



KELLY AFB  
TEXAS

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ADMINISTRATIVE RECORD  
COVER SHEET

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RESTORATION ADVISORY BOARD

APRIL 17, 1995

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**KIM TINDALL & ASSOCIATES**

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## RESTORATION ADVISORY BOARD MEMBERS:

1  
2 MR. ALLAN HAGELTHORN  
Community co-chair;

3  
4 MR. RICHARD TREVINO  
Kelly AFB employee;

5  
6 MR. GARY BEYER  
TNRCC, Austin;

7  
8 MR. BILLY BROWN  
TNRCC, San Antonio;

9  
10 MR. GEORGE RICE  
Groundwater hydrologist;

11  
12 MR. ARMANDO C. QUINTANILLA  
American Assoc. of Retired People;

13  
14 MR. CARL MIXON  
Bexar County Fire Marshal;

15  
16 MS. YOLANDA A. JOHNSON  
Committee for Environmental  
Justice - Action;

17  
18 MR. BILL SAIN  
Bexar Audubon Society;

19  
20 PROF. GENE W. LENE  
Academic Community;

21  
22 KELLY MCCARTNEY  
Kelly AFB employee  
Alternate;

23  
24 MS. JOAN FALKENBERG  
San Antonio Water System;

25  
MR. FLORENCIO A. MARTINEZ  
Kelly AFB employee;

TOM CULBERTSON  
Alternate;

JIM CLARK  
Alternate;

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RESTORATION ADVISORY BOARD ATTENDEES:

CAPTAIN EDWARD VON DRAN  
Kelly AFB employee;

MS. ADRIENNE WILLIAMS  
Kelly AFB employee;

MR. TOM TEAGUE  
Science Applications International  
Corporation;

MR. MIKE ESTRADA  
Kelly AFB employee;

MR. TOM MOORE

MR. TOM SMITH

MR. SAM SANCHEZ

MAJOR CHARLES AYALA  
Kelly AFB employee;

MR. RAUL VILLAR

MR. JUAN F. SOLIS, SR.  
San Antonio Councilman;

MR. PAUL LEWIS  
TNRCC, Austin;

MR. JOE EBERT  
Kelly ABF employee;

JULIE A. SEAL  
Certified Shorthand Reporter.

\* \* \* \* \*

1                   On the 17th day of April, A.D. 1995,  
2                   the above entitled meeting came on for  
3                   discussion before said ALLAN HAGELTHORN, and the  
4                   following proceedings were had:

5                   MR. HAGELTHORN: Ladies and  
6                   gentlemen, I'd like to welcome you to the April  
7                   17th meeting of the Kelly Air Force Base  
8                   Restoration Advisory Board, on behalf of myself  
9                   and Mr. Larry Bailey, who is not here right  
10                  now. He's in Washington, D.C., receiving a very  
11                  prestigious award for Kelly. Kelly has been  
12                  awarded the Department of Defense Pollution  
13                  Prevention award. It's a pretty stiff  
14                  competition and entails competition with all the  
15                  other DOD bases throughout the country and Kelly  
16                  won the award. So, that's a -- that's a -- a  
17                  big round of applause for the environmental  
18                  management section.

19                  I'd also like to take a look -- or  
20                  reiterate a few things. One thing is for  
21                  everybody to remember that we are taping the  
22                  proceedings of the minutes. We also have a  
23                  court reporter that is recording all the  
24                  minutes. Right now we all have name tags so  
25                  everybody doesn't have to repeat their name

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1 every time they speak, I think. Is that true?

2 Another introduction: I'd like to  
3 introduce Mr. Tom Teague. He's a contractor  
4 doing the community relations effort for the  
5 Restoration Advisory Board. And he will serve  
6 as a facilitator and moderator during any of the  
7 actions that are going on during the Board. So,  
8 if you see him stepping in with his input,  
9 that's his job.

10 We have a number of -- actually not a  
11 number -- We have four administrative topics  
12 that we need to get reviewed and then we'll go  
13 into tonight's program. The highlight of  
14 tonight's program will be a presentation by the  
15 TNRCC. And the first one is that I would like  
16 to get a motion to accept the minutes of the  
17 March 6th meeting. Any corrections to the  
18 minutes?

19 MR. QUINTANILLA: Yes. I have  
20 some corrections that need to be made. I would  
21 like to start off with the fourth paragraph of  
22 Page 2 of the minutes. My name is misspelled  
23 there.

24 MR. HAGELTHORN: Okay.

25 MR. QUINTANILLA: Then I'd like

1 to go to Paragraph D -- the second paragraph  
2 there where Ms. Williams explains that the  
3 essence of what we're trying to do is to ensure  
4 that the RAB member is not a contractor for  
5 Kelly and will not be in the future. I believe  
6 that the word "environmental" should be inserted  
7 in front of contractor. And the reason that I'm  
8 saying this -- I -- my brother is a contractor  
9 at Kelly Air Force Base. He is -- He builds  
10 buildings at Kelly and remodels them. This --  
11 you know, if I'm prohibited from -- from  
12 attending this or my brother is, I'm in bad  
13 shape.

14 MR. HAGELTHORN: Ms. Williams?

15 MR. QUINTANILLA: And I'd like to  
16 have that corrected.

17 MR. HAGELTHORN: The question is  
18 on the kinds of conflict of interest which we  
19 discussed at the last meeting. The question  
20 is: Is, based on your quote last month when the  
21 essence of what we are trying to do is to ensure  
22 that the RAB member is not a contractor for  
23 Kelly --

24 MS. WILLIAMS: Mr. Quintanilla's  
25 right. It should have been environmental

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1 contractor so we can just put in brackets  
2 "environmental," because I may have been  
3 talking --

4 MR. QUINTANILLA: I don't want to  
5 get kicked out because --

6 MS. WILLIAMS: No. I  
7 understand. That was the intention --

8 MR. QUINTANILLA: And I don't  
9 want him to -- you know, to be ineligible for a  
10 contract.

11 MS. WILLIAMS: No. I mean, it is  
12 a very narrow conflict-of-interest question and  
13 it is environmental. So.

14 MR. HAGELTHORN: The minutes will  
15 stand corrected. Any other --

16 MR. QUINTANILLA: Okay. The -- I  
17 have another point in here and that's concerning  
18 the conflict of interest. Ms. Williams never  
19 did state the authority for that. Could we have  
20 a copy of the authority --

21 MR. HAGELTHORN: Yes. The  
22 authority, I believe -- and you can back me  
23 up -- is the September '94 guidance from the  
24 Restoration Advisory Board, which is the  
25 Department of Defense closures.



1 MR. QUINTANILLA: I could not  
2 find it in the law and I need a reason for it.

3 MS. WILLIAMS: It is in the  
4 guidance documents and --

5 MR. QUINTANILLA: Which one?

6 MS. WILLIAMS: It's what  
7 Mr. Hagelthorn just answered you.

8 MR. HAGELTHORN: September '94  
9 guidance on Restoration Advisory Boards,  
10 Department of Defense.

11 MR. QUINTANILLA: Could that  
12 specific authority be given, you know, what --  
13 what it is, what law it is or what FAR it is or  
14 whatever it is, please --

15 MS. WILLIAMS: The actual FAR, I  
16 would have to get for you. I do not know that  
17 off the top of my head, but there are conflict  
18 of interest of rules in the FAR and we can see  
19 what we can find out.

20 MR. QUINTANILLA: Yes, please. I  
21 would like to have that kind of authority. One  
22 more thing on Paragraph D: Again, my name is  
23 spelled wrong twice in this paragraph and I'm  
24 requesting that the minutes be corrected to that  
25 effect. It seems like you-all are picking on

1 me.

2 MR. HAGELTHORN: Well, you just  
3 need to change your name. Any other corrections  
4 to the minutes?

5 MR. QUINTANILLA: Yes. I have  
6 other corrections to go on it. On Paragraph E,  
7 the minutes do not include the name and the  
8 phone number of the contact at Kelly who handles  
9 claims -- this is on top of Page 5. The  
10 progress report that was sent to us immediately  
11 after the last meeting, the notice that we got  
12 of this particular meeting for today, the ad  
13 that appeared in the paper on April the 6th did  
14 not have the name of the contact person to where  
15 we may file complaints -- that is, the people in  
16 the neighborhood. For instance, the people  
17 around Six Mile Creek and so forth -- in there.

18 I had heard unofficially that the commander  
19 does not want this information to be published  
20 or distributed to the people. If this is not  
21 so, why wasn't it published in these documents?

22 MR. HAGELTHORN: Can somebody --

23 MR. TREVINO: What we can do,  
24 Mr. Quintanilla, is: Mr. Estrada's part of the  
25 presentation can address that very issue. He

1 gives his public affairs update here as part of  
2 the next topic. He can definitely address that.

3 MR. QUINTANILLA: Well, he can --  
4 he's going to do that. But why hasn't it been  
5 done? I have asked for this, you know, for the  
6 past two or three meetings and it still hasn't  
7 come out.

