames and for that person that  
10 doubts -- here it is -- sir -- from  
11 Marbach Road and 410. I didn't get his name.  
12 Here it is.

13 A woman carries her purse for her makeup.  
14 I carry my purse for my medicine. Now, you  
15 wonder why I'm interested in being on the RAB.  
16 I'm part of the community. I'm one of the  
17 statistics. People hear. I know you hear, but  
18 some people don't listen. They tune us out. It  
19 seems more like -- some of these people here --  
20 it seems like they're at a counsel meeting and  
21 that's very sad. I am not the type of person  
22 that would come here and disrupt your meeting,  
23 talk about my problems. My problem is my life.  
24 You doubt Yana Bland. Good for you. I don't.  
25 I thought I was going crazy. My

1 doctor thought -- he couldn't figure out what  
2 was wrong with me. Taking this medication kind  
3 of makes you crazy, but not so crazy as to not  
4 to come out here and fight and make people  
5 listen. I know you can hear. Are you  
6 listening?

7 MR. HAGELTHORN: Oh, I'm  
8 listening -- most definitely.

9 MS. ADAMES: It doesn't seem that  
10 way. I'm sorry to say that. It doesn't seem --  
11 You're putting us down. You got our survey.  
12 That survey took time. It took caring people --  
13 people that care to go out in the community.  
14 Were you a part of it? Did anybody know we were  
15 doing a survey? Nobody listened to us when we  
16 said something about a survey. Nobody listens  
17 to us when we tell them what's wrong.

18 In November, I went inside the base,  
19 smelled a smell that goes to my window. They  
20 were supposed to take me inside so I could  
21 pinpoint it. Five months -- What's today?  
22 April 28? From November 25 -- 24, something  
23 like -- during the holidays -- how long does it  
24 take now for that paper I have to sign to be on  
25 the committee? Is it going to take another five

1 months? Now, you know why we doubt -- you think  
2 we like coming here -- making us feel like we're  
3 stupid. We're not, sir. We're not. I wish I  
4 could live on 410 and Marbach. If you had to  
5 sit at my window every single day and smell and  
6 see what's going on, you'd have to get a purse  
7 just to carry damn stuff like this. So, when  
8 somebody knows what they're talking about,  
9 please have courtesy and not make fun of them.

10 MR. HAGELTHORN: I wasn't making  
11 fun of them, ma'am. What I was asking --

12 MS. ADAMES: Well, that's -- I'm  
13 sorry. A lot of times looks say more than words  
14 do -- you know, it kind of gets to you.

15 MR. HAGELTHORN: I think that  
16 based on that statement that there's -- other  
17 members of the board need to think the same  
18 thing.

19 MR. ADAMES: Well, everything  
20 you've seen here tonight -- Get your facts  
21 straight. You hurt people and that's not very  
22 nice.

23 I want to be on the committee. You know  
24 why? So, I can listen to people like myself --  
25 other people in the community -- and not only at

1 North Kelly Gardens, but around. It seems  
2 you've only been looking at 410 and Marbach.  
3 I'm upset right now.

4 Thank you.

5 MS. PEACE: Thank you very much.  
6 I do apologize -- You have a statement?  
7 I'm sorry.

8 MS. MEDINA: Hello. My name is  
9 Patricia Medina. I can sympathize with that  
10 woman and not you, because you're chewing that  
11 gum real fast. I think you're kind of upset --  
12 and you sound like you're a lawyer more than --  
13 you know, are you for us or what?

14 MR. HAGELTHORN: I am for the  
15 community as a whole -- for people. Okay?

16 MS. MEDINA: Well -- you know,  
17 I -- one time on TV I saw -- a lady was  
18 saying -- this lady was blind and she couldn't  
19 be up and -- as a juror. She needed to also  
20 see. Well -- I mean, they said because they  
21 needed to see how the people reacted, how their  
22 movements were -- exactly how yours are -- it  
23 has a lot to do how the trial came out. That  
24 person had to be able to see. So, we're seeing  
25 you -- you know, you're very -- acting very

1 smart -- you know, beep, beep -- but I'd  
2 appreciate it -- and so would the residents --  
3 if you'd just tone it down a little bit -- you  
4 know, stop trying to put everybody down.

5 MR. HAGELTHORN: I'm not trying  
6 to put anybody down. I'm just asking for  
7 information. You're asking us to make decisions  
8 and make --

9 MS. PEACE: Are there any other  
10 questions from any of the RAB members?

11 MS. MEDINA: I had another  
12 comment.

13 MS. PEACE: Oh, you have  
14 another -- Okay.

15 THE WITNESS: Yes, ma'am.  
16 I'm sorry.

17 My son was hospitalized eight days. He  
18 came out last Saturday. He -- He came out  
19 taking six medicines -- the week before, he had  
20 seven -- and I would go to work and I'd sleep in  
21 the hospital. I'd go to work, sleep in the  
22 hospital. I'd go home between those days, half  
23 an hour, an hour. So, you don't have to do  
24 that, right? You don't live around here. Your  
25 child is not sick and you don't have any of



1 those wells right out your driveway. So, it  
2 doesn't affect you at all. You don't have to  
3 sacrifice anything for anybody.

4 My son doesn't like taking those  
5 medicines. He gets depressed. He starts  
6 crying. He says, "Mommy, I hate it. I hate  
7 it." And, then, my other son says, "Gosh,  
8 mom" -- you know, "Why do I always have to cut  
9 the grass? Why is my brother sick?" He was  
10 cutting the grass, right? And I told him, "You  
11 know what, miho?" I go, "I'm blessed. I'm  
12 blessed to have you as a son" -- "a healthy  
13 son" -- and he says, "Well, yeah, mom." So, I  
14 am blessed. But I was also cursed with  
15 contamination -- so was my whole family.

16 So, I want you-all to realize -- you know,  
17 I don't like sleeping in hospitals. I don't  
18 like the bills. Can you imagine what it's going  
19 to cost me for eight days and the medicines? A  
20 lot of money. Nobody is going to pay it for  
21 me -- you know, I had to go to work because  
22 nobody is going to pay me that money. I'm a  
23 responsible adult. So, don't just cut the  
24 people down. Be grateful you're healthy. Be  
25 grateful you don't live where we live -- and I

1 think we're being screwed with both ends,  
2 because the government takes our money, right,  
3 for taxes. They contaminated it, but, then,  
4 they're charging us full price on our property  
5 and it's not full price. If I had to sell my  
6 house, do you think I'm going to get back what I  
7 bought it for? Not even what I put into it.  
8 I'm not going to get none of it back, because,  
9 by law, I have to tell them it's contaminated --  
10 if I rent it or if I sell it. Either way, I  
11 lose. Nobody else does. Nobody else does.

12 Who likes -- you know, who likes having to  
13 move away from their home or sell it for less?  
14 I earn my money. I'm not on welfare. I pay  
15 insurance. I pay taxes -- you know, I'm not a  
16 quitter. So, as long as it takes, I'm going to  
17 fight this and -- for my kids -- because what I  
18 do in life, I'm doing for my kids and I'm  
19 teaching them what my grandparents came here  
20 for. They didn't quit. They didn't give up.

21 Thank you.

22 MS. PEACE: Thank you.

23 MS. LIMON: My name is  
24 Velia Limon and I'd like to also find out -- I'd  
25 like to find out who is going to check the

1 Air Force? See, like, they were questioning  
2 this lady here that -- the results that the  
3 Air Force came out with -- if that's -- you  
4 know, who is going to police them?

5 Also, this man was saying that you had to  
6 fight in order to put that in the agenda. I  
7 mean, there's not -- you didn't -- you had to  
8 fight the -- I don't know who she had to  
9 fight -- but, then, just as simple as the  
10 agenda -- this is the Air Force. Okay? We are  
11 not -- They are not in a war -- at war with  
12 Russia or China. We are Americans in a  
13 neighborhood in America. You have to realize  
14 we're citizens of the United States. You're not  
15 fighting another country. You're supposed to be  
16 helping us, because the Air Force messed our  
17 area up. I myself do not trust the Air Force.

18 MS. PEACE: May I ask -- As long  
19 as I'm co-chair of this RAB -- I -- I apologize  
20 that you-all have not gotten the hearing that  
21 you've wanted --

22 MS. LIMON: Since day one. It's  
23 been organized -- "Oh, we forgot the charts," or  
24 forget this -- and -- do you know how long it  
25 takes -- how long has it been since they found

1 out that this place has been contaminated?

2 MS. PEACE: I'm sorry. This is  
3 my first meeting as co-chair. I was just  
4 elected at the last meeting. I will tell you  
5 that as long as I am co-chair -- I -- I would  
6 like to hear everybody from the community and we  
7 will pay attention to your concerns -- and if I  
8 do not feel that I can do that, I will step  
9 down. I will resign as co-chair.

10 MS. LIMON: How long are these  
11 meetings going to take? How long has it been  
12 since they -- we started these meetings? They  
13 forgot charts or -- you know, it's -- and you  
14 can't talk and -- you know, we forgot to put it  
15 in the agenda -- you know, what -- this is not  
16 a --

17 MS. PEACE: I really apologize  
18 for that. Like I said -- I give you my word.  
19 As long as I'm co-chair -- This will not happen  
20 again -- and if I do not feel that I can live up  
21 to my word, I will step down as co-chair.

22 MS. LIMON: But you can see that  
23 the Air Force has really succeeded -- because a  
24 lot of the people in the neighborhood just got  
25 tired. They can't fight the Air Force. Well, I

1 believe you can.

2 MS. PEACE: Of course -- and I  
3 would like to see Dr. Legator and the other  
4 doctors, as well as other members from the  
5 community, come back and revisit this issue --  
6 and, at that time, I will make sure that the  
7 members of the San Antonio City Council and the  
8 members of County Commissioner's Court are also  
9 invited, as well as any other community  
10 officials that you-all would like me to  
11 contact -- and I do apologize for not having  
12 this brought up as RAB business before, but I  
13 promise you that we will revisit this in the  
14 future.

15 Ms. Johnson?

16 MS. JOHNSON: I would like to  
17 tell the people here from the neighborhood -- I  
18 haven't told them yet -- but Mr. Bailey once  
19 said that maybe there was other companies around  
20 our area that might be contaminating it. So, I  
21 took the liberty to go over to Alamo Aircraft  
22 and ask them what they were storing there and if  
23 anything they stored there would be the  
24 contaminants that we found in the soil -- and a  
25 man there, Mr. Wolf -- Leon Wolf -- told me

1 that, no, they didn't have contaminants. They  
2 had supplies. So -- he was supposed to be here  
3 tonight. I don't know if he is.

4 Also, I would like to tell you on that  
5 January the 23rd -- We're all in a learning  
6 process here and we all -- not all of us know  
7 everything. But on January 23rd, we had a  
8 terrible smell in the neighborhood. Everybody  
9 smelled it. It was an electrical fire. I  
10 looked out and I told my husband, "It's probably  
11 the lights from the fuel tanks over there" --  
12 "the lower lights" -- because they were out.  
13 The bright lights -- the big ones -- were on,  
14 but the smaller ones on the lower post were  
15 off -- and Mr. and Mrs. Villar -- they were  
16 supposed to be here tonight, but something came  
17 up -- they called the Fire Department and they  
18 were there from about 6:30 to 9:00. They also  
19 called Mr. Bailey to come out -- and he did  
20 come out -- and he went around -- everybody  
21 could smell it. We had all come out and we had  
22 all gone back, too, because we knew it was --  
23 the smell was coming -- an electrical smell.

24 Mr. Bailey told Mr. and Mrs. Villar that it  
25 was probably -- what we were smelling was -- as

1 the planes land and the tires roll on the  
2 pavement -- that was the smell that we were  
3 probably getting. To me -- I'm not sure what it  
4 was, but I think that was not what we were  
5 smelling. I think it was an electrical smell.

6 There's a report from the fire station that  
7 we got, but Mr. Villar has it. So, I didn't  
8 have it with me. But, like I said, not all of  
9 us are knowledgeable with all these things that  
10 are happening. So -- we are learning -- and I  
11 think it is very good that we try to get  
12 together and try to find out what is harming the  
13 people there, including my family. So --

14 MS. PEACE: Thank you,  
15 Ms. Johnson.

16 Would it be okay if we took a break now and  
17 then come back and we can -- Mr. Quintanilla?

18 MR. QUINTANILLA: Go ahead.

19 MS. PEACE: Is that okay with  
20 everybody -- if we take a ten-minute break and,  
21 then, we'll come back and try to get through as  
22 much of the agenda as we can?

23 MR. QUINTANILLA: Just one point  
24 before we break. Mr. Hagelthorn mentioned that  
25 Mr. Paul Person was his alternate. At the last

1 meeting -- This is incorrect. The latest list  
2 that we have from Mr. Walters does not list  
3 Mr. Paul Person. So, the record should be  
4 corrected.

5 MS. PEACE: Okay. Thank you.

6 (Short break taken.)

7 MS. PEACE: Can we call the  
8 meeting to order? Can we call the meeting to  
9 order?

10 Okay. We're going to move now to the  
11 status of soil sampling -- and, Mr. Bailey, take  
12 it away.

13 MR. BAILEY: Good evening. My  
14 name is Larry Bailey -- and there are two topics  
15 that we wanted to cover here. The first one was  
16 the feedback from the technical subcommittee  
17 that was held on 4 April at Kelly Air Force  
18 Base. There were two topics that were discussed  
19 at that meeting. One topic concerns a remedial  
20 investigation for Zone 5 and the other topic  
21 discussed -- concerned a public health risk  
22 assessment that was done for us -- and I'm going  
23 to ask Dr. Brothers, who was working through a  
24 contract with HAZMAT organization, to give that  
25 presentation. But I'd like to first cover, with



1 a little background, the remedial investigations  
2 for Zone 5.

3 Please remember this is a document that is  
4 being prepared. Remedial investigation was a  
5 document that we were looking at Zone 5 -- and  
6 if I could just point out -- for those of you  
7 who are familiar, please bear with me -- for  
8 those who aren't, let me point this out. It  
9 basically consists of most of the area which is  
10 west of the runway with the exception of the  
11 golf course and the industrial wastewater  
12 treatment plant area. These are commonly called  
13 the Zones 1 and Zone 2. This is the Zone 5  
14 area. It extends from the southern end of the  
15 runway, again, along the eastern corridor of the  
16 runway and the taxiways up into and includes the  
17 DLA storage area and what is commonly called  
18 Site S-1, which will lead me into -- when I  
19 finish this -- a presentation regarding the  
20 update on the 1592 soil sampling survey.

21 The information that was collected by the  
22 contractor identified three principal areas --  
23 and, by the way, there are a number of handouts  
24 in your packet. I will not be covering each and  
25 every chart. I'm just going to go through what

1 I consider to be the more substantive points.  
2 They identified that there was contamination  
3 that was known beforehand. So, when the  
4 remedial investigation -- they went out there to  
5 find out, "Is there any different kinds of  
6 contamination that they didn't already know is  
7 out there" -- and this is from all the other  
8 reports that were found. The information that  
9 came back and said, "Yes, we confirm what is out  
10 there. We have not found any contaminants,  
11 other than what was identified." What they did  
12 was, however, was to better identify for us two  
13 specific areas which we were concerned about  
14 regarding the -- what is called the extent of  
15 the contamination in the soil and/or in the  
16 shallow groundwater. One area is located  
17 approximately in the middle of what is the  
18 current runway area -- right about out here.  
19 Another area was located down about here.  
20 Again, these areas were known, based upon  
21 historical information about how the base was  
22 set up and organized years ago.

23 For those of you who have been on base  
24 tours and have been out to the base -- for  
25 others who have lived close by -- know that the

1 runways were different on Kelly years ago. Back  
2 after Kelly formed as Kelly Field, there were  
3 runways, as they called them back then, that in  
4 essence went in this direction -- and at other  
5 times the maintenance that we currently know --  
6 which is over here -- was out in this  
7 particular area -- and, in some cases, up here.  
8 So, where they found this contamination and what  
9 we're showing here is just a chart. There are  
10 multiple charts that are in the remedial  
11 investigation study -- which we have forwarded  
12 up to the Texas Natural Resource and  
13 Conservation Commission and the Environmental  
14 Protection Agency Region 6 office. They have  
15 identified the things that I'm going over here.

16 Once again, there is some contamination  
17 that's defined as they normally do by some type  
18 of contour or outline here in the middle --  
19 again, down here -- pointing up, also, over onto  
20 what is called the 3 North Taxiway or up near  
21 where the 149th -- where the F-16s are located.

22 As the records show, we had a JP-4 fuel  
23 line that ruptured up there years ago -- and,  
24 then, there is a program and cleanup plan that's  
25 been put into place -- and there have been two

1 or three different types of technology -- and  
2 that site is shown over on this part -- and,  
3 then, the other part is located up in the  
4 Site S-1 area north of the storage area. It's  
5 IS-1 and S-1 sites.

6 So, my purpose, first off, was to give you  
7 an update to let you know that that remedial  
8 investigation is on the way to the regulators.  
9 We discussed it at the technical subcommittee.  
10 For those of you who were not at the technical  
11 subcommittee and you would like to review the  
12 document, that document is available. We would  
13 be glad to show you that document -- give you  
14 that information. At the same time, there was a  
15 risk assessment done -- but it's a very  
16 preliminary document done at that particular  
17 time. It doesn't go into any great detail like  
18 what Dr. Brothers will go into regarding the  
19 1592 fuel farm area.

20 Are there any questions about the remedial  
21 investigation that I just talked about? We can  
22 cover it outside, if you don't have questions  
23 right now. If not, I'd like to give an  
24 introduction for Dr. Brothers.

25 Mr. Rice?

1 MR. RICE: Yes, Larry. There are  
2 soil borings associated with the samples you  
3 took up?

4 MR. BAILEY: Yes.

5 MR. RICE: Can I get copies of  
6 those soil borings?

7 MR. BAILEY: The soil borings for  
8 the RI?

9 MR. RICE: For the soil samples  
10 that were taken in the area around S-1 and in  
11 the North Kelly Gardens are.

12 DR. BROTHERS: For the 1592  
13 study, Mr. Bailey.

14 MR. BAILEY: Yes. But that  
15 information -- what we're asking people to do is  
16 to submit their requests to us in writing and,  
17 then, the people will evaluate that and, then,  
18 that information will be provided back.

19 MR. QUINTANILLA: For all 41 soil  
20 borings.

21 MR. BAILEY: I beg your pardon?

22 MR. QUINTANILLA: You want it in  
23 writing that we want it for all 41 soil  
24 borings?

25 MR. BAILEY: Whatever information

1 you want.

2 MR. RICE: That's not standard  
3 procedure, I take it. Any time we want some  
4 data, we have to have a written request?

5 MR. BAILEY: Well, I think -- not  
6 any time -- but I think, as we've talked about,  
7 you-all have made the statement as an example  
8 that there is a current lawsuit against  
9 Kelly Air Force Base. Mr. Quintanilla has stood  
10 up and said that. As an example, you've  
11 identified yourself as an expert witness.

12 If there's information that you request  
13 that's associated with that lawsuit, I'm sure  
14 your attorneys have informed you that we can't  
15 provide you that bit of information. But if  
16 it's something not associated with that  
17 information -- with that lawsuit -- then we're  
18 asking people to submit the request and, then,  
19 we'll get the data.

20 MR. QUINTANILLA: We were talking  
21 about Zone 5. The lawsuit is in Zone 3.

22 MR. BAILEY: I'm just making the  
23 statement.

24 MR. QUINTANILLA: I understand.  
25 I understand. But you're making a statement.

1 All -- All we need to know is, do we have to put  
2 it in writing? Do we go through the freedom of  
3 information -- or how do we --

4 MR. BAILEY: Yes, sir. That's a  
5 request to us requesting the information.

6 MR. QUINTANILLA: Now, are these  
7 41 soil borings located in the library?

8 MR. BAILEY: In the library?

9 MR. QUINTANILLA: Yes. Is this  
10 going to be in the downtown library? Is the  
11 public --

12 DR. BROTHERS: Administrative  
13 records.

14 MR. BAILEY: Right -- when the  
15 information is reviewed by the regulators and  
16 reports become final. Draft reports do not go  
17 in the library. The final reports go in the  
18 library. But, yes, that information will be in  
19 that final report that goes in the libraries --  
20 both libraries -- and, then, again, on --  
21 on -- on the base.

22 MR. QUINTANILLA: Now, is this  
23 particular group -- your group, George --  
24 involved in the -- in these particular studies  
25 before this -- or is it after the fact?

1 MR. RICE: Well, I'm not sure I  
2 know what you're asking, Armando.

3 MR. QUINTANILLA: Well, we're  
4 supposed to be involved at the beginning  
5 according to Mr. Goodman and all the rest of the  
6 hierarchy in the -- in the Air Force and  
7 Department of Defense -- and I'm wondering where  
8 we're coming in in this particular --

9 MR. RICE: In this case, we  
10 were. We actually participated in the design of  
11 some of the samples.

12 MR. QUINTANILLA: Very good.

13 MR. RICE: We were involved in  
14 that.

15 MR. QUINTANILLA: No more  
16 questions.

17 MS. PEACE: Could I ask a  
18 question?

19 MR. BAILEY: Certainly.

20 MS. PEACE: Would it be  
21 possibly -- if you do have, like, a fairly  
22 formal draft report that you've been  
23 circulating, to put those in the library, as  
24 well?

25 MR. BAILEY: What we do is, is



1 that we -- the process that we go through is --  
2 we have the technical subcommittee meetings  
3 where we have the contractor come in and brief,  
4 conceptually, and show certain data. Some data  
5 is handed out. Some data isn't, because it  
6 hasn't been validated by laboratories or it  
7 hasn't been confirmed by the regulators and  
8 until that's done, that's not -- that isn't an  
9 approach for us to use. Otherwise, someone  
10 could get data that would not be the confirmed  
11 data.

12 MS. PEACE: Okay.

13 MR. BAILEY: If I could now  
14 introduce Dr. Brothers -- and I'd like to point  
15 out a couple of items here as she's coming up  
16 and I'm starting to move this out of the way and  
17 we're making arrangements -- at the last  
18 Restoration Advisory Board, I made a  
19 presentation on the preliminary information that  
20 we had received regarding the soil sampling at  
21 the fuel tank farm. At that particular time, I  
22 had indicated that the preliminary data -- we  
23 had not performed a public health risk  
24 assessment, but just the hard data -- looking  
25 at it -- it appeared as though -- and, then, I

1 gave two or three findings at that particular  
2 time. I indicated also that one of the most  
3 important aspects was, even though you had this  
4 data, what are you going to do with it now that  
5 you have it? So, what we have done is, we have  
6 gone to a party who we consider to be someone  
7 who has that knowledge -- has that  
8 expertise -- to come back and tell us what that  
9 information means. At the same time -- besides  
10 Dr. Brothers, who has looked into this data --  
11 we are also forwarding all this information to  
12 the Agency for Toxic Substances and Disease  
13 Registry so they can include it in their entire  
14 review of what's going on at the base.

15 So, again -- I'm just tying this together  
16 so some people -- please don't get the idea that  
17 it's just a contractor coming to us and just  
18 telling us what it is. We are also pulling  
19 in -- other than the ATSDR group -- if I can use  
20 that acronym -- we also have Southwest Research  
21 Institute that we pulled in to take a look at  
22 our sampling techniques -- our methodology, et  
23 cetera -- to make sure that we're in compliance  
24 with the latest requirements that are out there.

25 So, with this, let me introduce

1 Dr. Brothers.

2 DR. BROTHERS: Thank you,  
3 Mr. Bailey.

4 I'm Robin Brothers. For many of you who I  
5 haven't met at the technical subcommittee  
6 meeting, I'm from Oak Ridge National  
7 Laboratory. I have a Ph.D. in nutrition  
8 science. My undergraduate training is in  
9 chemistry. In studying nutrition science at the  
10 University of Tennessee and before my Ph.D., I  
11 studied metabolism physiology and  
12 biochemistry -- and, particularly, the  
13 influences of nutritional status on toxic  
14 chemical metabolism. I've been at Oak Ridge  
15 National Laboratory as a human health -- as a  
16 human health risk assessor for seven years, and  
17 I was called in to provide some technical  
18 support for this risk assessment.

19 This risk assessment is a -- for the  
20 Building 1592 area. It's a -- It's a surface  
21 soil risk assessment only and it's done to  
22 proactively address the public health concerns  
23 that are in that area. It is only concerning  
24 samples that are taken on the property that is  
25 currently under Air Force control, whether they

1 be inside the fence or outside the fence and it  
2 is to evaluate potential adverse public health  
3 effects from the surface soil only.

4 This evaluated the -- how the health --  
5 the potential for adverse health effects using  
6 basic current risk assessment methodologies and  
7 techniques that are put forth by the  
8 National Academy of Sciences and the EPA -- and  
9 these are pretty standard phases of risk  
10 assessment -- and the -- the RAB has been  
11 briefed on the phases of risk assessment  
12 before. Basically, we're going to look at the  
13 data to see what's out there and we're going to  
14 evaluate who's exposed. We're going to look and  
15 see what kind of data exists to evaluate those  
16 contaminants and, then, we're going to try and  
17 estimate the potential for adverse health  
18 effects and express our immediate uncertainty in  
19 that information.

20 This is one thing that is different -- and  
21 I know Mr. Rice and Ms. Johnson -- in their  
22 presentation at the technical subcommittee --  
23 made the point that they were very concerned  
24 when we first presented some of our data -- and,  
25 also, Mr. Neal from EPA Region 6 also

1 commented. When we first presented the  
2 information, we had done a pre-screening of the  
3 data and came up with a finite list of  
4 contaminants of concern -- and we used some  
5 TNRCC values to screen the data. Out of  
6 public -- response to the public concerns that  
7 were raised at that meeting, we've gone back and  
8 we have just screened the contaminants -- not  
9 using any TNRCC values -- we just screened them  
10 using the basics that we feel are necessary to  
11 get a good data set -- and that includes the  
12 frequency of detection for this -- a large data  
13 set -- you are -- you use the things that  
14 represent more than 5 percent of the  
15 contaminants and their frequency -- and we also  
16 screened against the essential nutrients such as  
17 sodium and potassium and calcium and things that  
18 are very common in the environment and essential  
19 human nutrients -- and we've eliminated those.  
20 And we've also, then, screened against  
21 background levels which were established in  
22 accordance with TNRCC for Kelly Air Force Base.

23 These are the potential contaminants of  
24 concern that were left after this -- after this  
25 methodology for determining what contaminants

1 there are in the surface soil of the  
2 Building 1592 area and all risk assessment  
3 numbers for hazard quotients or for  
4 noncarcinogens will be presented in the risk  
5 assessment document. There will be no  
6 pre-screening done in the document, so that all  
7 actual numbers will be presented in the  
8 document.

9 The risk assessment methodology uses a  
10 current land use with a recreational youth and a  
11 maintenance worker and, then, assumes a future  
12 hypothetical residential- and industrial-use  
13 scenario. Although, the area is not scheduled  
14 for residential use. It's just a hypothetical  
15 residential scenario.

16 These slides just go into a little bit more  
17 description of what the scenarios were that we  
18 used. We had the recreational youth -- a seven-  
19 to twelve-year-old youth visits once a week for  
20 five years. This is a site specific value that  
21 was developed assuming the five year -- it's an  
22 on-site exposure. It's a five-year duration for  
23 the average period of service at Kelly Air Force  
24 Base. The maintenance worker is assumed to work  
25 at the site once a week for 25 years.