8 MR. TREVINO: He can address that  
9 in his update. He will have an answer.

10 MR. QUINTANILLA: Has the General  
11 said that it would not be published?

12 MR. TREVINO: No, sir. It's my  
13 understanding that the General has not said  
14 that.

15 MR. QUINTANILLA: Who has said  
16 that it would not be published?

17 MR. TREVINO: I do not have that  
18 information. Mr. Estrada -- In terms of  
19 releasing the actual information, Mr. Estrada  
20 will be able to provide that information to you  
21 as part of his presentation.

22 MR. ESTRADA: I'm Mike Estrada.  
23 To just answer your point right now, it's the  
24 legal office that has made that decision and I  
25 can go into more detail once I --

1 MR. QUINTANILLA: By what  
2 authority? You know, can they cite the  
3 authority they -- Is it in the -- in the law  
4 itself or -- or what?

5 MR. ESTRADA: Not to my  
6 knowledge. But, again, we've got a --

7 MR. QUINTANILLA: Well, there  
8 must some authority as to why it hasn't been  
9 published and when will it be published and when  
10 will it be distributed to the people of the --

11 MR. ESTRADA: The basic  
12 rationale --

13 MR. HAGELTHORN: Why don't we  
14 hold this -- table this issue because we're not  
15 going to answer -- be able to answer it right  
16 here, right now.

17 MR. QUINTANILLA: Table it until  
18 when?

19 MR. HAGELTHORN: We will wait  
20 until Mr. Estrada -- We'll table it until  
21 Mr. Estrada makes his presentation and we'll  
22 bring Ms. Williams up to discuss it. And if we  
23 need to get some additional information, we'll  
24 do that.

25 MR. QUINTANILLA: I'm a little

1 upset about this because -- you know, the people  
2 are upset about it. They think that we're  
3 nothing but a rubber stamp here and that we're  
4 covering up something.

5 MR. HAGELTHORN: I understand the  
6 position. But right now we're just trying to  
7 prove the minutes. We've got a point of  
8 contention in the minutes and we'll review that.

9 MR. QUINTANILLA: Another  
10 correction -- Paragraph 7 -- Mr. Bailey  
11 requested that the -- several of the RAB members  
12 that were interested in the DRMO spill  
13 incident -- and this is the spill that -- where  
14 over 40 or 50,000 gallons of water was -- was  
15 used to put out a fire at the -- at the DRMO.  
16 10,000 gallons of a hazard substance from the  
17 fire spilled over into Six Mile Creek. He  
18 stated that that was not a subject for the  
19 entire RAB. The law states differently. And at  
20 this time, I want to read from the law and it  
21 comes out of Subsection C of 10 USC 2705 -- and  
22 this is from technical review committees at the  
23 United States Department of Defense  
24 installation. And the law reads as follows:  
25 Whenever possible and practical, the secretary

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1 shall establish a technical review committee to  
2 review and comment on DOD actions and proposed  
3 actions with respect to releases or threatened  
4 releases of hazardous substances at  
5 installations. Members of any such committees  
6 shall include at least one representative of the  
7 secretary, the administrator and appropriate  
8 state and local authorities and shall include a  
9 public representative of the community involved.

10 MR. HAGELTHORN: Okay.

11 MR. TEAGUE: Excuse me for  
12 interrupting. Could I get your citation again  
13 on the law?

14 MR. QUINTANILLA: The law?

15 MR. TEAGUE: It's 10 USC.

16 MR. QUINTANILLA: It's 10 USC  
17 2705. And I would like to have that -- What I  
18 would like is for all spills that have occurred  
19 since the first of the year to brought before  
20 this entire RAB and discussed at -- in  
21 accordance with the law.

22 MR. TREVINO: Well, if I may just  
23 add one thing to that. The law specifies that  
24 that is a technical review committee.

25 MR. QUINTANILLA: No, sir. Let

1 me read the following paragraph --

2 MR. TREVINO: If I may finish,  
3 please.

4 MR. QUINTANILLA: Okay. I'll let  
5 you finish.

6 MR. TREVINO: One of the things  
7 that we're looking at under the TRC format --  
8 The Restoration Advisory Board has superceded  
9 the TRC.

10 MR. QUINTANILLA: Exactly.

11 MR. TREVINO: And under those  
12 provisions, if the U.S. law says that, we'll be  
13 more than happy from our standpoint to go back  
14 and look at that to see where does it apply,  
15 where does it not apply.

16 MR. QUINTANILLA: Exactly.

17 MR. TREVINO: And if, in fact,  
18 that it does apply to a Restoration viewpoint,  
19 we'll be happy to bring those to the attention  
20 of the RAB. But in the event that it doesn't,  
21 we'll be more than happy to discuss those  
22 outside the RAB setting.

23 MR. QUINTANILLA: Let me read to  
24 you what the law says. Subsection D states that  
25 in lieu of establishing a technical review

1 committee under Subsection C -- which is the one  
2 that I just read to you --

3 MR. TREVINO: Correct.

4 MR. QUINTANILLA: The secretary  
5 may permit the establishment of a Restoration  
6 Advisory Board where the secretary is planning  
7 on implementing environmental restoration  
8 activities. So, the Restoration Board does have  
9 that kind of authority.

10 MR. TEAGUE: If you wouldn't mind  
11 me interrupting again.

12 MR. QUINTANILLA: I'm reading  
13 from the law.

14 MR. TEAGUE: Right. It's my  
15 understanding that there may have been some  
16 amendments to this law that are fairly recent --  
17 maybe even the last session of Congress. To  
18 ensure that you get the kind of input that you  
19 need, though, to make sure that you get a broad  
20 RAB perspective, could I propose maybe that you  
21 entertain the idea of a subcommittee to look  
22 at --

23 MR. QUINTANILLA: Definitely.

24 MR. TEAGUE: -- to look at the  
25 charter and to line the charter up against the



1 law that -- that --

2 MR. HAGELTHORN: I'll agree with  
3 that.

4 MR. QUINTANILLA: But I still  
5 want the minutes corrected, because I think -- I  
6 mentioned to Mr. Bailey after he talked to us  
7 here, after the meeting, that it was wrong and  
8 that it was contrary to law. And this is the  
9 reason that I'm citing the law today and I want  
10 the minutes corrected to that effect and I want  
11 any spills that have occurred since the first of  
12 the year to be brought before this RAB and  
13 discussed here.

14 MR. TREVINO: If I could  
15 recommend as part of that, in order for us to  
16 fully, I guess, address your concern -- if this  
17 is a major point of contention -- that we defer  
18 the RAB meeting minutes approval until the next  
19 meeting. Because what we're going to have to go  
20 back and do is to go back and take your concern,  
21 look at the public law, look at the amendments  
22 and everything else before we --

23 MR. QUINTANILLA: I would like to  
24 give a copy of the law to Mr. Teague here.

25 MR. MIXON: But are we asking to

1 approve the minutes as they're spoken or as we  
2 want them --

3 MR. QUINTANILLA: I want them  
4 changed because they're --

5 MR. MIXON: The minutes only  
6 reflect as they were spoken. Now, if they're  
7 incorrect that can be identified. But that  
8 shouldn't deter us from being able to approve  
9 the minutes as being accurate and reflecting  
10 what was covered at the meeting.

11 MR. QUINTANILLA: That was  
12 covered at the meeting. But what -- the point  
13 that I'm trying to make is that I was told that  
14 it was against the RAB -- that it was not a RAB  
15 matter, that it could not be discussed formally  
16 during the RAB and could only be discussed after  
17 the RAB.

18 MR. MIXON: And that's what's in  
19 the minutes.

20 MR. QUINTANILLA: And that's  
21 what's in the minutes.

22 MR. MIXON: And that's what I'm  
23 saying --

24 MR. QUINTANILLA: And that is  
25 contrary to law.

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1 MR. HAGELTHORN: I believe the  
2 interpretation of the law -- and Ms. Williams  
3 may correct me if I'm wrong -- but the  
4 interpretation of the law is the fact that the  
5 RAB deals with issues which are identified  
6 during the restoration process. The spill  
7 during the fire is not identified right now in  
8 the restoration process. It may --

9 MR. QUINTANILLA: I disagree.

10 MR. HAGELTHORN: -- at some time  
11 become part of that process. But as of this  
12 date, I believe that's --

13 MR. QUINTANILLA: I think you're  
14 stretching it.

15 MR. HAGELTHORN: Well, what I'm  
16 saying is that we have to -- as a board, we need  
17 to ask the Air Force to investigate that.  
18 Okay? But the point is, is that we cannot  
19 change the minutes, as Mr. Nixon was saying, to  
20 reflect something that wasn't said last month.  
21 We will ask the Air Force to pull the minutes --  
22 If we want to defer approval of the minutes, we  
23 will ask the Air Force to pull the verbatim  
24 transcripts and present those to you for the  
25 next RAB meeting. And I think that we're really

1 taking a long --

2 MR. QUINTANILLA: There was never  
3 verbatim transcripts in the informal portion of  
4 this.

5 MR. HAGELTHORN: Well, if it's  
6 not made a formal portion, then it's not going  
7 to be a part of the minutes.

8 MR. QUINTANILLA: And that's the  
9 point that I'm trying to make.

10 MR. HAGELTHORN: And we're not  
11 going to be able to input that into the --

12 MR. QUINTANILLA: Well, what I'm  
13 trying to get across is that it was wrong for  
14 Mr. Bailey to do what he did.

15 MR. HAGELTHORN: Well, why don't  
16 we -- because we're not going to be able to do  
17 what you're asking if it's an informal portion.  
18 Why don't we defer this -- put this into new  
19 item -- new business for next agenda and --  
20 well, we can get the new agenda -- we'll put  
21 that into the agenda item to discuss this.