1 MR. RIOJAS: What's the pathway  
2 for that consumption? Is that inhalation?

3 DR. BROTHERS: These are -- There  
4 are all -- This is surface soil pathways and  
5 they are including incidental ingestion for --  
6 for all of them.

7 Let me show you back here --

8 MR. RIOJAS: I saw that. But  
9 you're talking about actually -- hazardous soil  
10 put into the mouth or --

11 DR. BROTHERS: Incidental  
12 ingestion, dermal -- where the soil -- getting  
13 on your skin -- and contaminants, possibly,  
14 coming in through your skin -- and, then, an  
15 inhalation pathway, assuming it's a  
16 particular -- it's a risk suspension -- and,  
17 also, volatilization of volatile chemicals --  
18 and these pathways -- ingestion, dermal pathways  
19 and inhalation were carried through for all of  
20 them for the residential and industrial workers,  
21 as well.

22 Yes?

23 MR. WILSON: Approximately how  
24 much is 100 milligrams of dirt?

25 DR. BROTHERS: 100 milligrams

1 is -- actually about 200 milligrams -- which  
2 was used for the -- the child -- it's -- it's  
3 about one-tenth of a quarter of a teaspoon.

4 MR. WILSON: 100 milligrams is  
5 one-tenth of a quarter?

6 DR. BROTHERS: Yes. It's an  
7 incidental ingestion. It comes from -- for  
8 children -- sticking your fingers in your mouth,  
9 chewing on your fingernails, smoking -- and it  
10 comes from dropping sticky candies and picking  
11 them back up. It's not a purposeful type of --  
12 you know, "I eat dirt type thing."

13 MR. RICE: Excuse me. Is what  
14 you said -- is that the same as one twenty-fifth  
15 of a teaspoon? Did you say one-tenth of one  
16 quarter?

17 DR. BROTHERS: Yes.

18 MR. RICE: So, one twenty-fifth  
19 of a teaspoon?

20 DR. BROTHERS: Yes.

21 We also evaluated this -- a child exposure  
22 and the residential scenario -- and -- and,  
23 then, we also did the future industrial worker  
24 scenario.

25 We did a special evaluation of -- when we



1 got to our toxicity assessment. I'll go back  
2 and I'll show our chemicals of concern here.  
3 When you get to the toxicity evaluation, you'll  
4 see that there is no toxicity data available for  
5 cobalt or copper or for thallium in any of the  
6 EPA databases that we go to -- to look at this.  
7 There's no toxicity data for lead, but lead is  
8 evaluated using a special method. So, the  
9 toxicity data that is available will be used to  
10 evaluate those that can be evaluated and the  
11 other contaminants will be representative --  
12 what we call qualitatively -- with what we know  
13 is the best information about that contaminant.

14 The lead evaluation sought to understand  
15 what know about the potential for lead exposure  
16 at this area -- and we knew that children were  
17 more sensitive to this exposure than adults --  
18 although, being that there are -- the  
19 possibility of industrial workers -- that there  
20 could be adults exposed, as well. The primary  
21 adverse health effect in children is decreased  
22 mental capacity and that these effects are  
23 related to the blood lead levels rather than  
24 anything specific in the environment. It's  
25 what's in the blood, not what's in the soil

1 that's important -- and EPA has developed a  
2 model what helps us evaluate what's in the soil  
3 to how much gets in the blood -- and, therefore,  
4 how much potential for adverse health effects  
5 there are -- and the model represents a  
6 potential -- a probability -- for going above  
7 a level of concern of blood levels.

8 We used some very conservative methods to  
9 evaluate the blood lead levels. We used the EPA  
10 model and we divided the area into four cells to  
11 evaluate them. We used one cell, which is the  
12 eastern grassy area. We did the next cell,  
13 including the tank area. The third cell is the  
14 former S-1 waste storage area and the fourth  
15 area is the roadsides in the areas outside the  
16 fence. The model suggests using strict averages  
17 as -- to input into the model, but we also  
18 calculated the 95 percent upper confidence on --  
19 on the average and also ran a module using it --  
20 and this is the lead 95 percent upper confidence  
21 limit that was used in these model evaluations.

22 The lead model is very specific and wants  
23 to know how old the children are -- and we  
24 evaluated children from zero to six years old --  
25 and the model default uses incidental soil

1 ingestion that is very specific by age, assuming  
2 the mobility of the child and how much dust and  
3 soiled candy and everything the child is likely  
4 to get into. EPA's standard default for risk  
5 assessment suggests using 200 milligrams per day  
6 for all children under the age of six. We ran  
7 the model both ways. This is, again, a highly  
8 conservative overestimate, given that this is  
9 probably closer to the actual ingestion.

10 Our summary of what we found and what we  
11 feel characterizes what will be presented in the  
12 final risk assessment document will be an  
13 evaluation of current and future conditions. We  
14 evaluated, basically, two risk assessments in  
15 our document. We looked at the data. We have  
16 the risk assessment for the entire data set,  
17 which includes over 120 samples that were  
18 collected in the area -- and it includes both  
19 fill and black clay samples. Then, we have  
20 segregated those that are known to be black clay  
21 samples only -- which is narrative soil -- and  
22 we've evaluated them separately -- and, so, both  
23 sets of data will be presented in the document.  
24 We've evaluated a recreational youth,  
25 maintenance workers, industrial workers,

1 hypothetical residents.

2 In this -- In this scenario -- or in this  
3 risk assessment -- no cancer-causing chemicals  
4 are shown to be of concern. This is true --  
5 even given the full list of contaminants that  
6 we've presented tonight -- there are no  
7 individual contaminants -- this -- let me show  
8 you our -- this graph over here. We've got  
9 levels of concern for -- and this is ten to the  
10 minus four to ten to the minus six. This is the  
11 target risk range that's established by the  
12 EPA. There are no individual cancer-causing  
13 chemicals that have a risk greater than one in  
14 10,000. There are no cumulative risks for any  
15 of the scenarios -- children, adults, industrial  
16 workers, recreational youths -- that are greater  
17 than one in 10,000 with cumulative risks added  
18 together. There are no non-cancer causing  
19 chemicals that -- those chemicals that can cause  
20 an adverse effect, other than cancer -- that are  
21 greater than 1.0 cumulatively or singly.

22 We will also present -- in the risk  
23 assessment -- lists of chemicals by target  
24 organs. This is something that EPA recommends  
25 that we do for the noncarcinogenic

1 contaminants -- that you segregate them by those  
2 likely to have the same target organ effect. We  
3 will present those lists. But, because the  
4 total is less than one, we will not run a  
5 separate risk assessment -- for example, for a  
6 kidney effect or anything like that -- because  
7 the total is less than one. But we will list  
8 the contaminants by the target organ.

9 There are no noncarcinogens that are shown  
10 to be singly or cumulatively having a hazard  
11 index of greater than 1.0. The soil lead levels  
12 in the areas accessible to the residents are not  
13 likely to cause a blood level above the EPA  
14 recommended criteria. The only area possibly to  
15 be of concern is in the former waste storage  
16 area -- the S-1 area -- and that just shows that  
17 children should not be allowed to have access  
18 and live on that part of the property. But the  
19 areas outside the fence -- if you put residents  
20 on them continuously -- they were not shown  
21 to -- and using the EPA model to have -- result  
22 in blood levels that would be shown to cause  
23 potential adverse health effects.

24 I've had to give a very brief summary  
25 tonight. Are there any questions?

1 MR. ARTHUR: I'm Mark Arthur with  
2 TNRCC, also. I just wanted to make you aware of  
3 the -- when you do risk assessments under state  
4 rules -- the goal for carcinogens is ten to the  
5 negative six -- and the cumulative, ten to the  
6 negative four. So, in the rule, it's not a --  
7 for cancer-causing constituents, you go by ten  
8 to the negative six.

9 DR. BROTHERS: I'll have to  
10 double check, but it's a cumulative -- I know  
11 definitely is not ten to the minus four.  
12 Because --

13 MR. ARTHUR: Which is a part of  
14 it. But I just wanted to make you aware that  
15 the residential --

16 DR. BROTHERS: This document --  
17 This document will go through and is --

18 MR. ARTHUR: Right.

19 DR. BROTHERS: -- for review.

20 MR. ARTHUR: You did a risk  
21 assessment individually and, then, the  
22 cumulative?

23 DR. BROTHERS: Right.

24 MR. ARTHUR: Right.

25 DR. BROTHERS: It's done

1 separately and it -- and all the data is  
2 presented there. It's -- you know, it's going  
3 through TNRCC.

4 MR. ARTHUR: As a part of  
5 Standard 3, risk assessments -- goals -- ten  
6 to negative six for carcinogens, individually.  
7 That's just a statement for your information.

8 DR. BROTHERS: Mr. Rice?

9 MR. RICE: I'd like to ask you,  
10 essentially, the same question I asked  
11 Yana Bland. You have disagreeing experts here  
12 and I'd like to ask your opinion. Why do you  
13 think you come up with such -- what seems to me  
14 is very different conclusions from Yana Bland  
15 and Dr. Legator? That's number one. And,  
16 number two, do you accept the methodology that  
17 you heard Dr. Bland describe as being a valid  
18 methodology?

19 DR. BROTHERS: Not having read  
20 the full description of her -- of her study, I  
21 can't say I can accept that -- because I haven't  
22 read it and I haven't studied it. So, I can't  
23 answer that at this time.

24 Why are there very differing reasons for  
25 this? This is a very conservative method. The

1 EPA has built a great deal of conservatism into  
2 this methodology -- into the risk assessment  
3 methodology. It's not -- It's not designed  
4 to -- It's purposely designed to consider  
5 sensitive subpopulations. It is purposely  
6 designed to do that. The majority of people  
7 will be covered by it and -- and sensitive  
8 subpopulations will be covered by it. So, it is  
9 not designed to exclude people or to -- to miss  
10 people. It's designed to include people and to  
11 cover all people.

12 What does this say? This -- This is simply  
13 a result of what this data says. This is --  
14 This is a scientific investigation about the  
15 nature of this data and that's all it can say.  
16 Environmental illness is a very complicated  
17 issue and it's not one thing. It's not one  
18 thing. As Dr. Bland pointed out, she was not  
19 just considering surface soil. This study  
20 looked at surface soil. Mr. Bailey said there's  
21 part of other investigations going on -- you  
22 know, you have your areas -- monitoring -- you  
23 have your ATSDR health studies -- you have a lot  
24 of other things going on. We're trying to pull  
25 that all together.



1 MR. RICE: Thank you.

2 MS. PEACE: Are there any more  
3 questions? Okay. Thank you very much.

4 With Captain Knox's permission, we'll go  
5 ahead and go to the subcommittee report -- the  
6 technical subcommittee report at this time --  
7 because it does deal with the soil samples,  
8 as -- and, then, we'll come back to the RCRA  
9 hearing -- and General Roberson has agreed to  
10 table the Greater Kelly Development Corporation  
11 overview until the next meeting -- if I hear a  
12 motion for that.

13 MR. RICE: I'll make the motion.

14 MS. PEACE: Is there a second?  
15 All in favor?

16 (Vote by the RAB members.)

17 MS. PEACE: All opposed?

18 Okay. That motion carries. So, we'll have  
19 the technical subcommittee report by  
20 Mr. George Rice at this time.

21 MR. RICE: Thank you. I'll try  
22 to get through as quickly as possible.

23 First, I'd like to just cover a couple of  
24 housekeeping items. One is -- Let's see. I  
25 think it was Gerry Arriaga who said he'd get

1 some topo maps to Annalisa Peace. These are  
2 maps showing the topography in the North Kelly  
3 Gardens neighborhood area. The question is:  
4 Are those maps now available and will they be  
5 delivered to Annalisa?

6 Can you-all hear me okay? That's a  
7 question to the Air Force. Are the maps  
8 available and will they be delivered? These are  
9 topo maps. We got them? Mr. Rios says they're  
10 going to be delivered.

11 Okay. As most of you know, the technical  
12 committee meeting that was scheduled for the  
13 22nd of this month was postponed. I talked to  
14 Mr. Bailey and he said that the week of  
15 May 12th -- May 12th -- am I getting it  
16 right -- May 12th would be good. So, what I'm  
17 going to propose is that we meet on Tuesday, the  
18 13th, at 4:00 o'clock in the same building. Can  
19 we set that as a tentative date and, then, if  
20 there are problems, that that date can be  
21 adjusted? Is that agreeable to everyone? Let  
22 me also say that everyone is invited to those  
23 meetings -- all the RAB members, community  
24 members that are interested -- anyone that's  
25 interested is welcome to attend these meetings.

1 MR. RIOJAS: George, say again on  
2 that.

3 MR. RICE: I am proposing  
4 Tuesday, the 13th of May, at 4:00 o'clock, in  
5 the building next to the the EM offices. I  
6 think that's 306.

7 MR. RIOJAS: But you said that  
8 anybody can attend?

9 MR. RICE: I am inviting anybody,  
10 yes.

11 MR. RIOJAS: Well, that's not  
12 true. We can't just let anybody on the base.  
13 They have to meet with certain criteria to be on  
14 the base.

15 MR. RICE: Okay.

16 MR. RIOJAS: They have insurance  
17 requirements.

18 MR. RICE: For their vehicles?

19 MR. RIOJAS: We need to know --  
20 That's right. I think what they need to do is  
21 submit their names for us to -- at the front  
22 gate so the people can come through. We have  
23 those types of --

24 MR. RICE: I'm glad you brought  
25 that up. Those are all those details that need

1 to be adhered to.

2 MR. QUINTANILLA: Can we meet off  
3 base, George? We don't have those requirements  
4 off base.

5 MR. RICE: I don't see why not,  
6 if we can find a place.

7 MR. QUINTANILLA: I think I can  
8 find a place.

9 MR. RICE: Well, why don't we try  
10 that. Armando will try to find a place that --  
11 if you can let us know in about a week, Armando,  
12 we can get the word out.