22 MR. TEAGUE: And certainly the  
23 minutes of this meeting can reflect --

24 MR. HAGELTHORN: That's right.

25 MR. TEAGUE: The minutes of this

1 meeting can reflect what you're saying here,  
2 though.

3 MR. QUINTANILLA: That's  
4 perfect. Because I have also asked for a copy  
5 of the incident report and I've been promised  
6 it.

7 MR. TREVINO: It's right here.

8 MR. QUINTANILLA: Okay. Finally,  
9 I got it. Thank you very much.

10 MR. TREVINO: You're welcome.

11 MR. QUINTANILLA: I've been  
12 asking -- this since February. Go ahead.

13 MR. RICE: I'd just like to make  
14 a comment about his issue -- you know, and  
15 regardless of what the law says as to what  
16 should be reported to RAB and what shouldn't.  
17 You know, the reason all of us are here, I  
18 presume, is because we're interested in  
19 environmental issues at Kelly.

20 MR. HAGELTHORN: True statement.

21 MR. RICE: And these  
22 environmental issues ought to be brought before  
23 the RAB and -- regardless of what this sort of  
24 legal hairsplitting says about whether or not it  
25 properly belongs before the RAB or not. I know

1 I, for one -- I'd certainly like to hear about  
2 these things.

3 MR. HAGELTHORN: And -- you know,  
4 looking at the law and looking the way it is  
5 written, we can ask for anything from the Air  
6 Force. But what we are able to react to and  
7 what we are able to provide guidance on is  
8 another --

9 MR. RICE: I'm speaking just  
10 about information.

11 MR. HAGELTHORN: If it's  
12 requested that we ask the Air Force for the  
13 information, then, yes, they have to provide the  
14 information to us.

15 MR. QUINTANILLA: Later on, when  
16 the -- when the charter is on the table for the  
17 revision of Ms. Williams in there, I want to  
18 bring out certain points that are in that  
19 charter that are contrary to the law. The  
20 wording makes this RAB Board nothing but a  
21 rubber stamp and I want it to reflect the  
22 proper -- the proper reading.

23 Now, one more -- one more point concerning  
24 the minutes. Mr. Bailey also stated that the  
25 minority contractor -- and contracting was

1 not -- this was during the informal session --  
2 was not a matter for the RAB Board. I have  
3 researched the executive order 12580 of the  
4 CERCLA that -- that states -- and it states the  
5 following: That the function vested in the  
6 president by Section 1051 of the act relating to  
7 reporting on minority participation in contracts  
8 is delegated to the administrator.

9 And it goes on further to say that minority  
10 contractor's info will be included in the annual  
11 report requested by the administrator. That  
12 means that Kelly must keep track of the minority  
13 contractors. And I have been told that, no,  
14 this is not a function of the RAB, that Kelly  
15 cannot keep track of the minority contractors  
16 because it's contrary to -- and that information  
17 belongs to the contractors themselves and they  
18 cannot be divulged. That is wrong. And I would  
19 like to have that corrected.

20 CAPT. VON DRAN: Excuse me. Are  
21 you talking -- concerning minority contractors  
22 or subcontractors to prime contractors?

23 MR. QUINTANILLA: Minority  
24 contractors -- either subcontractors -- I am  
25 talking about there.

1 CAPT. VON DRAN: Well, there's  
2 differentiations between a prime contractor  
3 which we have privity with and a subcontractor  
4 which we do not. And what you'll find is  
5 there's certain circumstances because of the  
6 structure of our contracts that that information  
7 is not readily available from us as a source.  
8 That's why we provided you some information on  
9 how to get that -- that data.

10 MR. QUINTANILLA: You know, I've  
11 been told that it's impossible to get -- that I  
12 cannot get that information, that it belongs to  
13 the contractor and here I have a progress report  
14 that gives the name of the contractor, the  
15 subcontractor and the amounts that that  
16 contractor is getting.

17 CAPT. VON DRAN: Yes, sir. I  
18 understand that.

19 MR. QUINTANILLA: I'm getting  
20 conflicting --

21 MR. TREVINO: What you have in  
22 there, sir -- if I may interject so that we come  
23 to some resolution on this -- what you have in  
24 terms of that progress report -- a dollar value  
25 there indicated is not of the subcontractor but



1 for that prime contractor.

2 MR. QUINTANILLA: But it does  
3 mention the subcontractor.

4 MR. TREVINO: Only because -- as  
5 we must reiterate -- as we have been doing for  
6 the last three years during the TRCs as well --  
7 when it comes to off-base drilling, what we do  
8 is we put the name of the subcontractor -- we  
9 identify that as much as we can so that when the  
10 residents have a question or a concern and they  
11 call Mr. Estrada or Mr. Walters, they do not  
12 become alarmed if they see an individual or a  
13 company out there -- and that's the reason why  
14 we do that -- to better serve the residents.  
15 That was requested way before the RAB was even  
16 created -- during the TRCs -- as part of the  
17 C.O.P.S. organization and as well as the  
18 residents in the Quintana Road area.

19 We were getting calls to indicate who is  
20 this company, what do they want, what are they  
21 doing -- to better give them the information  
22 where we can provide for better community  
23 relations activities, we provide that  
24 information. That's why the progress report  
25 that you have referenced states that

1 information. We still cannot provide  
2 subcontracting information.

3 MR. QUINTANILLA: Right here.

4 MR. TREVINO: I'm sorry --

5 CAPT. VON DRAN: That was done  
6 with the express consent through the prime  
7 contractor of the subcontractor.

8 MR. QUINTANILLA: No. I have  
9 talked to several contractors. They say, "All  
10 you have to do is ask me and I'll give you the  
11 information." Kelly refuses to do that.

12 MR. TREVINO: If I may recommend  
13 that -- I mean, this is --

14 MR. HAGELTHORN: I would agree.  
15 I think this is an issue that you have brought  
16 up for the past, probably, three or four RAB  
17 meetings. We're at the same spot that we were  
18 back then. We can reflect it in the meeting  
19 minutes -- and that's my recommendation. We --  
20 We have stated -- Our position is that we cannot  
21 provide that information.

22 MR. QUINTANILLA: Okay. And I'm  
23 working on that through another source. But  
24 what really drives me is that this was brought  
25 up in an informal discussion. It was not

1 brought as a matter of the total RAB Board. And  
2 I think that this is wrong. That -- Who does  
3 the -- the -- the work -- the restoration  
4 work, when it's done, where it's done and why  
5 it's done and how it's done is all part and  
6 parcel of the -- of this particular board. And  
7 that's what I'm saying. And it should be  
8 discussed in the formal aspects, not in the  
9 informal.

10 MR. TREVINO: Where we can do  
11 that -- just as a closing from my standpoint --  
12 where we can do that, we'll be more than happy  
13 to work that. But we -- For those that do work  
14 for the federal government, the state and local  
15 governments -- we do have rules, regulations and  
16 policies that we must adhere to, that we must  
17 obey and follow. Those are our boundaries.  
18 Those are our constraints.

19 MR. QUINTANILLA: What I'm  
20 reading here and what I'm relating to comes out  
21 of the law.

22 MR. TREVINO: Understood, sir.  
23 All I can indicate is what.

24 MR. QUINTANILLA: That's all that  
25 I have concerning the minutes.

1 MR. TREVINO: Thank you.

2 MR. HAGELTHORN: Any other inputs  
3 to the minutes? Do we have a motion to accept  
4 the minutes with the changes noted?

5 MR. MOORE: I'll make the  
6 motion. We accept the minutes as they -- with  
7 the changes.

8 MR. HAGELTHORN: A second?

9 MS. FALKENBERG: I second.

10 MR. HAGELTHORN: All in favor?

11 (Vote by the RAB members.)

12 MR. HAGELTHORN: All against?

13 (Vote by the RAB members.)

14 MR. HAGELTHORN: Motion is  
15 carried and accepted as published with changes.

16 The second issue that we have this evening  
17 is membership approval of the membership of the  
18 two new members. Mr. Smith -- Mr. Smith and  
19 Ribeiro --

20 MR. SMITH: Smith is here.

21 MR. HAGELTHORN: Mr. Smith?  
22 Ribeiro? Is he here? Okay. Like we addressed  
23 at the last RAB meeting, we will -- for the  
24 member that was absent -- for the central  
25 candidate that was absent, we'll send a letter

1 to them asking them to respond to whether or not  
2 he is willing -- or still willing to serve on  
3 the RAB and we'll table his -- the vote on his  
4 membership until that time. I'd like to put it  
5 before the Board to listen to Mr. Smith or give  
6 Mr. Smith the opportunity to present any  
7 information that the Board requests. So, if  
8 there's anybody on the Board that would like to  
9 speak to Mr. Smith before we vote on his  
10 membership, you have the floor. Any questions?

11 Okay. At this time --

12 MR. RICE: I'd just like to ask  
13 you a little bit about your background,  
14 Mr. Smith.

15 MR. SMITH: Yes. I'm -- Real  
16 quickly, I've been a policeman in Texas since  
17 '71. I've been working for Union Pacific  
18 Railroad in the capacity of a policeman and an  
19 emergency responder to chemical spills and  
20 environmental restoration cleanup for the Union  
21 Pacific Railroad. Because we are -- Union  
22 Pacific Railroad is also an affected member of  
23 the community, we felt it of interest to have  
24 someone on the Board.

25 MR. RICE: Have you been involved

1 in any of the environmental problems with the  
2 railroad here -- at Kelly here?

3 MR. SMITH: Environmental  
4 cleanups due to spills with the railroad, yes,  
5 that is my job.

6 MR. RICE: Thanks.

7 MR. HAGELTHORN: I have also  
8 talked with Mr. Smith quite extensively when he  
9 initially put his application in. We talked  
10 about his credentials and whatnot. As a  
11 community co-chairman, I'm all in favor of  
12 bringing him on the Board. I'd like to get a  
13 second on that motion.

14 MS. FALKENBERG: I'll second.

15 MR. HAGELTHORN: All in favor of  
16 bringing Mr. Smith on board?

17 (Vote by the RAB members.)

18 MR. HAGELTHORN: Any nays?

19 (Vote by the RAB members.)

20 MR. HAGELTHORN: Mr. Smith?

21 MR. QUINTANILLA: Yes -- No, no.

22 Before -- Before leaving this matter -- Go  
23 ahead, sir. You're more than welcome --

24 MR. SMITH: I can function  
25 fine --

1 MR. RICE: Now comes the hard  
2 part.

3 MR. TEAGUE: Mr. Smith, what's  
4 you're first name?

5 MR. SMITH: Thomas.

6 MR. HAGELTHORN: The third item  
7 that we have is review and approval of the  
8 revised RAB application. Everybody should have  
9 gotten a copy of the application in their  
10 minutes this past week. Does anybody have any  
11 changes to the application itself -- which is  
12 the first page of the package?

13 MR. QUINTANILLA: I do. The RAB  
14 application form that we have before us says  
15 that the RAB meets quarterly. We were meeting  
16 every month and now every six to eight weeks. I  
17 believe the wording on the application form  
18 needs to be changed -- that we're meeting on the  
19 first Monday of -- you know, whatever it is --  
20 every three or four months and -- and more  
21 frequently as necessary. I think that needs  
22 that bit of clarification.

23 MR. HAGELTHORN: Yeah. I would  
24 agree with the -- The intent is -- under the RAB  
25 guidance -- was meet quarterly -- and we're

1 eventually moving to that position. I do agree  
2 with you that it is unclear. Does anybody have  
3 any input that -- what we should change that to  
4 in the short term? My belief is that we're --  
5 in the next four or five months, we're going to  
6 go to a quarterly meeting. Does anybody have  
7 any input?

8 MR. QUINTANILLA: It should just  
9 have a little bit more detail. I think the  
10 staff can figure that out. You know, the first  
11 Monday of every quarter or something to that  
12 effect with the other wording in there that we  
13 can meet more often as necessary.

14 MR. TREVINO: We can make those  
15 changes.

16 MR. QUINTANILLA: And I think the  
17 staff should make that change.

18 MR. HAGELTHORN: Dos anybody have  
19 any other input.

20 MR. QUINTANILLA: Yes, I do have  
21 some input. The wording on the application here  
22 states that the members provide individual  
23 advice to government decision makers and that  
24 the RAB is not a decision-making body.

25 MR. HAGELTHORN: That's true.



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MR. QUINTANILLA: This wording is contrary to the law which establishes the RAB. There is no authority for the wording that is right here in this application form. I could not find.

MR. HAGELTHORN: The wording comes out of the September '94 Guidance on the Formation of Restoration Advisory Boards. We'll provide you that information.

MR. QUINTANILLA: I have that. Let me provide you with the wording -- the correct wording that is in the law. The correct wording from the law which establishes RABs reads as follows: For the purpose of ensuring public input into the planning and implementation of environmental restoration activities at installations of which such Boards are in operation. That's the wording that should be adhered.

MR. HAGELTHORN: Providing input. We still don't make any decisions. The RAB doesn't -- isn't a decision-making body. It's an advisory --

MR. QUINTANILLA: Any time that you provide input, you're making a -- into the

1 planning process -- you are providing a  
2 conscious decision into that. And I don't think  
3 Legal can tell us differently.

4 MR. TEAGUE: I think the  
5 distinction here is that you're right if the RAB  
6 votes on a --

7 MR. QUINTANILLA: Otherwise, it  
8 just makes us a rubber stamp and I don't want to  
9 belong to a rubber stamp.

10 MR. TEAGUE: I don't believe  
11 that's -- Certainly that's not the intent of the  
12 RAB. But I think the wording in the RAB charter  
13 by saying it's not a decision-making body means  
14 still the RAB takes forward a recommendation,  
15 decides on the recommendation, makes that  
16 decision and takes that recommendation forward  
17 in that Air Force is not necessarily legally  
18 bound to do that. If that decision, for  
19 instance, were contrary to EPA guidance or  
20 something like that.

21 MR. QUINTANILLA: Well, this is  
22 the EPA law.

23 MR. TEAGUE: Right -- No. I  
24 meant a specific decision about an environmental  
25 issue.

1 MR. QUINTANILLA: I agree with  
2 that. But, again, I think that the wording that  
3 should be in there -- instead of saying that  
4 they provide this individual advice on  
5 government decisions and all -- it should have  
6 the wording that is in the law and it's for the  
7 purpose of ensuring public input into the  
8 planning and implementation of environmental  
9 restoration activities at installations for  
10 which such Boards are established. And that's  
11 the wording that I believe should be in this  
12 form.

13 MR. TREVINO: What we can do,  
14 Mr. Quintanilla, is we can definitely go back  
15 and take a look at that and then we can  
16 change -- those wordings can be changed -- by  
17 all means.

18 MR. QUINTANILLA: Are we going to  
19 just say this or.

20 MR. TREVINO: No.

21 MR. QUINTANILLA: -- or is it  
22 actually going to be done.

23 MR. TREVINO: As a -- From my  
24 standpoint, we will make those changes and we  
25 can put them back into the meeting minutes that

1 go out so that you can take a look at them for  
2 the next RAB meeting; and then, therefore, you  
3 can make your recommendations for your changes  
4 accordingly. If that is acceptable, we can, by  
5 all means -- I can make that recommendation and  
6 then I'll take that action on back.

7 MR. HAGELTHORN: Any other  
8 input?

9 MR. TREVINO: Is that acceptable,  
10 sir?

11 MR. QUINTANILLA: I do have  
12 another input. It says that members'  
13 participation in the RAB is strictly voluntarily  
14 and members will not be financially  
15 compensated. I believe the law reads a little  
16 bit different than that. The law states that  
17 the RAB -- that this committee will be funded  
18 for all administrative purposes and so forth.  
19 So, it should be researched and the right  
20 wording should be there, also.

21 MR. HAGELTHORN: What that means  
22 is -- such as the creation of the Restoration  
23 Advisory Board application -- all the paperwork  
24 that these guys generate -- that's what's  
25 funded. Members of the Board are volunteers.

1 MR. QUINTANILLA: Yes. But,  
2 again -- you know, we're going into the negative  
3 and say, "Hey, you're not funded." There is --  
4 say that they will be funded for administrative  
5 purposes and it goes on to say different things.

6 MR. HAGELTHORN: That's true. If  
7 Mr. Bailey wanted to send one of us to  
8 Washington, D.C., the Air Force would fund that.  
9 If we want to create something, it will be  
10 funded.

11 MR. QUINTANILLA: Exactly.

12 MR. HAGELTHORN: But we are not  
13 going to receive compensation for being on this  
14 Board.

15 MR. QUINTANILLA: Exactly. But  
16 it should say those words, that the -- you know,  
17 that the -- that participation in here will --  
18 administrative activities of this Board will be  
19 funded as cited in the law.

20 MR. TEAGUE: Your concern, of  
21 course, is that someone would shy away from  
22 wanting to join the RAB if they thought this  
23 commitment -- a trip to Washington wouldn't be  
24 funded.

25 MR. QUINTANILLA: Exactly. It

1 needs to correspond better with the law.

2 MR. TREVINO: Right. And what we  
3 can do is, we can take exactly what you've  
4 indicated in terms of quoted by law and we can  
5 make those changes. And where, in fact, that we  
6 can make those changes, we'll be happy to put  
7 those into the RAB meeting minutes to where you  
8 can look at those -- even prior to them going  
9 out. What we'll do is -- we'll be happy to call  
10 you to talk to you about that and make sure that  
11 it doesn't go out before it's printed.

12 MR. QUINTANILLA: Well, not me.  
13 But I think -- you know, someone that is smarter  
14 than I am that can do better research. Someone  
15 like Mr. Rice or Mr. Lene there -- in there  
16 that -- you know, that could talk to you guys.  
17 I am not -- I don't have all the brains in the  
18 world, but I don't like to be, you know, used  
19 and I -- I feel that I'm being used as a member  
20 of the neighborhood here.