13 MR. QUINTANILLA: Sure.

14 MR. RICE: If that's agreeable --

15 MS. PEACE: Okay.

16 MR. RICE: Okay. The topics that  
17 I'd like to cover at that particular meeting --  
18 and I'm certainly open to additional topics --  
19 is, first of all, the soil sampling in the  
20 North Kelly Gardens neighborhood. Second is the  
21 area monitoring in the North Kelly Gardens  
22 neighborhood and, then, third is the  
23 Quintana Road neighborhood groundwater cleanup  
24 design -- three topics to that -- and I hope to  
25 make it a little less formal than our last one

1 was -- a lot more give and take than  
2 presentation -- certainly, presentation time --  
3 but I would like this -- more time for a lot of  
4 interaction between people and just discussing  
5 issues amongst ourselves if we can.

6 As a final note on that, I'd like to get  
7 together with Carl Sepulveda --  
8 Captain Sepulveda -- and the SAIC rep before  
9 that meeting just to nail down logistical issues  
10 as to what they're going to cover -- and, Larry,  
11 I guess I'll call you on that to -- to make  
12 those arrangements.

13 MR. BAILEY: A lot of the people  
14 need to know this, but I don't want to take  
15 people's time. So, we can talk about this  
16 separate. I need some specifics on what you  
17 want on the design. The design by -- of the  
18 storm water culvert is the city's design.

19 MR. RICE: No. That's --

20 MR. BAILEY: I don't know what  
21 you want -- because that's already been  
22 decided. If there's an issue with that, then we  
23 need to get the city -- or you need to talk with  
24 the city. That's not --

25 MR. RICE: No. It's a different

1 issue, Larry. It's the design of the  
2 groundwater cleanup system --

3 MR. BAILEY: Okay.

4 MR. RICE: -- for Zone -- for the  
5 Quintana Road neighborhood.

6 MR. BAILEY: Okay.

7 MR. RICE: Okay. Another  
8 housekeeping item: On May 9th, at 4:00 o'clock,  
9 members of the community and TNRCC are going to  
10 meet at the fuel tanks at the North Kelly  
11 Gardens neighborhood -- and let me point that  
12 out on the map here. Here's the North Kelly  
13 Gardens neighborhood and the fuel tanks are  
14 right about in here. This is Growdon Road.  
15 We're going to meet right about here -- and this  
16 has to do with the -- with an issue that I'll  
17 speak a little bit about -- a little more about  
18 later -- but what we're going to do is what I  
19 asked the Air Force to do -- and they decided  
20 not to do it -- but we're actually going to go  
21 to the places where the Air Force took its soil  
22 samples and we're going to dig up a little bit  
23 of dirt right next to those areas and we're  
24 going to try to answer this question for our own  
25 satisfaction. Are we dealing with native soils

1 here or are we dealing with fill? And I hope  
2 that the Air Force will have representatives  
3 there --

4 MR. RIOJAS: You're talking about  
5 off-base for the fill right adjacent to the  
6 road?

7 MR. RICE: Between Growdon Road  
8 and the North Kelly neighborhood, yeah.

9 Please come. Please bring your contractor  
10 of CH<sub>2</sub>M Hill -- or whoever else you want to  
11 bring. That's going to be May 9th -- and I  
12 think that's a Friday -- I'm not certain of  
13 that -- at 4:00 o'clock. We'll meet at the fuel  
14 tanks.

15 Okay. At our last technical committee  
16 meeting, as I already said, we talked about the  
17 North Kelly Gardens soil samples. I'd like to  
18 make a statement now -- and, then, I'd like to  
19 repeat it later, because I think it's very  
20 important -- and that is that all the data  
21 collected so far in the North Kelly Gardens  
22 neighborhood area -- soil samples -- by the  
23 Air Force, as well as by CEJA, is consistent  
24 with the notion that elevated lead  
25 concentrations found in the North Kelly soils

1 originated on Kelly Air Force Base. However,  
2 that is not to rule out other sources. There  
3 may be sources. We don't know. But right now,  
4 the only source of lead that we know about in  
5 the North Kelly Gardens neighborhood area is  
6 Kelly Air Force Base.

7 There are two issues that come up when  
8 we're talking about the soil contamination. One  
9 is a health issue -- and you can see that the  
10 expert disagree on that -- and I'm certainly not  
11 going to get into that -- but besides the health  
12 issue, there's also a property and compensation  
13 issue. The issue is: Is there a pathway from  
14 Kelly Air Force Base onto the neighborhood for  
15 contaminated soils? If, in the future, somebody  
16 believes that they've been harmed by this -- a  
17 current resident, Greater Kelly Development  
18 Corporation, the city, the county -- anyone  
19 else -- we do not want a door slammed that will  
20 prevent people from being compensated in the  
21 future.

22 Now, let me just point out this map here,  
23 because the whole rest of the talk is going to  
24 be talking about North Kelly Gardens. I think  
25 most of you are familiar with it. Here's I-90.



1 Here's the Kelly runways and this is the general  
2 area we're talking right in here. The fuel  
3 tanks that you hear a lot about -- but I'm not  
4 going to be talking about much -- are right in  
5 here. This is the area I'm concerned about with  
6 tonight. This is the old S-1 -- that old dump  
7 that was operated in the '60s and early '70s  
8 where all sorts of materials were dumped -- and  
9 we look at that as a possible source of  
10 contaminants -- the contaminants that we find in  
11 the North Kelly Gardens neighborhood -- and the  
12 possible mechanism is this: According to the  
13 folks who have lived in the neighborhood for 30  
14 years, what used to happen is, when it rained,  
15 all this area would get flooded and water would  
16 run from this dump into the neighborhood -- and,  
17 of course, that running water may have carried  
18 contaminated sediments and deposited those  
19 contaminated sediments in the neighborhood.

20 Now, you-all might remember that, at our  
21 last RAB meeting, we talked about the area where  
22 these samples were collected and I'm going to be  
23 talking about samples collected in the area  
24 between Growdon Road and the houses here. We  
25 all agreed, at the time, that it was fill. A

1 lot of us went out there and looked at the  
2 ground -- and you can see asphalt, concrete,  
3 sand and -- and some sort of clay material --  
4 and much of it, obviously, has been brought in.  
5 So, some of us raised this issue, "Well, if it's  
6 fill, you really cannot interpret the results of  
7 those samples," and I'd like to explain why  
8 that's the case.

9 I think you can see that. This is just a  
10 hypothetical cross-section of what might be out  
11 there. Here, I imagine, we have three different  
12 episodes of filling -- and from time to time the  
13 city and other people come into that area and  
14 they dump stuff on the ground and they spread it  
15 around and they move stuff out -- and this is  
16 going on for -- I don't know how many years --  
17 20 years -- 30 years -- something like that.  
18 So, you may have several horizons of fill, all  
19 from a different source. We don't know the  
20 sources of these things. It could be dome  
21 dirt. It could be beach sand. We have no  
22 idea. We don't know when these different layers  
23 of fill were in place upon the native soil. So,  
24 now you have a contamination event.

25 Contaminated soil is carried by water

1 across this area and it's deposited. So, the  
2 question is: Where is the evidence of that  
3 contaminated -- that contamination event? In  
4 this case, it would be elevated concentrations  
5 of lead -- elevated with respect to background.  
6 Well, if you don't know the history of this --  
7 which we don't -- that contamination event could  
8 have occurred when this was on the surface,  
9 this, this -- or it could have occurred when  
10 native soil was on the surface. You have no  
11 idea whatsoever where the evidence of that  
12 contamination might be contained in a section  
13 like this.

14 MR. RIOJAS: George, by the same  
15 token, some of that fill might contain something  
16 that --

17 MR. RICE: Absolutely. It might  
18 be dome dirt. We have no idea. You might find  
19 high concentrations of contamination and it  
20 would mean absolutely nothing with respect to  
21 stuff coming off of Kelly Air Force Base.

22 So, how do you interpret the results of  
23 samples coming from something like this? Well,  
24 the simple answer is you can't -- not without a  
25 whole lots of very detailed, very expensive

1 work, you can't. As far as trying to answer  
2 that question, did contaminated soil sweep  
3 across that area from the dump into the  
4 neighborhood? This data is worthless. It  
5 cannot be used to answer the question.

6 MR. QUINTANILLA: George, do you  
7 have samples of that fill from there?

8 MR. RICE: Yes.

9 MR. QUINTANILLA: Will you show  
10 it to Mr. Mark Arthur, please?

11 MR. RICE: Well, what I was going  
12 to do is pass some around in just a second.

13 MR. QUINTANILLA: He also needs  
14 to be there if any additional samples are going  
15 to taken -- TNRCC should be there.

16 MR. RICE: I hope so. But let me  
17 make clear that what -- we're not taking  
18 samples -- you know, when you take samples --  
19 like we saw with the CH<sub>2</sub>M Hill samples -- it's a  
20 very tedious, specialized procedure. You have  
21 to take a lot of precautions. We're going to go  
22 out there and we're going to dig up some dirt  
23 and look at it and we're going to decide for  
24 ourselves whether this stuff is native soil or  
25 whether it's fill.

1 MR. JACOBI: Could I ask you a  
2 question.

3 MR. RICE: Yeah.

4 MR. JACOBI: If, in fact, though,  
5 you do take samples and the samples indicate  
6 contaminants below levels of concern, is it safe  
7 to conclude that it's -- it -- you know, no  
8 matter where any of it came from -- that it  
9 shouldn't be a problem?

10 MR. RICE: No. And the reason is  
11 because of the property issue and the diminution  
12 of property values. That's a separate issue  
13 from the health issue.

14 MR. JACOBI: If you can't find  
15 the level of contamination that would create a  
16 human health effect, you're asserting that  
17 there's still a diminution in property value?

18 MR. RICE: I'm not asserting  
19 that. What I'm saying is that, in the future,  
20 someone may want to assert that, certainly.  
21 Because as Mrs. Medina explained when she spoke  
22 a little earlier -- I guess she's gone now --  
23 her house is above the plume -- and I don't know  
24 whether it's above part of the plume that  
25 exceeds drinking water standards or not -- but

1 that's irrelevant. When she goes to sell her  
2 house, she has to inform a potential buyer or  
3 renter that this property sits above a  
4 contaminant plume -- whether or not it's --

5 MR. JACOBI: And whether or not  
6 the origin of that plume can be demonstrated?

7 MR. RICE: Oh, from her point of  
8 view, yes. This is not -- I'm not a legal  
9 expert. This is my understanding of the law.  
10 It would be -- It would be nice to have some  
11 lawyer -- some day -- give us a legal -- the  
12 legal what-for here on this -- this real estate  
13 issue -- diminution of property values and so on  
14 and so forth -- a neutral -- a neutral legal  
15 expert.

16 Okay. Now, to get back to the meeting --  
17 anyway, all of us that had gone out there --  
18 RAB folks, folks from the community, Air Force  
19 folks -- agreed that all of this was fill -- or  
20 at least a great deal of it -- I'm going to have  
21 to pull it down. This is where the Air Force  
22 collected its samples -- between Growden Road  
23 and the neighborhood here -- full of fill. It  
24 may not be -- There may be a little bit of  
25 natural soil in there, but that's the

1           exception. So, when we held this technical  
2           committee meeting that Larry referred to -- on  
3           the 4th of this month, I think it was -- I was  
4           really shocked to hear -- and this was the  
5           subject of my letter that many of you received.  
6           I was shocked to hear the Air Force and its  
7           contractor CH<sub>2</sub>M Hill claim that every sample  
8           taken from here was native soil. It contained  
9           no fill whatsoever. So, at that point, I said  
10          to Larry Bailey -- and Gerry Arriaga, who is the  
11          project manager for this area -- I said, "Look,  
12          I don't believe it. Let's go out there with our  
13          shovels and let's dig right next to the place  
14          where you guys collected those samples and let's  
15          see what we find. We can tell for ourselves  
16          whether this stuff is native soil or whether  
17          it's fill." Larry agreed to that. Gerry agreed  
18          to that. We set up a time -- 4:00 o'clock on  
19          Thursday afternoon. Well, that day, the  
20          Air Force canceled. They decided they didn't  
21          want to go there. I'm glad you guys have  
22          accepted our invitation to go out there on  
23          the 9th.

24                 However, I went there and I collected a  
25          sample about six inches from 1508. That's this

1 one right here. That's one where a sample was  
2 collected between one and six inches by the  
3 Air Force, which they say is native soil -- and  
4 I thought that I was going to have to go collect  
5 a sample of native soil to compare what I got  
6 there with native soil to be able to tell the  
7 difference. But, as I said in my letter,  
8 between one and four inches down in the soil  
9 there are these chunks of asphalt in there.  
10 Now, I'm not a soil expert, but I know that this  
11 is not natural soil -- and I'd like to pass this  
12 around for you-all to look at.

13 MR. HAGELTHORN: George, what  
14 depth did the Air Force sample?

15 MR. RICE: Down to six inches.

16 So, what I've done is, I've written a  
17 letter to the Air Force and I said, "Look, the  
18 information you presented to us at the technical  
19 committee meeting is obviously wrong" -- at  
20 least some of it. Would you please prepare a  
21 report for us. Review your data and tell us  
22 what other information you discover is wrong."  
23 Well, about -- thus far, the Air Force refuses  
24 to do that. But I'd like to make that request  
25 again.



1 Mr. Riojas?

2 MR. RIOJAS: Say again. I'm  
3 sorry.

4 MR. RICE: The information you  
5 have presented to us -- at least some of it --  
6 is obviously wrong. I'd like to repeat my  
7 request. Please go through that data and  
8 identified errors and gives us a report on  
9 that -- and I'd appreciate it if we could have  
10 that report at the next technical committee  
11 meeting scheduled for now on the 13th -- because  
12 clearly some of your information is wrong and --  
13 and we would like to give you the opportunity to  
14 evaluate that data and tell us what other errors  
15 exist in that information.