21 MR. TREVINO: Right. Mr. Teague  
22 had brought a very good recommendation -- I  
23 think that's one that we should follow up on --  
24 is the use of a subcommittee to look at the RAB  
25 charter.

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1 MR. QUINTANILLA: When we start  
2 discussing the -- the change in there that  
3 Ms. Williams mentioned I think that -- that will  
4 be brought into the table -- and I have some  
5 recommendations on it. As I read the law and as  
6 I understand the law that some of the wording  
7 should be changed in the charter, you know, to  
8 be more closely with the law.

9 MR. TREVINO: Now, is it a  
10 recommendation, then, of this RAB to establish a  
11 subcommittee to look at the RAB charter and the  
12 application and make recommendations to the  
13 Air Force for us to -- for the Air Force to go  
14 back and look at those recommendations and  
15 definitely make those changes where they can.  
16 And where they cannot, bring back -- again, by  
17 law, by policy, by regulation that says they  
18 cannot do this and this is the reason why?  
19 Would that be acceptable and --

20 MR. QUINTANILLA: With a  
21 subcommittee, yes.

22 MR. TREVINO: Correct. And, now,  
23 as the chair for that subcommittee would that be  
24 yourself and whoever would want to volunteer and  
25 share --

1 MR. QUINTANILLA: I'll be happy  
2 to chair it as long as two or three committee  
3 members -- I was going to defer to the  
4 co-chair. Because right off the bat here -- on  
5 the RAB -- it says that he represents the Board  
6 here.

7 MR. HAGELTHORN: That's right.

8 MR. QUINTANILLA: And that -- Of  
9 course, by seeing it that way, that means that,  
10 you know, all the actions are between both  
11 co-chairs and we're just here as secondary. And  
12 I'd like to have that changed.

13 MR. HAGELTHORN: First, I'd like  
14 to -- excuse me -- I'd like to bring this up to  
15 the Board because this seems to be an issue back  
16 and forth between two people. Does anybody on  
17 the Board have any concern about the way the RAB  
18 membership application is written besides  
19 Mr. Quintanilla?

20 (Vote by the RAB members.)

21 MR. HAGELTHORN: Okay. Does  
22 anybody on this Board have any input to wanting  
23 to serve on a subcommittee to revise the  
24 application of the RAB.

25 MR. QUINTANILLA: I'll certainly



1 do it.

2 MR. HAGELTHORN: A show of  
3 hands? Anybody --

4 (Vote by the RAB members.)

5 MR. HAGELTHORN: Okay. What we  
6 can do is we can go ahead and form a  
7 subcommittee. As the community co-chairman, I  
8 can also serve on that committee with you.

9 MR. QUINTANILLA: Yes. I'd be  
10 happy --

11 MR. HAGELTHORN: And that  
12 would -- we can form a -- or a tie vote for  
13 that. So, we can take that up with new business  
14 about forming a subcommittee to look at the RAB  
15 application and the charter.

16 MR. TREVINO: And what I would  
17 recommend in that is that if, in fact, that you  
18 have recommendations -- if I want to bring that  
19 up to the next -- if you want a decision prior  
20 to next RAB, it's important that I reiterate  
21 that you bring the information up to us as  
22 quickly as possible. Otherwise, what I can do  
23 is bring it up at the next RAB as a  
24 recommendation. We will not be able to have an  
25 answer for you at the next RAB.

1 MR. QUINTANILLA: My thought was  
2 this: We're going to bring the charter up on  
3 the table and I have some specific  
4 recommendations to each paragraph in the charter  
5 as to how they should be changed.

6 MR. TREVINO: Correct. And --

7 MR. HAGELTHORN: What I would  
8 recommend us doing right now since there are so  
9 many changes that you want to make to the  
10 charter, we will table this issue until the  
11 subcommittee reviews the application and the  
12 charter. At that time, the subcommittee can  
13 present those findings to the RAB Board for  
14 their concurrence.

15 MR. SANCHEZ: Mr. Chairman, I'd  
16 like for the subcommittee to give that report,  
17 not the Air Force. That's the way they  
18 function.

19 MR. QUINTANILLA: Yeah. We'll  
20 have to work with the legal office.

21 MR. SANCHEZ: But -- I mean, what  
22 I'd like is for you and the subcommittee to work  
23 with the Air Force, look at what can and cannot  
24 be changed, whether you agree with the changes  
25 or not, you give the report back to the Board in

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1 general. And then, that way -- you know, this  
2 isn't going to turn into some kind of an "I  
3 agree or don't agree." We have a specific  
4 charge to make whatever recommendations you feel  
5 need to be changed, but then, ultimately, you  
6 come and give that report back to this Board in  
7 a fair and as in an impartial manner as you can,  
8 you know, given that information that the  
9 Air Force will give you.

10 MR. QUINTANILLA: I would be  
11 happy to do that. The problem is, we were given  
12 this restoration charter without ever us looking  
13 into the law. In fact, none of the members here  
14 have a copy of law except me.

15 MR. HAGELTHORN: Oh, I disagree  
16 with that. Did you --

17 MR. TEAGUE: Mr. Chair, I'm  
18 taking too much time and I may be holding up  
19 your proceedings because I know we're already  
20 off time, but could I suggest that maybe to have  
21 the sanction of the whole RAB that the  
22 subcommittee get an up or down vote yea or nay  
23 just for the -- you know, so that the  
24 subcommittee feels it has a charter to go to.

25 MR. HAGELTHORN: Yeah. I'd like

1 to get a vote on that -- whether or not the RAB  
2 as a body wants a subcommittee formed to look in  
3 and investigate the law on the application and  
4 the charter. Do we have a motion there?

5 MR. SANCHEZ: I move that such a  
6 subcommittee be established.

7 MR. HAGELTHORN: All in favor of  
8 establishing a subcommittee?

9 (Vote by the RAB members.)

10 MR. HAGELTHORN: Opposed?

11 (Vote by the RAB members.)

12 MR. HAGELTHORN: We'll go ahead  
13 and establish that and we'll table the minutes  
14 and the charter until after the subcommittee has  
15 reported back to the RAB.

16 The next thing we're going to do -- in the  
17 old business -- Mr. Trevino will present some  
18 information on the public hearing updates.

19 MR. TREVINO: What I'm going to  
20 do is to provide a status on where we're at on  
21 the public hearing for Zones -- for Zones 1, 2  
22 and 3. Again, we're talking about here -- is  
23 predominantly just for the groundwater. From  
24 our last meeting, what we looked at was -- when  
25 we were talking about the public hearings -- or

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1 where we were originally was we were looking at  
2 where we were -- right up in here. We were up  
3 right in here from the standpoint of -- again,  
4 Zone 1 is the golf course. Zone 2 is the jet  
5 engine test cells. Zone 3 is industrial  
6 complex.

7 Where we were in the past -- from the  
8 last -- from the last review, what I had briefed  
9 was if we were to receive the comments on 13  
10 March -- right up in here -- our public  
11 hearing would have been held on May 1st. But  
12 what we're talking about here is that currently,  
13 right now, the State of Texas is still reviewing  
14 the particular groundwater study reports -- and  
15 from our standpoint if, in fact, that -- going  
16 through the time line -- is that if we were to  
17 receive comments today, for instance, just for a  
18 time line illustration, the public hearing would  
19 be back until May. So, what we're looking about  
20 here is that the uncertainty at this point will  
21 be this date right in here. The actual date  
22 that we get the comments back from the State of  
23 Texas.

24 Now, based upon that -- what they're  
25 looking at currently right now is the

1 groundwater for Zones 1, 2 and 3. So, once we  
2 have the concurrence to proceed with the public  
3 hearing, we, at -- then, at that point will be  
4 able to provide to you those actual dates.  
5 Currently right now, we cannot. This is just  
6 the illustration where -- what we're talking  
7 about in terms of time frame -- is we're about  
8 30 days behind the actual -- original --

9 MR. BEYER: Richard, what's the  
10 time frame -- I mean, once you receive our  
11 approval, is there a certain number of days that  
12 we're looking at?

13 MR. TREVINO: Correct. So, let  
14 me look at it in terms of that same  
15 illustration. If you look at the -- That's a  
16 good lead-in question. Thank you. If you look  
17 at what we're talking about here -- Let me  
18 apologize for sticking my finger out. What  
19 we're talking about here is when we receive the  
20 comments from yourself, Gary, and you concur,  
21 then we basically take the maximum -- three  
22 weeks again -- to incorporate those things.

23 Now, let me -- added clarity in here. Even  
24 though we have not received the official letter  
25 of concurrence, we do have -- we have been

1 working with the State in getting draft  
2 correspondence back and forth -- referring to  
3 what Mr. Sanchez' concern was that when we do  
4 the subcommittees -- to have the Air Force and  
5 the subcommittee dialogue back and forth -- us  
6 and the State have been doing the same thing.  
7 So, it's not like we are not -- we are not  
8 talking to each other because that is not the  
9 case. So, that's why in this respect here, we  
10 don't anticipate this actually taking three  
11 weeks.

12 When we come down to this here -- this is  
13 where we basically address those comments,  
14 change the report -- what we have to change, if  
15 any -- and then the public draft which goes to  
16 the public is prepared. We take about two weeks  
17 to send out press releases, progress reports and  
18 fact sheets -- that Mike Estrada will give you  
19 more information on the kinds of things that we  
20 do in terms of community relation involvement.  
21 The public day, again, is 30 days, and this is  
22 where we're talking about doing the public  
23 hearing.

24 Now, currently, right now, as I indicated,  
25 we cannot give dates until we have the

1 concurrence letter from the state.

2 MR. QUINTANILLA: Are you open  
3 for questions now?

4 MR. TREVINO: Yes, sir, by all  
5 means.

6 MR. QUINTANILLA: All right. I  
7 have a question on that and this is, again, what  
8 makes me believe that we're not here as a rubber  
9 stamp. Again, you said that the purpose of the  
10 RAB is for the purpose of ensuring public input  
11 into the planning and implementation process. I  
12 believe that the first square way up in there  
13 right before the final draft should be the  
14 public input, not after it has gone through the  
15 system and all we're doing is rubber stamping  
16 it.

17 MR. TREVINO: You're correct.  
18 And in that statement -- But one of the things  
19 that we don't --

20 MR. QUINTANILLA: Can we change  
21 that -- Can we change that date for the next  
22 one.

23 MR. TREVINO: Well, one of the  
24 things to keep in mind -- this is just one  
25 portion of the entire process. This is if --



1 You look at that.

2 MR. QUINTANILLA: But where is  
3 the public input? That's my --

4 MR. TREVINO: Currently, right  
5 now, the public -- official public comment  
6 period is right here.

7 MR. QUINTANILLA: But of the  
8 RAB. Now, the purpose of the RAB is to provide  
9 public input into the planning process.

10 MR. TREVINO: You are correct.  
11 If I may --

12 MR. QUINTANILLA: That should be  
13 the first thing up there.

14 MR. TREVINO: Correct. If may  
15 interject -- and we have done that. Prior to  
16 this process here -- if you keep in mind since  
17 the very initial RABs, we have done -- provide  
18 copies of proposed plans.

19 MR. QUINTANILLA: They were  
20 already made, though.

21 MR. TREVINO: Correct, sir. But  
22 that is our --

23 MR. QUINTANILLA: And you already  
24 had dates as to when the thing was going to be  
25 made and they already had all the options --

1 MR. TREVINO: If I may finish,  
2 please. What my recommendation is in that,  
3 though, is, we the Air Force have to make a  
4 recommendation to you, the Restoration Advisory  
5 Board, as a preferred alternative. We have a  
6 process that we go to -- When we've talked about  
7 these processes in the past we have initial  
8 investigations where we identify a site and then  
9 if, in fact, that site poses a problem, we do a  
10 study which is what -- this is one portion of  
11 the entire process.

12 MR. QUINTANILLA: Yes, I agree.  
13 That is for the Air Force. But for the public  
14 law -- the way it states -- is that the purpose  
15 of the RAB is to ensure public input into the  
16 planning process.

17 MR. TREVINO: Yes, sir.

18 MR. QUINTANILLA: -- into the  
19 planning and implementation --

20 MR. TREVINO: Yes, sir. The RAB  
21 was established -- if I may interject -- The RAB  
22 was established November 15th of 1994. On that  
23 very day, you-all received input. At that  
24 current stage of the process --

25 MR. QUINTANILLA: We received

1 input?

2 MR. TREVINO: That's correct.  
3 You received input. This program has been  
4 established since 1989. We have been holding  
5 technical review committee meetings for the last  
6 four years. During that process, we have been  
7 providing updates on -- at least every three  
8 months -- as well as providing information to  
9 those general public that would like to have  
10 that before this stage had even -- even begun.  
11 So, we have been doing that. But,  
12 unfortunately, from your standpoint -- your  
13 being now part of the RAB -- that is -- for at  
14 least Zones 1, 2 and 3 -- is at the tail end of  
15 the process.

16 MR. QUINTANILLA: And that's no  
17 good. I don't want to rubber stamp it.

18 MR. TREVINO: Understood. But I  
19 can't change that. Unfortunately, we're about--  
20 the RAB is about four or five years behind the  
21 power curve.

22 MR. QUINTANILLA: On this  
23 particular case. But next, it won't be and I  
24 think we should have the -- the RAB up in front.

25 MR. TREVINO: That's correct.

1 MR. HAGELTHORN: We will have  
2 that.

3 MR. TREVINO: And you will have  
4 it.

5 MR. QUINTANILLA: Okay.

6 MR. TREVINO: You will have it.

7 MR. QUINTANILLA: That's all I  
8 wanted to hear.

9 MR. TREVINO: So, from the  
10 public -- Yes, sir?

11 MR. RICE: Have you received  
12 comments from the State already?

13 MR. TREVINO: We have received  
14 draft comments from the State on the  
15 groundwater, yes, sir.

16 MR. RICE: Can we get those  
17 comments?

18 MR. TREVINO: Sure -- Well, let  
19 me backtrack. Let -- Let me defer that to  
20 Mr. Beyer and Mr. Lewis.

21 MR. BEYER: I'm not sure if --  
22 The draft comments were -- I guess we're  
23 still -- since they're still in the way --  
24 I -- I don't know -- I'm --

25 MR. HAGELTHORN: I don't believe

1 he can release the draft comments. I believe  
2 that we can get the comments from the TNRCC when  
3 they're published. But right now, these are  
4 just drafts.

5 MR. TREVINO: I'll be happy to  
6 defer that to my colleagues in the regulatory  
7 agency.

8 MR. BEYER: I guess in that  
9 regard I -- I have to say no. But, you know,  
10 right now we're kind of going back and forth and  
11 talking on the phone a lot and doing this -- and  
12 it changes on a daily basis. And since it's not  
13 an official document yet, then anything that we  
14 have put out at this point in time would just be  
15 kind of nebulous and not very -- very defined,  
16 but -- So, in that regard, I think the TNRCC has  
17 been reluctant in the past to hand out lots of  
18 draft comments on lots of specific cases  
19 because -- I mean --

20 MR. SANCHEZ: And I think the --  
21 Mr. Quintanilla's question goes to the heart of  
22 that issue in terms of -- and for this Board.  
23 The -- The public input of this Board is to  
24 ensure that a process is occurring of informing  
25 the community -- you know, San Antonio -- and

1 not just the community around Kelly Air Force  
2 Base -- but all over the community. And I guess  
3 the point is, at what point does this input  
4 really have any effect? Either it's in the  
5 development of proposals, alternate strategies  
6 or -- or in the final -- final version of  
7 whatever proposals are ultimately decided.

8 I don't think this Board has the technical,  
9 you know, expertise in all -- collaboratively to  
10 really, you know, challenge you on any  
11 particular issue to any great extent. But I  
12 think that -- that -- that there are some  
13 specific concerns that everybody on this Board  
14 can easily bring to the table in terms of the  
15 community's interest and all those issues and  
16 whatever alternate strategies are being pursued  
17 by TNRCC.

18 Now, the very worst thing we would want to  
19 have is for the TNRCC people to tell us  
20 something -- tell this Board something and then  
21 say, "Well, that's not really what we meant. We  
22 want to change it." And, so, this is -- those  
23 are the kind of -- of developments that may --  
24 would make a board like this lose credibility  
25 with the community.

1 MR. BEYER: Right. That's true.  
2 And that's -- that's why we -- you know, the  
3 initial comments on draft letters a lot of  
4 times -- you know, we have several layers of  
5 management and whatever -- and sometimes if  
6 we -- you know, one person may say something  
7 that may not be legally correct for the TNRCC to  
8 say or it -- once it goes through our review  
9 process to try to work out the details -- lots  
10 of times, you know, what we want to do is make  
11 sure that all those -- a lot of those details  
12 are ironed out before, you know, we look bad and  
13 doubt something.

14 But those documents that have been  
15 submitted, I guess, are public information and  
16 unless there's legal litigation against the  
17 facility -- at which time -- then the file is  
18 closed. But if there's not any litigation  
19 against the facility, then the files in our  
20 central records are open. And I think the  
21 regional office may have some documents that you  
22 may be able to look at and do those kinds of  
23 things. And certainly, you know, we welcome any  
24 kind of input -- you know, your thoughts. But  
25 it would be kind of inappropriate for us to hand

1 out our draft comments when we're in the stage  
2 where we're not sure whether those are our  
3 comments.

4 MR. BROWN: Part of the issue --  
5 Bill Brown -- Part of the issue has to do with  
6 the fact that these are back and forth -- if  
7 not written comments -- in some cases they're  
8 also verbal comments -- but neither one of them  
9 is set in concrete until there's -- there's an  
10 agreement between those two parties and one is  
11 Kelly and one is TNRCC. So they're -- right now  
12 they're in the talking stage and writing stage  
13 but they're not in the final stage. And usually  
14 what the arguments that might develop are about  
15 is whether or not particular issues have been  
16 addressed -- or adequately addressed within the  
17 content of the feasibility study and so forth  
18 that's going on to try to get the right  
19 corrective action that best fits the amount of  
20 money that's available.

21 MR. RICE: That's all fine. I  
22 guess what -- I would just like -- is that the  
23 Air Force make those comments available, you  
24 know, as soon as they can do that.