16 MR. RIOJAS: We agree to look  
17 through the data.

18 MR. RICE: Pardon me?

19 MR. RIOJAS: We agree to look  
20 through the data.

21 MR. RICE: Thank you. I  
22 appreciate it.

23 MS. PEACE: Does that conclude  
24 your report?

25 MR. RICE: By the way, what --

1 Excuse me. Let me just talk about some of the  
2 concentrations we're dealing with here.

3 Of course, the highest concentrations are  
4 at Site S-1. I think we get up to, like,  
5 750 milligrams per kilogram there. In here,  
6 we've also got fairly high concentrations --  
7 almost as high as from here. These are, I  
8 think, like, 550 down to about 200 milligrams  
9 per kilogram. So --

10 MR. ARTHUR: Five hundred and  
11 fifty what?

12 MR. RICE: Pardon me?

13 MR. ARTHUR: Of what.

14 MR. RICE: Oh, I'm sorry. Lead.  
15 This is lead.

16 So, we've got several hot spots -- the  
17 biggest hot spot here, one here -- and, then,  
18 some others back over here.

19 Camille brought up an interesting point at  
20 the technical committee meeting that some of the  
21 hot spots, at least, tend to follow the road.  
22 So, perhaps, it's a result of automobile  
23 traffic. I think that's something we ought to  
24 look into, too. Because what I'm saying is that  
25 the data is consistent with a source on Kelly,

1 but that doesn't mean that that's the only  
2 possibility.

3 MR. JACOBI: Why is it consistent  
4 with the source being on Kelly?

5 MR. RICE: That's what -- I  
6 think I -- my next slide might -- might show  
7 that better.

8 MR. JACOBI: Okay.

9 MR. RICE: But before I get to  
10 that -- I have one more -- in -- in sort of  
11 researching this issue and going through my  
12 material, I came across the Kelly background  
13 study. This is where they establish background  
14 concentrations for -- for all the metals. It's  
15 really a pretty good study. But one thing I  
16 found that was interesting is -- they identified  
17 zones of contaminated soil in the study --  
18 that's from 1994 -- I apologize for the quality  
19 of this -- but you can see that right up in here  
20 they've identified areas where contaminated  
21 soils go from the base into the neighborhood.

22 Now, this crosshatch symbol here means that  
23 it's contaminated, but below action levels --  
24 contaminated below action levels -- presumably,  
25 not a health concern according to the

1 Air Force. What I did was I took all the  
2 Air Force's data -- all the soils analyses data  
3 for lead -- and I also took CEJA's data -- and I  
4 tried -- what I did was I drew a map -- and  
5 I -- I'll talk a little bit about the funny  
6 shape of this contour here in a minute. But  
7 what this line represents --

8 MR. RIOJAS: George -- Answer  
9 this question, George. Is this a technical --  
10 Is your own -- your own thing or is this the  
11 technical review committee's report?

12 MR. RICE: This here is my own  
13 thing.

14 MR. RIOJAS: Okay.

15 MR. RICE: This is not the report  
16 of the technical review committee.

17 MR. RIOJAS: How much longer are  
18 you going to be on this?

19 MR. RICE: About three minutes.

20 What this line represents here -- once  
21 again, here's the -- the old dump. Here's the  
22 neighborhood. This is the area where the  
23 Air Force took its samples. That dark line  
24 represents the area of my best guess -- because  
25 we have sparse data -- of where lead

1 concentrations in soils exceed the background  
2 concentration that the Air Force has  
3 established. In other words, according to the  
4 Air Force's document, anything above  
5 23.6 milligrams per litre of lead in soil is  
6 evidence of contamination -- and this line  
7 bounds that area.

8 Now, our control is pretty good down in  
9 here because the Air Force has taken a lot of  
10 samples. Unfortunately, we only have a few  
11 samples taken in the neighborhood itself. Here,  
12 here, here and one up here on Athel. That's why  
13 there are all those questions marks there. But  
14 that's why I say that all the data collected are  
15 consistent with the source on Kelly Air Force  
16 Base. Because, so far, the only known source of  
17 lead in this area is right here -- and this is  
18 where the contaminated soil -- using the  
19 Air Force's definition of contaminated soil --  
20 extends.

21 Now, what I would certainly hope we could  
22 do in the future -- By the way, let me point out  
23 these holes. These little holes here are little  
24 areas where it's below the Air Force's  
25 definition. But I hope that in the future --

1           and this is what we've been asking the Air Force  
 2           several for months now -- is let's get better  
 3           control up here in the neighborhood. Let's find  
 4           out what's going on with lead, arsenic -- barium  
 5           concentrations -- up in the neighborhood, so we  
 6           can refine these lines or maybe we can identify  
 7           other sources of lead. Certainly, the road is a  
 8           possibility in some instances.

9           Alamo Aircraft -- everybody -- you know, we all  
 10          mention Alamo Aircraft as a potential source --  
 11          that's one -- and other industries along here.

12                 But, once again, to wrap up, all the data  
 13          are consistent with a source on Kelly for lead  
 14          in the neighborhood.

15                         MR. JACOBI: So, you're saying  
 16          because there's a sample that has a  
 17          concentration of 700 milligrams per kilogram in  
 18          the S-1 spill site area, that that represents a  
 19          source?

20                         MR. RICE: Yeah. That's a  
 21          potential source of the lead, yes. This is the  
 22          only -- This is the only known source of lead in  
 23          the neighborhood.

24                         MR. JACOBI: Is there any  
 25          indication what the source of that lead might

1 have been?

2 MR. RICE: Yeah. The Air Force  
3 put it there, yeah. It's a dump. It's a dump.

4 MR. JACOBI: Is there indication  
5 of what they put in that -- in that site to  
6 indicate that it was lead? Is there any  
7 indication of anything else coming from that  
8 site?

9 MR. RICE: I think that the  
10 Air Force would better be able to answer what  
11 they've put there. But, certainly, the  
12 Air Force's own reports -- you know, they've  
13 done analyses on there. You talk about the fact  
14 that it was a dump and that it's heavily  
15 contaminated with metals and solvents. This --  
16 According to Air Force reports, this is a source  
17 of a lot of the groundwater contamination in the  
18 neighborhood. I haven't talked groundwater  
19 contamination, but there's plumes of chlorinated  
20 solvents moving off into the neighborhood, as  
21 well -- and this is also -- I believe the  
22 Air Force has identified that as a likely source  
23 of the groundwater contamination in the shallow  
24 aquifer beneath the neighborhood.

25 MR. HAGELTHORN: George, how do

1 the Air Force's overlays of the sampling that  
2 they've done compare with yours?

3 MR. RICE: They don't have any.  
4 They don't --

5 MR. HAGELTHORN: Well, you've  
6 looked at the sampling data the Air Force has  
7 presented, haven't you.

8 MR. RICE: Yeah. They have data,  
9 but they have no maps other than the one I  
10 showed from the '94 document.

11 MR. HAGELTHORN: So, have you  
12 applied your data to your map?

13 MR. RICE: Oh, yeah. This  
14 incorporates all the data -- all the data I'm  
15 aware of -- the data that we collected as well  
16 as all the Air Force data -- all the data I  
17 could find on lead and soils in this area.

18 Yes? Camille?

19 MS. HUENI: George, would you  
20 point out where your sampling points were? I  
21 think there were five sampling points.

22 MR. RICE: Six.

23 MS. HUENI: Six?

24 MR. RICE: Yeah.

25 MS. HUENI: And, also -- also,



1 would you tell us, too, where the highest  
2 concentration lead was, what that was and, also,  
3 the lowest concentration -- and, also, if you  
4 could tell us at -- at what interval you sampled  
5 in the --

6 MR. RICE: I'll do my best to  
7 recall all that, Camille.

8 The two highest samples we had -- I  
9 didn't -- One could draw this map many ways  
10 given the sparsity of the data. I excluded them  
11 from it, because right here on Menefee -- I  
12 think it was 60 milligrams per kilogram -- and,  
13 then, up here in a fellow's yard whose name I  
14 forget right now -- Mr. Moreno's yard --

15 MS. JOHNSON: Moreno.

16 MR. RICE: -- and that was 60 or  
17 62 milligrams per kilogram. Then --

18 MS. HUENI: And how about the  
19 lowest concentrations?

20 MR. RICE: The lowest was -- I  
21 believe it was on Athel here -- which is  
22 28 milligrams per kilogram -- and, then, the  
23 rest were intermediate values.

24 The way we sampled them -- we were very  
25 careful not to introduce any contaminants of our

1 own. We took a shovel and dug down into the  
2 earth a few inches and, then, after that we took  
3 decontaminated stainless steel spoons -- the  
4 reason they were decontaminated is that we also  
5 took samples of organic analyses -- but nothing  
6 showed up in the organic analyses. So, you dump  
7 down with those stainless steel spoons -- down  
8 to about six inches -- then put the samples in  
9 the -- in the bottles and took them to the lab.

10 MS. HUENI: So, did you use any  
11 kind of sampling protocol that's been  
12 established for sampling or --

13 MR. RICE: Yeah. I used a  
14 protocol that I -- I wrote especially for this,  
15 but -- this is an area I consider myself an  
16 expert in. I wrote the sampling protocols for  
17 AFCEE and other Air Force organizations for  
18 collecting soil and groundwater samples.

19 MS. HUENI: Okay. The reason I'm  
20 asking that is -- is that the TNRCC -- as well  
21 as EPA -- have very strict protocols on its  
22 sampling and quality assurance on their data --  
23 you know, to just ensure that you have  
24 consistency of data for comparison sake.

25 MR. RICE: Sure. And your

1 sampling protocols are probably not as strict as  
2 mine. But I'd be happy to -- you know, I'll  
3 find -- explain exactly how we did it.

4 MS. HUENI: The other thing I  
5 wanted to ask -- and I think we discussed this a  
6 lot at the last technical meeting -- was that  
7 when we're -- you know, talking about points of  
8 comparison -- I know that your reference point  
9 is -- is a background concentration for lead.

10 MR. RICE: Yes.

11 MS. HUENI: Both the TNRCC -- as  
12 well as EPA -- we have other action levels that  
13 are health-based action levels -- and I thought  
14 it would be -- it would be valuable, for the  
15 record, to point out what levels we're looking  
16 at. The background concentrations here at the  
17 base, I think, were --

18 MR. RICE: This is their upper  
19 tolerance limit for lead -- 23.6.

20 MS. HUENI: Is that the UTL?  
21 Okay. So, 23, 24 --

22 MR. RICE: Twenty-four.

23 MS. HUENI: Okay. -- parts per  
24 million. The highest concentration that -- that  
25 you're showing was as high as 65. EPA has --

1 has what we consider to be -- EPA has what we  
2 would consider to be a screening level of 400 --  
3 400 parts per million, as -- as a flag. I know  
4 the TNRCC action level under Risk Standard II is  
5 500 -- and that is for a -- and that is for a  
6 residential scenario. It is -- It's much  
7 higher, you know, for industrial as you're  
8 aware.

9 MR. RICE: Sure.

10 MS. HUENI: So --

11 MR. RICE: Yeah. And those are  
12 health-based standards -- and I'm --

13 MS. HUENI: Yes, there are.

14 MR. RICE: No, that's the  
15 argument between experts that I'm not going to  
16 get involved in.

17 MS. HUENI: I think -- I think  
18 that is a very critical argument for -- you  
19 know, the points that have been made here  
20 tonight. Because we're -- we -- we are -- we're  
21 hearing a lot about health concerns -- you know,  
22 we've heard from a lot of -- you know, folks  
23 here who are very concerned about -- about  
24 things that are going on in their lives --  
25 what's happening -- what's happening to me

1 and -- and -- and what is the cause of this?

2 So -- So, I think -- the point is very  
3 relevant. When we're talking about what kind of  
4 levels we're looking at -- a lot of the levels  
5 that we're talking about here are very low  
6 levels --

7 MR. RICE: Understood, Camille.

8 MS. HUENI: -- in terms of health  
9 impacts.

10 MR. RICE: Understood.

11 MS. HUENI: I just wanted to  
12 clarify that.

13 MR. RICE: Yes. And the point  
14 I'm making is that there are experts who would  
15 disagree with your position and who would say  
16 that these may -- these low levels may, in fact,  
17 have an adverse impact on it. That's all I'm  
18 saying.

19 MR. ROBERSON: But -- George, I'm  
20 wondering if I could ask a question. I'm  
21 confused about the data. Could you relate --  
22 the levels you're talking that EPA and TNRCC  
23 have said -- you used a different unit of  
24 measure than what he's got up here. He's got  
25 milligrams per kilogram.

1 MS. HUENI: It's the same thing.  
2 It's the equivalent. It would be  
3 23.6 micrograms per kilograms compared to 400 in  
4 the same unit. So --

5 MR. ROBERSON: Okay. Let me make  
6 sure I understand what you just said. You said  
7 that the action level -- the action level means  
8 that that's the danger level. I mean, anything  
9 below that is not dangerous?

10 MS. HUENI: For the residential  
11 scenario of the TNRCC -- and I don't want to  
12 speak for you, but -- the action level on that  
13 is 500 --

14 MR. ROBERSON: And that would be  
15 equivalent to milligrams per kilogram?

16 MS. HUENI: Yes, that's -- Yes,  
17 that is correct.

18 MR. ROBERSON: And the top  
19 reading that you had, George, was 65 milligrams  
20 per kilogram?

21 MS. HUENI: So, it's an order --

22 MR. ROBERSON: I mean, that's a  
23 significant difference. I mean, EPA and TNRCC  
24 are saying that you've got to be in the range of  
25 400 to 500. And the highest reading you found

1 was 65?