25 MR. HAGELTHORN: When they're



1 published --

2 MR. RICE: Well, as soon as they  
3 can do that.

4 MR. HAGELTHORN: As soon as  
5 they're made official.

6 MR. RICE: Perhaps before they're  
7 published. I don't know. As soon as we get the  
8 agreement with the TNRCC.

9 MR. TREVINO: Correct. If the  
10 State gives us the approval to release it, at  
11 that point we can release it. That's how we can  
12 basically respond from that standpoint.  
13 Mr. Estrada?

14 MR. ESTRADA: Mike Estrada. As  
15 soon as the State goes final, their comments  
16 will be a part of the administrative record  
17 which is maintained in copies down in our  
18 information repository. As soon as it hits the  
19 record, if you want to see it, I can make copies  
20 available to members here. But that's the  
21 final, not the drafts.

22 MR. BEYER: It would probably be  
23 a good idea to, you know, go to the information  
24 repository and -- you know, find lots of those  
25 documents so that you can review them. Because

1 we're kind of -- This process -- it's been --  
2 like Richard is saying -- many years and we're  
3 kind of rolling right along and -- but what we'd  
4 like to do is make sure that you're up to  
5 speed -- if you could -- that would be great.

6 MR. TREVINO: Any more questions  
7 on the public hearing? When we have more  
8 information, by all means, we will get that to  
9 you as quickly as possible.

10 If there's no more, what we'll do is  
11 we'll -- I'll turn it over now to Mr. Estrada  
12 who is our public affairs officer and he'll give  
13 you a public affairs update.

14 MR. ESTRADA: Is there somebody  
15 who can operate this new-fangled computer? Is  
16 this thing up or are we just going to go with  
17 paper copies?

18 MR. TREVINO: What I'll do is --  
19 Well, we're going to defer here for a few  
20 minutes. We're going to move things around a  
21 little bit. I apologize. Rather than set up  
22 our audio visual here, if we can get a copy of  
23 the floppy disc from Sonia, I believe -- or  
24 Brenda. I apologize for the delay. Can I  
25 recommend we take a five-minute break, because

1 it's very hot in here and I'm going to try to  
2 get the AC turned on.

3 (Short break taken.)

4 MR. TREVINO: If I could please  
5 have everyone's attention. We will continue  
6 with the rest of the -- Thank you. Mr. Estrada  
7 is now going to take it over and do his  
8 presentation.

9 MR. ESTRADA: Good morning, good  
10 afternoon, good evening, whatever. Before I get  
11 started, I'd like to recognize a gentleman that  
12 we probably all know, Councilman Juan Solis,  
13 who's in the back of the room. Welcome.

14 My name is Mike Estrada. I am -- I am the  
15 environmental public affairs officer at Kelly  
16 Air Force Base. My cohort in crime is  
17 Dick Walters who is hiding somewhere back  
18 there. There he is. This evening we're going  
19 to cover a number of points, most of which were  
20 brought up at the last RAB meeting.  
21 Mr. Quintanilla had some questions about mailing  
22 lists. We're going to cover that. There's also  
23 some questions about which news media we  
24 regularly work with, so we'll talk about that.  
25 We are also going to talk about some changes at

1 the the information repositories. We'll talk  
2 about who is a point of contact for various  
3 subjects on the base and some upcoming  
4 activities, and then we'll talk about that  
5 packet of information that we handed out to  
6 folks as you were coming in today.

7 First of all, the mailing list. Before  
8 this RAB started, we had a mailing list of  
9 approximately 2,600 addresses. Because the RAB  
10 was forming, we hired a contractor to go out and  
11 redefine some areas. We now have a mailing list  
12 of approximately 30,000. They're listed up  
13 here. Our primary mailing list has under it  
14 another primary, which is those poor folks who  
15 for whatever reason have asked to receive  
16 everything that we produce. In a few cases,  
17 such as Councilman Solis', he didn't ask, but  
18 he's going to get it anyway.

19 East Kelly -- under the primary list --  
20 we have 525 addresses. The Wedge, which is that  
21 area just south of east Kelly and north of  
22 Fay Avenue, has 137 addresses. The Quintana  
23 Road area has 896 addresses. The Growdon Drive  
24 area, which is up near the 36th Street gate, has  
25 476. And the off-base well survey as part of

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1 our Shallow Aquifer Assessment kicked in another  
2 2,149. One of the things the contractor had fun  
3 doing was taking out all the duplicates on  
4 this. We don't think he's found every one, so  
5 if anybody in here is getting duplicate mailings  
6 or if your neighbors are, let me know and we'll  
7 take care of that. Anyway, you can see we've  
8 got a total of 4,470 in what we call our primary  
9 mailing list.

10 The new areas that the contractor built for  
11 us is on the north -- this is basically north of  
12 both Kelly and Lackland -- 8,770 addresses. The  
13 northeast, which is primarily just northeast of  
14 Kelly -- not the Lackland area -- that's  
15 2,209. The southeast, which is that area due  
16 south of Lackland, 8,182. The southwest, which  
17 is down in this area -- the Zarzamora area -- is  
18 8,257. A total of 27,418 on that one.

19 The postcard that Mr. Quintanilla referred  
20 to announcing this RAB meeting -- we sent that  
21 out to 13,000 addresses this time. The primary  
22 list, which was the 4,000 and the southeast  
23 list, which was the 8,182. The reason why we're  
24 not sending to all approximately 30,000 at this  
25 point is manpower-related. Just the 13,000 took

1 everybody in my office three days to produce  
2 it. So, we're looking at some options to maybe  
3 get some contractors' support on that through  
4 our printing plant.

5 Mr. Quintanilla also asked last time about  
6 a breakdown by ZIP code -- and here it is. You  
7 should all have paper copies of this -- and I'm  
8 not going to say a whole lot on it unless you  
9 want me to. You'll notice on this one the total  
10 comes up to 29,430 which is every address we've  
11 got on the list.

12 In terms of news media coverage, these are  
13 the primary news media we deal with. When we  
14 send out a news release, everybody on this gets  
15 it either by mail or by fax machine. The news  
16 release I sent out last Friday announcing this  
17 RAB meeting went to all these people. I had one  
18 response this morning with the Express-News.  
19 Initially, they were going to come out to cover  
20 it and then they decided they were shorthanded  
21 and called me back and said they were not going  
22 to come out and cover it.

23 Generally, when we're dealing with the news  
24 media and environmental issues, at this point in  
25 time, about a third of the news releases we get

1 some interest. The other two-thirds just lay  
2 there. Mr. Quintanilla suggested last time that  
3 maybe we'd want to go out and do some  
4 glad-handing with some of the editors. I'd be  
5 more than happy to do that. If any of the RAB  
6 members would like to go out with we, that's  
7 something we might want to consider now or at  
8 the next meeting. Especially La Prensa, they're  
9 notorious for not running any of our stuff. I  
10 think they probably should be. We have pretty  
11 good coverage from the Spanish TV stations. We  
12 put a lot of emphasis on that because that's our  
13 primary means of getting the word out when we  
14 have drilling crews out in the neighborhood.

15 In terms of the information repositories,  
16 we still have the one going at the Kelly Air  
17 Force Base library. It's approximately 35 shelf  
18 feet of volumes, both the information repository  
19 as well as the administrative record. As of  
20 last week we've got a problem with the downtown  
21 library in that they're moving to the new  
22 facility. So, the information repository down  
23 there is no longer accessible. When they get  
24 into the new facility -- which they will call  
25 the Central Library on 600 Soledad Street --

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1 they estimate May 20th they'll be there --  
2 right -- well, we'll come back.

3 In the past, down here our documents were  
4 in the librarian's office on the second floor.  
5 They're very difficult to get at. Unless you  
6 knew they were there, you're probably never  
7 going to find them. I've been assured that  
8 under the new facility all of our documents are  
9 going to move out into the stacks with all the  
10 rest of the government documents that they  
11 maintain so anybody will be able to get access  
12 to them.

13 Now, we've got some alternatives. If the  
14 public comment periods that Richard mentioned  
15 occur before the central library opens, one of  
16 the options would be to take selected documents  
17 and put them into one of the branch libraries,  
18 such as Los Palmas. Another option would be  
19 that Dick and I would maintain them and anybody  
20 who wants to see them, they contact us and we'll  
21 give them whatever they want.

22 Since Richard isn't listening --

23 MR. TREVINO: I'm sorry.

24 MR. ESTRADA: -- I don't expect  
25 the public comment periods to start before May

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1 20th, so we're okay.

2 Now, for points of contact -- For all  
3 environmental issues, the points of contact on  
4 Kelly Air Force are myself or Dick Walters. Our  
5 phone numbers are listed there. Some of the  
6 things you can call us about are requests for  
7 information, any suggestions that anybody might  
8 have, anybody who's looking for questions -- or  
9 if they like to play Jeopardy, they can give us  
10 the answers and we'll try and come up with the  
11 questions -- although I'm not a very good  
12 Jeopardy player -- maybe Dick is.

13 Any complaints about anything, Dick and I  
14 will take. I handle the noise complaint program  
15 on the base, so I'm very used to taking  
16 complaints and getting yelled at by people. It  
17 doesn't bother me in the least. And claims  
18 procedures, Dick and I are also the contact for  
19 that. If anybody feels they have a claim  
20 against the Air Force, they should contact Dick  
21 or myself.