2 MR. RICE: Yeah.

3 Let me make two points about this, Paul.  
4 One is the one I just made -- that the experts  
5 disagree on whether or not it's a health  
6 problem.

7 MR. ROBERSON: But that's an  
8 order of magnitude of four or so -- five --  
9 six.

10 MR. RICE: And the other issue I  
11 think that we have to keep in mind is the one of  
12 property -- property values -- and diminution  
13 of property.

14 MR. ROBERSON: But let's just  
15 stay focused on the health issue -- because  
16 that's the issue that's been emphasized here  
17 today. I mean, it seems to me that's a  
18 significant -- significant observation made by  
19 the professionals here today that the RAB needs  
20 to seriously consider.

21 MR. RICE: I don't disagree with  
22 that at all.

23 Okay. Any other questions? Thank you-all  
24 for you -- Yes? Mark?

25 MR. ARTHUR: Well, if we've got a

1 source from the leak and we're saying that it's  
2 Kelly and -- and you're saying the surface flow  
3 is to the north.

4 MR. RICE: Yeah. What used to  
5 happen was --

6 MR. ARTHUR: A lot of ditches  
7 or --

8 MR. RICE: What used to happen  
9 before the road was redone here is -- in heavy  
10 rain, this area would flood and it would flow  
11 out into the neighborhood.

12 MR. ARTHUR: I'm just trying to  
13 figure out how -- let's say it's Kelly -- how it  
14 got from S-1 -- because that's the only site we  
15 really know -- to -- all the way north to just  
16 south of -- of I-90 -- and, then, possibly, why  
17 not include the two points to the east just for  
18 the sake of argument? How could that S-1 spread  
19 out to all those residential yards -- or at  
20 least the ones that you're including within  
21 your --

22 MR. RICE: From what the  
23 residents in the neighborhood have told me -- I  
24 don't think that it ever got up to 90, but --  
25 Yolanda, you can correct me if I'm wrong here --



1 the flooding that would occur extended about  
2 like so. Is that right, Yolanda?

3 MS. JOHNSON: It floods from  
4 36 all the way to 10 on McMullen at times --  
5 even more so at the time that we didn't have the  
6 streets -- the drainage. We just had drains  
7 from --

8 MR. ARTHUR: So, basically, your  
9 yard and your house would be inundated with two,  
10 three -- four inches of water?

11 MS. JOHNSON: Up to the steps,  
12 yes -- up to the door.

13 MR. ARTHUR: So, more than  
14 half --

15 MS. JOHNSON: Let me tell you:  
16 This is -- I guess that there's -- a lot of  
17 people here know about this. Every time we had  
18 a rain -- a hard rain in San Antonio -- the  
19 people that used 36 to come on the base -- they  
20 were told to come later -- maybe at 10:00 or --  
21 or 11:00 -- to work -- because they couldn't get  
22 past those streets. We were flooded.

23 MR. RIOJAS: We had a drainage  
24 problem.

25 MS. PEACE: And, see, there was a

1 drainage project done there about -- I think six  
 2 or eight years ago.

3 The maps that Mr. Rice requested that I  
 4 bring from Mr. Arriaga were the -- the  
 5 topographical maps of the neighborhood before  
 6 the drainage project was done so that we could  
 7 actually look at -- you know, what it looked  
 8 like before then -- and those -- the city has  
 9 records of those. So, he has obtained them from  
 10 the city, but, unfortunately, he's not here  
 11 tonight.

12 MR. RICE: Okay. To wrap it up,  
 13 I'm going to say that one thing again -- because  
 14 I think it's a very important point.

15 All available data -- Air Force, as well as  
 16 that collected by the community -- is consistent  
 17 with the notion that the source of the lead  
 18 found in the neighborhoods has an origin on  
 19 Kelly Air Force Base. That does not rule out  
 20 other potential sources, but it is consistent  
 21 with that notion. Number two -- There are two  
 22 issues. A health issue -- very important --  
 23 experts disagree as to how much lead is bad for  
 24 you. But a second issue -- also very important  
 25 for this community -- especially if somebody

1 some years down the road is looking for  
2 compensation -- is property issues and the  
3 diminution of property values.

4 Thanks.

5 MS. PEACE: Thank you, Mr. Rice.

6 Okay. Now, we'll hear -- we can't put off  
7 the RCRA hearing -- permit hearing -- because  
8 that is this Thursday. Captain Brad Knox will  
9 brief us on the RCRA hearing process.

10 CAPT. KNOX: I'm Captain Knox. I  
11 want to talk to you about the permit and how it  
12 addresses the community concerned -- a very  
13 short presentation. I'll be happy to take  
14 questions after we're done.

15 The summary of the permit and compliance  
16 plan are -- basically, are legally enforceable  
17 documents enforced by the state -- TNRCC. It  
18 dictates waste management and the cleanup  
19 activities and it ensures continued public  
20 involvement in the cleanup -- and, also, any  
21 permit changes are subject to community review.

22 Essentially, the compliance plan and the  
23 permit basically set out a framework -- a  
24 general skeleton of how we are to comply with  
25 state rules and regulations for cleanup. It is

1 not a specific document to list out in detail  
2 every element of the cleanup process. Also, you  
3 can see that it cleans up -- it requires us to  
4 clean up both on-base and all off-base areas  
5 impacted by Kelly.

6 What I did is, essentially, I took -- went  
7 through the transcripts of the last two RABs in  
8 November of '96 and the January '97 RAB  
9 transcripts -- as you know, transcripts are  
10 pretty thick -- myself and an intern went  
11 through each page, line-by-line, issue-by-issue,  
12 and extracted what we believe to be the three  
13 most important concerns that were raised in  
14 those transcripts. I also looked at the  
15 January 22nd public hearing transcript -- a  
16 preliminary for the permit -- and, again, went  
17 line-by-line, issue-by-issue, to determine what  
18 is the most important issue that was raised,  
19 regarding the permit, that we can address and  
20 help clarify these issues.

21 The first issue from the November 18th RAB  
22 is how the Air Force be held responsible for the  
23 cleanup? Essentially, the answer is that the  
24 compliance plan outlines enforcement mechanisms  
25 for the state to ensure corrective action. If

1 you read through -- through that you'll find  
2 that nowhere in there can Kelly get out of any  
3 responsibility -- any responsibility for  
4 cleanup. We would do that, anyway. But the  
5 document itself gives the state teeth -- an  
6 enforcement mechanism -- to make sure that we  
7 do that.

8 Another question that came up in the  
9 18 November RAB is, "Why doesn't the permit  
10 specifically address the storm water culvert and  
11 the off-base areas to be cleaned up?" Again,  
12 the permit and the compliance plan is a general  
13 document providing a framework for us to operate  
14 in. It allows us to be flexible. It covers all  
15 the areas -- and, again, the answer is that the  
16 plan requires Kelly to remedy the quality of  
17 groundwater beyond the facility boundary where  
18 necessary to protect human health and the  
19 environment -- and that is in Section 580 of the  
20 permit.

21 MR. QUINTANILLA: That didn't  
22 answer the question.

23 CAPT. KNOX: And your question,  
24 sir?

25 MR. QUINTANILLA: It didn't

1 answer the question.

2 CAPT. KNOX: I believe it  
3 answered the question, Mr. Quintanilla, in this  
4 manner -- in this manner -- because the permit  
5 is not a specific document, it generally states  
6 that any area off base -- including North Kelly  
7 Gardens, including Quintana Road, including  
8 Tampa Street, including any area around Kelly --  
9 is covered by that compliance plan and permit,  
10 which means anyone living in that area -- anyone  
11 living in the neighborhood -- any street around  
12 Kelly that is contaminated by Kelly that is  
13 required for cleanup -- all those areas are  
14 covered in this document.

15 MR. QUINTANILLA: My question was  
16 this: There are over 49 specific sites inside  
17 the base that are specifically in the permit.  
18 Not one site, not one block, not one house is in  
19 there outside the base.

20 CAPT. KNOX: You're absolutely  
21 right.

22 MR. QUINTANILLA: Why?

23 CAPT. KNOX: Okay. Kelly is not  
24 the drafter of the permit. The TNRCC is the  
25 drafter. The requirements for that permit, as I

1 understand it, is that Kelly list all the sites  
2 that have management units -- all waste  
3 management units -- in the area that needs to be  
4 covered on base in a facility description that  
5 outlines Kelly -- and general -- again, in  
6 general terms, the facility boundary at Kelly.  
7 We don't even have to supply a specific legal  
8 description until one year after the permit is  
9 issued. So, again, it generally describes the  
10 boundaries of Kelly -- and it puts in the permit  
11 the areas inside Kelly, specifically, that have  
12 to be cleaned up. Now, there's no way we can  
13 always know all the areas on Kelly. We don't  
14 want to leave any areas out, either. So, by  
15 generally stating that any area off base that's  
16 contaminated by Kelly really takes care of all  
17 those areas that I just named -- where you live  
18 and where everyone else in this neighborhood  
19 lives.

20 MR. QUINTANILLA:

21 Mr. Parker Wilson, do you agree with that?

22 MR. WILSON: Yes, sir, I do.

23 Again, we talked about this last week -- and I  
24 know there's a dispute. I know we're looking  
25 into the possibility -- since we draft the

1 permit -- of trying to articulate certain areas  
2 that are outside the facility. But, again, the  
3 facility is described in the permit and  
4 compliance plan in order to describe and locate  
5 the -- the facility, not to locate and identify  
6 the contamination, per se. And, again, we're  
7 going to look into that, but --

8 MR. QUINTANILLA: Does the  
9 Private Interest Council agree to that?

10 MR. WILSON: Public Interest  
11 Council?

12 MR. QUINTANILLA: The PIC?

13 MR. WILSON: I have not spoken  
14 with the Public Interest Council on that. I  
15 will speak to them on that. They don't draft  
16 the permit, also.

17 MR. QUINTANILLA: I beg your  
18 pardon?

19 MR. WILSON: They do not draft  
20 the permit.

21 MR. QUINTANILLA: But do they  
22 agree to -- to -- to what he just said?

23 MR. WILSON: We haven't addressed  
24 that. Perhaps Thursday would be the time to  
25 address that.



1 MR. QUINTANILLA: Why? Why  
2 hasn't it been addressed? I've been bringing it  
3 up for years.

4 MR. WILSON: Well, you might want  
5 to call Mr. Aldo Gonzalez and ask him.

6 MR. QUINTANILLA: Mr. -- Who,  
7 sir?

8 MR. WILSON: Aldo Gonzalez, the  
9 GIC on the case. This is typically -- I don't  
10 have his phone number. I can get it to you  
11 later.

12 MR. QUINTANILLA: Go ahead,  
13 Captain Knox.

14 MR. WILSON: It would be very  
15 unusual -- and, in fact, it would probably be  
16 unique for a permit to describe unknown areas or  
17 a part of a known area off of a facility.

18 MR. QUINTANILLA: Why are these  
19 areas unknown? We know the base areas are  
20 known. But why is my neighborhood unknown? Why  
21 is North Kelly Gardens unknown?

22 MR. WILSON: Well, it's known in  
23 a general sense that there is contamination  
24 there. I think that the problem here is that  
25 you have to, then, define it, go into a nature

1 and extent, find out where it is, who it belongs  
2 to, how far it goes out and, then, remediate  
3 it -- and that's why that language --

4 MR. QUINTANILLA: Why hasn't it  
5 been done? Isn't the remediation supposed to  
6 correct the contamination that is off base --

7 MR. WILSON: Yes, sir.

8 MR. QUINTANILLA: -- that hasn't  
9 been defined?

10 MR. WILSON: As I understand it,  
11 the investigation has not been entirely  
12 complete. It's an ongoing process. So, if you  
13 were to limit yourself to a description outside  
14 of the facility, you might find yourself backed  
15 into a corner saying, "Hey, this is a  
16 description. That's it."

17 MR. QUINTANILLA: I don't want  
18 that. All I want is on Page 11 -- in addition  
19 to the on-base -- or whatever it is -- that it  
20 include, generally, North Kelly Gardens, the  
21 Camp Normoyle area, east Kelly -- around the --  
22 Six Mile Creek -- Quintana Road neighborhood --  
23 that sort of thing -- in addition --

24 MR. WILSON: And what I would  
25 offer is that you're looking for a general

1 specific. You're generally identifying some  
2 specific areas whereas the permit right now, as  
3 it's written, identifies general -- anything  
4 outside those limits -- anything that goes  
5 beyond must be addressed by Kelly. If it's  
6 caused by Kelly, it must be remediated.

7 MR. QUINTANILLA: And I see in --  
8 right here in the permit -- 49 specific sites on  
9 base, but not one --

10 MR. WILSON: Okay. I mean --  
11 We've talked about this. I don't want to waste  
12 any more time talking about this point.

13 MR. QUINTANILLA: We'll be -- and  
14 I will, in fact, bring that up at the hearing.

15 MR. WILSON: Absolutely.

16 MR. JACOBI: May I ask a  
17 question? In particular, with the levels that  
18 are to be remediated to -- for example, for  
19 lead -- would -- would generally be classified  
20 as Category II under the Texas Risk Reduction  
21 Standards; is that correct -- or do you --

22 MR. WILSON: I'm not sure.

23 Mark?

24 MR. ARTHUR: The risk reduction  
25 rules, which would be applicable here -- it's

1 given to the facility. It's their option. They  
2 can clean up to background Standard I. They can  
3 clean up to health criteria, which is very  
4 conservatively calculated -- Standard 2 -- or  
5 they can do a site specific risk assessment to  
6 determine on a residential land use or an  
7 industrial land use -- depending on what's  
8 impacted -- how to clean up what they find. So,  
9 it's -- when they do the assessment, then they  
10 have the option to -- how to approach cleanup.

11 MR. JACOBI: Which, if I  
12 understand it correctly, means that the  
13 Air Force would, then, have the option as to how  
14 to treat individual areas, as long as they meet  
15 that one or more criteria?

16 MR. ARTHUR: Correct.

17 MR. JACOBI: Which -- Which also  
18 means that there may or may not be contamination  
19 that exists, for example, in North Kelly Gardens  
20 that exists -- that would exceed those levels?

21 MR. ARTHUR: Correct. But that  
22 still doesn't keep them from assessing the  
23 extent of contamination -- that's the first part  
24 of what they're tasked to do. And once they've  
25 done that, then what do we do to clean it up?

1 And that's where Standard I, II or III comes  
2 in -- what levels to clean it up -- based on the  
3 land use and what's been impacted --  
4 residential, industrial --

5 MR. JACOBI: And, then, there are  
6 protocols established, I assume, for how many  
7 samples have to be taken and where and so  
8 forth?

9 MR. ARTHUR: They have to have  
10 enough to -- basically, it has to be based on  
11 land use and the source of site specific as far  
12 as the number of samples. There's no prescribed  
13 number of samples that needs to be taken --  
14 because everything is different.

15 MR. JACOBI: Okay. It will be  
16 developed, I'm sure.

17 MR. ARTHUR: Right.

18 MR. QUINTANILLA: One more  
19 question. How much area outside the base is  
20 contaminated? How many acres?

21 CAPT. KNOX: I'm not the best  
22 person to ask that.

23 MR. QUINTANILLA: Mr. Riojas?

24 MR. RIOJAS: I don't know.

25 MR. QUINTANILLA: Mr. Lankford?

1 MR. LANKFORD: (Shakes head.)

2 MR. RIOJAS: How many acres  
3 outside the base are contaminated?

4 MR. QUINTANILLA: Yes, sir.

5 MR. RIOJAS: By Kelly or  
6 contaminated --

7 MR. QUINTANILLA: By Kelly.  
8 Kelly is the one that's asking for the --  
9 Mr. Arthur?

10 CAPT. KNOX: Mr. Quintanilla, if  
11 I can address your answer -- by saying whatever  
12 is contaminated by Kelly is covered by permit.

13 Now, let me also address your question in  
14 this manner. We're obviously not trying to get  
15 out of anything, because we are -- we open  
16 ourselves up to more with this kind of a general  
17 statement. So, we're not opposed to having to  
18 do off-base cleanup. We will do that, anyway.  
19 This language enforces that. But we will talk  
20 with the TNRCC -- I believe Mr. Wilson indicated  
21 that -- and that we will talk with them about  
22 it. Is this something --

23 MR. QUINTANILLA: That's fine.

24 CAPT. KNOX: Let me finish. Is  
25 this something that is going to impact other

1 provisions of the permit? Because we don't want  
2 to do that. We want to make sure that nothing  
3 is thrown out by adding that kind of language.

4 The other thing -- as far as listing all  
5 the places off base -- correct me if I'm  
6 wrong -- but I believe those are part of the  
7 soil description listing the actual solid waste  
8 management unit. There are no other lists --  
9 and if that listing is not -- these are all the  
10 contamination sites that Kelly has done. It  
11 lists those areas that have units on them --  
12 and, so, I think -- is that correct -- the  
13 source area. So, I hope that answers your  
14 questions.

15 These are -- Let's see. This is an issue  
16 that was raised at the January 27 RAB. There  
17 was concern about storm water runoff -- again,  
18 we've talked about that already -- from  
19 Site S-1 contaminating soil in North Kelly  
20 Gardens. This is -- basically -- I took from  
21 the preliminary draft of the ATSDR report. It  
22 basically indicated two things -- and I'll read  
23 it off. "We consider it unlikely" -- "we" being  
24 the ATSDR -- "consider it unlikely that soil  
25 contamination from Area S-1 is being transported

1 into the North Kelly Gardens neighborhood in  
2 sufficient quantity during storm events to  
3 result in further exposure at levels of health  
4 concern. The topography of the immediate area  
5 from the S-1 waste site to the neighborhood does  
6 not indicate surface water runoff in that  
7 direction." That's the first -- dealing with  
8 the present.

9 MS. JOHNSON: Nowadays. It  
10 wasn't like that all the time.

11 CAPT. KNOX: Correct. That's  
12 No. 2.

13 The second issue, "The ATSDR considers it  
14 unlikely that contaminated soil from the S-1  
15 area was transported into the North Kelly  
16 Gardens neighborhood in the past and resulted in  
17 concentrations of health concerns. We believe  
18 that children playing in the puddles would not  
19 likely result in an exposure of health concern,  
20 given the frequency and duration of the  
21 exposure. This will be verified as soil data  
22 becomes available." And, again -- I mean, this  
23 is a preliminary report. They're going to come  
24 out with a final -- and -- so we'll see what the  
25 final says. But just -- my ability to address



1 that concern came from the preliminary report.

2 Any questions?

3 MR. RIOJAS: Now, those are  
4 preliminary reports and, yet -- and the ATSDR  
5 still hasn't looked at additional data that  
6 Dr. Bland has provided, correct?

7 CAPT. KNOX: That's correct.

8 MS. ADAMES: Excuse me?

9 CAPT. KNOX: Yes, ma'am.

10 MS. ADAMES: By looking at that,  
11 I can see that Kelly -- or whatever it's showing  
12 that is -- as showing no contamination outside  
13 the fence from Kelly means we're stuck with our  
14 contamination.

15 CAPT. KNOX: No, ma'am, that's  
16 not what it says. That's not what it says.  
17 I -- Do you want me to put it up again?

18 MS. ADAMES: Yes, please.

19 CAPT. KNOX: ATSDR considers it  
20 unlikely that contaminated soil from S-1 was  
21 transported to the neighborhood in the past and  
22 resulted in concentrations of health concern --  
23 that's the key word that -- I consider to be a  
24 key. But anything -- the bottom line --  
25 anything that Kelly has done off base that

1 results in contaminants of concern at a health  
2 risk level -- Kelly is obligated by the  
3 permit -- if I said that right -- by the permit  
4 and compliance plan to clean it up. Okay?  
5 That's what one of my first slides had to do  
6 with. Anything off base, Kelly is responsible  
7 for -- and those guys over there are going to  
8 make sure we receive.

9 MS. ADAMES: Well, from my  
10 experience with Kelly -- I read, too.

11 Thank you.

12 CAPT. KNOX: No problem, ma'am.  
13 Any other questions? Sir?

14 MR. ARTHUR: We're still working  
15 on extent, though?

16 CAPT. KNOX: As far as I know.

17 MR. QUINTANILLA: We're still  
18 working on what, sir? I did not hear the  
19 question.

20 MR. ARTHUR: Well -- you know,  
21 like George and everybody knows, there's two --  
22 two parts to the problem -- extent -- and, then,  
23 what are you going to do with it to clean it up  
24 and clean it up to compliance? So, I just asked  
25 him to maybe find the stuff on -- of the -- like

1 examinations from S-1.

2 The question that I asked was: Was Kelly  
3 Air Force still working on the extent of the  
4 likely contamination from S-1?

5 CAPT. KNOX: Let me -- Let me  
6 look at Norma and find it.

7 MR. ARTHUR: Norma indicated that  
8 the -- the information on extent would be from  
9 RI.

10 MR. QUINTANILLA: Captain, will  
11 your permit allow the City of San Antonio to dig  
12 the streets? Do they have to get an additional  
13 permit or is that permit that Kelly has not  
14 allowed the City of San Antonio to dig up the  
15 streets and --

16 CAPT. KNOX: That's a good  
17 question. I don't know the answer to that. I  
18 don't know if that deals with -- the permit  
19 deals with the City. I doubt it.

20 MR. QUINTANILLA: That question  
21 must be -- must be asked by TNRCC -- by --  
22 by -- perhaps, you, Mr. Wilson.

23 MR. WILSON: I'm sorry. Could  
24 you -- whether or not their permit required the  
25 city -- I couldn't answer that, either.

1 MR. QUINTANILLA: All right.

2 What is the answer?

3 MR. WILSON: I said, "I cannot  
4 answer that."

5 MR. QUINTANILLA: Well, how can  
6 we have a hearing, then, if some of these  
7 questions are unanswered?

8 MR. WILSON: Well, I don't know  
9 what -- I don't know what the city requires as  
10 far as permitting -- I guess is my answer to  
11 that.

12 MR. QUINTANILLA: What does Kelly  
13 require?

14 MS. WILLIAMS: Mr. Quintanilla,  
15 are you talking about Quintana Road?

16 MR. QUINTANILLA: Yes, ma'am.  
17 I'm talking about the culvert on Quintana Road  
18 and McLaughlin -- and Bynum.

19 MS. WILLIAMS: As far as the  
20 Quintana Road storm water culvert project --  
21 that is part of the Zone 3 -- By the way, my  
22 name is Adrienne Williams. I previously worked  
23 at Kelly Air Force Base and I'm doing some  
24 consulting work for CH<sub>2</sub>M Hill for continuity on  
25 the permit and compliance plan.

1           Now, as far as the Quintana Road project,  
2           again, that is part of the Zone 3 cleanup and  
3           the Zone 3 cleanup is included in the compliance  
4           plan.

5                       MR. QUINTANILLA: It's not listed  
6           in here. Quintana Road is not listed.

7                       MR. WILSON: Let me try to go  
8           back to your point, Mr. Quintanilla. Let's see  
9           if I can help clarify this.

10                      Those 49 sites are the source areas from  
11           the base for the contamination both on and off  
12           the base. So, let's say you had Site S-1.  
13           That's considered a source area. The  
14           contamination -- All the contamination caused by  
15           the S-1 on the base is not listed in the permit,  
16           just like the areas off the base aren't listed  
17           in the permit -- just the source area. But the  
18           contamination caused by that source area has to  
19           be taken care of by the permit and compliance  
20           plan. So, that's part of the answer to your  
21           question from before.

22                      MR. QUINTANILLA: Then, the City  
23           of San Antonio does not need a permit from TNRCC  
24           to -- to excavate that area -- put a -- put a  
25           barrier in there, take out the contaminated

1 dirt? Where is it going? I don't know.

2 MR. WILLIAMS: Well, your  
3 question is multilayered.

4 Like I said, the Zone 3 cleanup includes  
5 the Quintana Road neighborhood. Now, what does  
6 that mean? As far as when it has -- the city  
7 cleans up -- digs up the area -- there are  
8 specific requirements they're going to have to  
9 follow, which we have talked with -- Kelly Air  
10 Force Base has talked about with the TNRCC --  
11 and there are three -- two agreements that  
12 specifically outline that. There is a  
13 memorandum agreement and a supplemental  
14 agreement.

15 Now, what will happen is that the  
16 City of San Antonio will do their excavations.  
17 When they hit soil that is contaminated with the  
18 shallow groundwater, they have to put it in  
19 trucks that are properly designed to carry the  
20 soil, bring it on the base, put it in a soil  
21 staging facility that is being designed and  
22 being constructed right now -- and I believe  
23 that's part of the CAMU -- it's going to be part  
24 of what they call a Corrective Action Management  
25 Unit, which means that to bring that on base, it

1 has to be designed a specific way so you're not  
2 going to cause additional contamination. They  
3 have to sample it. And once they determine  
4 what's in that soil, they have to truck it back  
5 off-site to dispose of it in a landfill that's  
6 properly permitted. So, there -- it's already  
7 been built into the whole process for  
8 Quintana Road.

9 MR. QUINTANILLA: Will you or  
10 Captain Knox answer that question to the hearing  
11 examiner -- to the Judge -- when I ask that  
12 question?

13 MR. WILLIAMS: It depends on the  
14 procedure that she allows Kelly to follow at  
15 that time. But I'm sure if Kelly is allowed to,  
16 yes.

17 CAPT. KNOX: Mr. Quintanilla, as  
18 far as the permit hearing goes -- we may not get  
19 to that issue. You will have an opportunity --

20 MR. QUINTANILLA: I'll bring it  
21 up.

22 CAPT. KNOX: Let me finish.  
23 You'll have opportunity -- as public comment or  
24 a party -- to raise that as an issue -- because  
25 we are not going to be there to decide the

1 issue. But she will have that listed as an  
2 issue to deal with in the future -- okay -- on  
3 that hearing -- so, that's something that will  
4 go on down the road -- and that will go for any  
5 other issues that you have potential questions  
6 about.

7 Thank you.

8 MS. PEACE: Thank you. That  
9 hearing is this Thursday. It's at 6:00 o'clock  
10 at -- Is it at Dwight Middle School?

11 MR. WILSON: Right here. I think  
12 it's right in this room.

13 MS. PEACE: Okay. This is  
14 Dwight Middle School. It's at 6:00 o'clock this  
15 Thursday. Thank you.

16 Okay. Now, Mr. Lankford agreed to table  
17 the RAB activities, which is the lead education  
18 materials. Is there a motion?

19 MR. RICE: I move.

20 MS. PEACE: Is there a second?

21 MR. WEINSTEIN: Second.

22 MS. PEACE: All in favor?

23 (Vote by the RAB members.)

24 MS. PEACE: All opposed?

25 Okay. Now, Ms. Hueni is -- she came from



1 Dallas and she's already missed her flight, so  
2 I'm going to leave it up to her. But before --  
3 before we get to that, I would like to go down  
4 the list just to see -- you know --

5 Now, in new business, we have three items.  
6 One of them was the frequency of meetings that  
7 Mr. Quintanilla wanted to bring up. Would it be  
8 amenable to you that we postpone --

9 MR. QUINTANILLA: I'll be very  
10 short on this -- you know, we started with  
11 meetings every month, then we went up to  
12 meetings every six weeks and now meetings every  
13 three months. I believe our charter has never  
14 been modified. It says every six weeks and we  
15 should stick to that.

16 I have heard from your staff, Mr. Riojas,  
17 that we're going to move into every four  
18 months -- and, possibly, six months -- because  
19 that's what other RABs are doing. If this is  
20 the case, it means that we don't want to be  
21 accountable. The Air Force does not want to be  
22 accountable to the citizens that were here  
23 today.

24 I think that the frequency --

25 MS. PEACE: Okay. Wait.

1 Mr. Quintanilla --

2 MR. QUINTANILLA: -- should stay  
3 within the six-week period.

4 MS. PEACE: I haven't heard  
5 anything about that -- that it's our plan to  
6 have meetings every six weeks.

7 MR. QUINTANILLA: I talked to  
8 them when -- when it wasn't listed in the  
9 agenda -- and that's the reasons that were  
10 given.

11 MS. PEACE: Okay. But I think  
12 we're going to have to have another meeting soon  
13 because of all the unfinished business.

14 Okay. Now, we had one for -- I guess I'll  
15 go ahead and let -- Ms. Hueni seems to be  
16 getting into these issues rather than just --

17 MS. HUENI: I'm fine. I'm going  
18 to be here at the next meeting.

19 MS. PEACE: You're going to be  
20 here at the next meeting?

21 MS. HUENI: Uh-huh.

22 MS. PEACE: Okay. So, we have  
23 a -- is there a motion to table that -- it's on  
24 the environmental justice activities that EPA  
25 has available to the RAB?

1 MR. RICE: I'll make the motion.  
2 MS. HUENI: I think there's just  
3 one thing to point out. It's contained within  
4 your booklet. There's a lot of information on  
5 contacts -- both for environmental justice  
6 issues, as well as -- you know, points of  
7 contact for lead information -- and I believe  
8 there's also a copy of a -- of information about  
9 a hot line -- an 800 number -- for information  
10 about EJ, as well as lead. So, I believe that's  
11 all in here.

12 MR. QUINTANILLA: Dr. Jacobi, are  
13 you available to come down to talk to our  
14 schools -- for instance, the Edgewood  
15 Independent School District -- concerning the  
16 lead contamination that is in the homes -- and  
17 also the South San Independent School District  
18 here?

19 MR. JACOBI: I'm not a doctor.

20 MS. PEACE: Armando, why don't we  
21 wait until after we get the briefing on what  
22 Denton has found available -- and also EPA --  
23 before we get into that.

24 MR. QUINTANILLA: Okay.

25 MS. PEACE: Okay. So, the new

1 business -- the frequency of meetings -- we'll  
2 bring up -- we'll table it until the next  
3 meeting. But as far as I know, they will be  
4 every six weeks as -- like I said -- like I  
5 said, the next one sooner, if possible.

6 MR. RIOJAS: We might have a  
7 problem with that from a military standpoint.  
8 It's something we'll have to address. Because  
9 it costs us -- the Air Force has got so much --  
10 it costs us quite a few thousand dollars to put  
11 this on each time. So, I've got -- you know,  
12 I've got budgetary information.

13 MS. PEACE: Actually, that's the  
14 second item of new business by Mr. Rice -- is  
15 that we had requested budget figures.

16 MR. RICE: If we could have the  
17 next meeting within the next few weeks, I'm  
18 certainly amenable to putting it off until then.

19 MS. PEACE: Okay.

20 MR. RICE: Let me make another  
21 comment. I'm having lots of trouble hearing  
22 people -- and we had the same problem with these  
23 particular kinds of mikes at the last meeting.  
24 I wonder if we can do something about that -- to  
25 get different mikes. It's difficult for me to

1 hear.

2 MS. PEACE: We should adjust our  
3 sound system higher or something.

4 Okay. And, then -- I guess that's it. We  
5 just need to set a time -- We'll bring up that  
6 budget matter at the next meeting. So, is there  
7 a motion to table?

8 MR. ROBERSON: So move.

9 MS. PEACE: Is there a second?

10 MR. WEINSTEIN: Second.

11 MS. PEACE: All in favor.

12 (Vote by the RAB members.)

13 MS. PEACE: All opposed?

14 Okay. So, all we have is -- we've got  
15 quite a few agenda items -- and I'm just going  
16 to read off right now what we've tabled for the  
17 next meeting -- which is General Roberson's  
18 briefing on Greater Kelly Development  
19 Corporation's master plan, the RAB training for  
20 lead and for environmental justice issues by  
21 Mr. Lankford and Ms. Hueni.

22 Let's see. I've got the vote on new  
23 members -- and we'll have -- again, have some  
24 more applications by then. The community --  
25 discussion of new business of frequency of

1 meetings and budgetary matters and -- I guess  
2 that's it.

3 So, I would like to -- I think that since  
4 we have so much, you know, left over -- would it  
5 be possible for us to meet, say, the third week  
6 in May -- the week starting the 19th?

7 MR. RIOJAS: Before we make a  
8 decision on that -- I just got the charter --  
9 and the charter says that the Restoration  
10 Advisory Board shall meet quarterly --  
11 preferably at an off-base location. However,  
12 more frequent meetings may be deemed necessary.

13 MS. PEACE: Okay.

14 MR. RIOJAS: So, let's shoot --  
15 let's shoot for six weeks from now --  
16 mid-June --

17 MS. PEACE: Well, I would like to  
18 do it before, so -- vacation season starts --  
19 if possible. Since we do have these leftover  
20 items -- and I think, like -- especially the  
21 briefing by the Greater Kelly Development  
22 Corporation -- and a few of these other items  
23 are timely -- and I would like to see -- things  
24 kind of fall apart during the summer, because so  
25 many people will be unavailable at different

1 times. I was thinking -- well, the third week  
2 of May, if that's possible. How about the last  
3 week of May? Would the last -- a week in May be  
4 possible? Is there a motion?

5 MR. HAGELTHORN: No. That's  
6 Memorial Day.

7 MS. PEACE: I know. But -- I  
8 mean, not the Monday. But, say, some day that  
9 week?

10 MR. RIOJAS: It's the Monday  
11 before Memorial Day.

12 MR. WILSON: The 26th is  
13 Memorial Day. The 19th would be -- the third  
14 week would be --

15 MS. PEACE: Not Monday. But,  
16 possibly, like Tuesday, Wednesday or Thursday.

17 MR. RICE: That's good.

18 MS. PEACE: Okay. And I really  
19 apologize for tonight's meeting. The minutes --  
20 I mean, the agenda was not submitted to me for  
21 my approval before it was sent out -- or before  
22 the meeting -- and Mr. Riojas was unable to  
23 attend an appointment that we had set up to set  
24 agenda. So -- We just had way too much stuff on  
25 here and I promise you-all that we will not do

1 this to you again.

2 MS. HUENI: Could we have it  
3 on -- We're going to be down here, anyway, for a  
4 meeting on --

5 MR. WILSON: We're going to be  
6 here on the 21st and the 20th. Maybe the 19th  
7 would be the best date.

8 MS. HUENI: The 19th would be a  
9 good date to have it, if we could.

10 MS. PEACE: That's fine with me.  
11 I guess we should take a vote, then. All in  
12 favor?

13 MR. ROBERSON: What are they  
14 proposing, Annalisa?

15 MS. PEACE: They are proposing  
16 the 19th or the 20th since they have to be here,  
17 anyway. Ms. Hueni comes from Dallas and --  
18 and --

19 MR. RIOJAS: It's a make-up --  
20 It's a make-up to cover the stuff we didn't get  
21 covered tonight.

22 MR. ROBERSON: I so move we hold  
23 it the 19th or the 20th, then.

24 MS. PEACE: Is there a motion?

25 MR. WILSON: It would be the



1 19th.

2 MS. PEACE: The 19th? Okay.

3 There's a motion for the 19th. Is there a

4 second?

5 (Motion was seconded.)

6 MS. PEACE: All in favor?

7 (Vote by the RAB members.)

8 MS. PEACE: All opposed? The  
9 motion carries. The next meeting will be the  
10 19th.

11 MR. WILSON: Okay. Before you  
12 go, I want to say something.

13 MS. PEACE: Go ahead.

14 MR. WILSON: There seemed to be a  
15 problem with the agenda this time and getting  
16 things on the agenda. What I'd like to propose,  
17 perhaps -- now that we have the 19th as the date  
18 for the next meeting -- perhaps, set a date that  
19 the co-chairs will be able to get together to  
20 finalize the agenda -- and, also, that will be  
21 the drop dead date for people sending in changes  
22 or additions to the agenda. That way, it's on  
23 the record. We know when it is and there can't  
24 be confusion.

25 MR. RICE: I think that's an

1 excellent idea.

2 MS. PEACE: As I said, I trust  
3 that the agenda will not be mailed out or  
4 anything without my approval henceforth. But --

5 Do you want to set a date, then? See, we  
6 both need to get -- because of our schedules --  
7 but we will meet -- let's say -- let's say the  
8 deadline for new items on the agenda would be on  
9 the -- on the 10th -- May 10th?

10 MR. HAGELTHORN: You're not going  
11 to have enough time to formalize your agenda and  
12 get it published and get it out by the 10th.  
13 Your drop dead date should be --

14 MS. PEACE: No, no, no. I mean,  
15 the drop dead date would be --

16 MR. HAGELTHORN: Your drop dead  
17 date should be the 1st, so that you guys can get  
18 together with your calendar and then present it.

19 MS. PEACE: That's this week.

20 MR. HAGELTHORN: It's a week and  
21 a half.

22 MS. PEACE: That's this week.  
23 So, that's a motion?

24 MR. WILSON: Can you-all meet on  
25 the 1st?

1 MS. PEACE: No, I can't meet on  
2 the 1st. I won't be able to meet --

3 MR. HAGELTHORN: No. What I'm  
4 saying is the 1st should be your drop dead date  
5 of when they can give you information. You and  
6 Mr. Riojas could meet after that.

7 MR. RIOJAS: Well, the  
8 information comes from Denton here -- and he  
9 puts it -- collects it and puts it together for  
10 our review. The problem we have with Mr. Denton  
11 is that he's going to be on active duty -- for  
12 what period of time -- May the 4th through the  
13 28th. So, that's -- that's problematic --  
14 because he'd want to be --

15 MR. WILSON: Well, perhaps, a  
16 solution is that -- maybe it won't work so well  
17 this time, but keep your meetings -- maybe if  
18 the co-chair could come prepared -- be able to  
19 discuss dates or have dates --

20 MS. PEACE: Certainly. I hope  
21 that's the case.

22 MR. WILSON: I understand that  
23 this is something --

24 MR. RICE: I have a procedure  
25 question.

1 MS. PEACE: We can try and have a  
2 meeting where we can together and have a set  
3 date when items wouldn't be on the agenda after  
4 that -- you know, if we weren't notified.

5 MR. RIOJAS: But, normally, the  
6 way we set these things up is -- in the past --  
7 it's quarterly -- there's plenty of time to do  
8 that, but now we're in a crunch in this --

9 MR. WILSON: Sure. Sure.

10 MS. PEACE: But even so -- like I  
11 said, I would really -- I think that there's a  
12 commitment here about -- that the agenda will  
13 not be, you know, printed and sent out without  
14 my approval as co-chair -- and we will be  
15 meeting -- you know, it's just that -- and if  
16 one of us is absent, that the other one doesn't  
17 send one out without -- So -- Okay.

18 I guess if there's no more business --

19 MR. QUINTANILLA: Before  
20 adjourning, Madam Chair, please -- everybody  
21 that's here today -- we've had an embarrassing  
22 time here with the people from the community.

23 This is in our package today: EPA Serving  
24 an Adverse Community and EPA's Role in  
25 Environmental Justice. Please read the last

1 page -- Working with Communities -- and the  
2 first thing it says in this particular piece of  
3 paper -- it says that we must take the community  
4 seriously. We must listen to what they have to  
5 say. This hasn't been done. We've got to do  
6 what it says in here.

7 This is the reason, Mr. Riojas, that I  
8 asked that we receive environmental justice  
9 training -- that this RAB receive that -- so  
10 that we can respond properly to the community.  
11 We did not respond properly today.

12 MR. RIOJAS: Well, on the  
13 contrary -- on the contrary -- the community  
14 demanded some time -- which they've gotten.  
15 Now, what it also did, is put us -- because we  
16 did not have a time frame -- it's put us in a  
17 crunch -- and we covered some of the areas very,  
18 very hurriedly -- and, also, some areas were not  
19 covered tonight.

20 Now, another subject -- I'd like to ask the  
21 people in the community that if you want to  
22 serve on the RAB, please get your applications  
23 in because we're going to have a short time  
24 frame between now and the next meeting. We have  
25 to get -- have the opportunity to get those

1 applications circulated to all the RAB members,  
2 so we can vote at the next meeting.

3 MS. ADAMES: Well, we thought  
4 we'd have the applications now, but -- it's up  
5 to you. You have my address -- and Mr. Walters  
6 knows where I live. No problem.

7 MS. PEACE: Okay. Thank you.

8 MR. RICE: I have a final  
9 question on procedures. To get items on the  
10 agenda, we either submit them to the co-chairs  
11 or the deputy; is that correct?

12 MS. PEACE: Yes.

13 MR. RICE: Thank you.

14 MS. PEACE: Is there any more  
15 business?

16 Okay. Meeting is adjourned. Thank you  
17 very much.

18 Oh, I'm sorry. Parker, what did you have?  
19 I'm sorry.

20 MR. WILSON: There was some  
21 discussion about Dr. Legator's -- Dr. Bland said  
22 they had asked several times to be invited.  
23 That may be something that might be put on the  
24 next agenda -- to invite Dr. Legator -- either  
25 for that agenda -- at that meeting or future RAB

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meetings.

MS. PEACE: Oh, definitely.

Definitely. Thank you, Parker.

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STATE OF TEXAS \*

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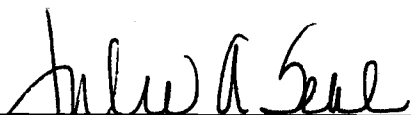
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**FINAL PAGE**

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