22 MR. QUINTANILLA: And you will  
23 provide the forms?

24 MR. ESTRADA: I will not provide  
25 the forms, but I will explain to them basically

1 how the claims process works. If they wish to  
2 pursue it, I will get them in contact with the  
3 claims people.

4 MR. QUINTANILLA: And would this  
5 information that you are the claims procedures  
6 officer be published in all the newspapers and  
7 all the data and that sort of thing?

8 MR. ESTRADA: As of right now, my  
9 guidance from the legal office is that on the  
10 progress reports and the news releases, I cannot  
11 use the word "claims."

12 MR. QUINTANILLA: So, in essence,  
13 you're not claims procedures as far as the  
14 neighborhood is concerned?

15 MR. ESTRADA: In my opinion --

16 MR. QUINTANILLA: Nobody knows it  
17 except us.

18 MR. ESTRADA: Now, this is points  
19 of contact for all environment issues, and every  
20 progress report lists Dick and myself -- well,  
21 not Dick and myself -- one or the other.

22 MR. QUINTANILLA: What is the  
23 authority by the legal office for you not to use  
24 a claim?

25 MR. ESTRADA: They made the

1 decision based on the fact that they don't want  
2 to open themselves up to a lot of people coming  
3 in and saying, "We've got claims on broken  
4 windows. We've got claims on" -- you name it.

5 MR. QUINTANILLA: All claims on  
6 environmental issues where people get sick or  
7 their homes -- because of subsidence or -- their  
8 foundations are cracking and that matter?

9 MR. ESTRADA: If somebody has a  
10 concern like that, they need to contact Dick or  
11 I. We will explain the procedure to them. And,  
12 like I say, if they wish to pursue it, then I  
13 will give them the phone number to the claims  
14 office.

15 MR. QUINTANILLA: Again, that  
16 will not be published and distributed to the  
17 28,000 people or whatever it is?

18 MR. ESTRADA: Not specifically  
19 claims. But just any point of contact on any  
20 environmental issue, that will be published.

21 MR. QUINTANILLA: Isn't this kind  
22 of being a weenie-type thing on this thing?

23 MR. ESTRADA: You mean we're  
24 nitpicking? Splitting hairs?

25 MR. QUINTANILLA: Yeah.

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1 MR. ESTRADA: Adrienne, would you  
2 like to.

3 MS. WILLIAMS: To be honest with  
4 you, I am an environmental attorney and I don't  
5 make these decisions -- I'm being honest with  
6 you, sir. But it is my understanding that there  
7 are a lot of requirements that lawyers cannot  
8 solicit claims and that the military has their  
9 rules and requirements on the solicitation of  
10 claims -- and that is the underlying reasoning  
11 for this.

12 But I can assure you that Mike and Dick  
13 will be told on how to proceed. And if someone  
14 does call them, if they feel they have a  
15 legitimate claim, that person will be able to  
16 initiate the process. They will not be --

17 MR. QUINTANILLA: That's very  
18 well and good. All of this is in the transcript  
19 and I'll get it out of that transcript and  
20 forward it to someone and find out why.

21 MR. ESTRADA: Okay. I might also  
22 point out that -- I mentioned I handle --

23 MR. VILLAR: Excuse me. Could I  
24 put a claim after a couple of years because  
25 Kelly gave me the runaround and the contractors

1 gave me the run around. I put that claim in  
2 with Mr. Houston.

3 MR. ESTRADA: I'm sorry. I  
4 couldn't hear that last part.

5 MR. VILLAR: Can I put in a claim  
6 now? It's about -- It's been about a couple of  
7 years that the incident happened. When they was  
8 painting those tanks, there was automobiles  
9 ruined -- not only myself -- there was a couple  
10 of more individuals there that their vehicles  
11 got -- got -- you know, like I say, our  
12 windows got painted -- you know -- you know,  
13 the fumes.

14 MR. ESTRADA: The short answer is  
15 "yes" you can put in a claim.

16 MR. VILLAR: Because I put in a  
17 claim with Mr. Houston and I went -- we went  
18 through the procedures and Kelly blamed the  
19 contractor and Carl, the contractor, blamed  
20 Kelly and -- and the contractor was gone with  
21 the wind. Nothing happened on it. Can I still  
22 do it? I got the -- I got the original copy.

23 MR. ESTRADA: Yeah. But I'm not  
24 going to pull any punches with you. I'm going  
25 to tell you the same thing I tell the people who

1 call in the noise complaints and claim that  
2 their ceilings are cracking or their windows are  
3 breaking because of aircraft, the burden of  
4 proof is on the claimant.

5 If you come in and say your foundation is  
6 cracked, you have got to prove to the Air Force  
7 that it was the Air Force that cracked the  
8 foundation. And that is no easy task. It's the  
9 same thing with the aircraft going by and it  
10 cracks their window. Unless they can prove that  
11 the window was cracked at the exact same time  
12 that that aircraft flew over, the claims office  
13 is not going to pay them.

14 MRS. JOHNSON: Mr. Estrada, I'm  
15 familiar with what Mr. Villar is saying and on  
16 our block, we got all the spray paint from that  
17 tank over there and when we went to make a  
18 claim, we were told we should go to the  
19 contractor because Kelly was not responsible for  
20 it. And this is the whole block, including --  
21 well, this would be two blocks because it  
22 includes him. I live on the 3800 block and it's  
23 on 39. And then -- because two of my  
24 neighborhoods -- they took the claims forms away  
25 from them and told them, you know, to go get the

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1 car fixed wherever they bought it from, but they  
2 weren't reimbursed from painting -- and those  
3 cars were brand new.

4 MR. ESTRADA: I'm not familiar  
5 with the specifics on that. I really can't go  
6 into that.

7 MRS. JOHNSON: So, see -- They  
8 went to Kelly -- I mean, they called Kelly  
9 Field, they got the claim forms and they brought  
10 them back and then the claim forms were taken  
11 away from them and they were told to get help  
12 for themselves -- for -- for insurance -- that's  
13 why they had the insurance on the car. So,  
14 that's not solving the problem. I mean, we  
15 can't come over here and give a complaint --

16 MR. QUINTANILLA: That's not  
17 being a good neighbor, either.

18 MS. JOHNSON: -- give a  
19 complaint -- and then we're told to use our own  
20 insurance for whatever happens through the fault  
21 of Kelly.

22 MR. TREVINO: If I may recommend  
23 something -- I mean, you're not -- you can  
24 always make a claim, but to continue the process  
25 here -- if you want to definitely make contact

1 with Mr. Estrada or with Mr. Walters for that  
2 particular issue, by all means, still make  
3 contact with them. That's -- That's the  
4 procedure that we're trying to implement here --  
5 so that if there is a claim, by all means,  
6 Mr. Estrada can put you in contact with the  
7 right individuals. Again, Mr. Estrada -- you  
8 know, we can't make any promises that you will  
9 or will not be reimbursed. What my  
10 recommendation is here is that we have a set  
11 procedure, if we could please follow that  
12 procedure and go on from there.

13 MR. QUINTANILLA: Mr. Estrada, on  
14 claims procedures, if we have a claim and  
15 something happened to our property as a result  
16 of this environmental work -- you know, they  
17 drill the hole in the wrong place and they blew  
18 up a sewer line and infected our house or  
19 whatever and we get a lawyer to -- to process  
20 that complaint for us and if we prevail,  
21 will -- will the -- will Kelly pay for that  
22 lawyer?

23 MR. ESTRADA: I cannot answer  
24 that. I really don't know.

25 MR. MIXON: If that's part of the

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1 settlement in the case --

2 MS. JOHNSON: It should be.

3 MR. MIXON: -- because the court  
4 can find in favor of and you make the -- the  
5 other -- other side pay your attorney fees.

6 MR. HAGELTHORN: If you're going  
7 to --

8 MR. QUINTANILLA: I just want to  
9 know what the procedure is because I think when  
10 we go individually by our own we're not doing  
11 any good and we're -- you know, it's best if we  
12 go in with an attorney and if our attorney  
13 wins -- you know, they pay the attorney's fees  
14 instead of us.

15 MR. ESTRADA: In the situation  
16 that you just described, I don't think you'd  
17 need an attorney. There would be sufficient  
18 evidence of damage that would plausibly be  
19 traced to the Air Force that the claim would  
20 probably be accepted.

21 MR. QUINTANILLA: I'm just going  
22 by what happened on this -- on this tank that  
23 you-all were painting where it sprayed on the  
24 cars and nothing has been done.

25 MR. ESTRADA: That happened --

1 MR. QUINTANILLA: Two years ago.

2 MR. HAGELTHORN: I think we're  
3 digressing here --

4 MR. QUINTANILLA: I know it.  
5 We're digressing. But I'm just --

6 MR. HAGELTHORN: So, let's --  
7 any -- any claims questions -- let's just defer  
8 them from the RAB and if anybody --

9 MR. ESTRADA: If you want to  
10 pursue that again, you know, see us after the  
11 meeting and we'll see what we can do.

12 MR. MIXON: And maybe they could  
13 even bring that complaint to the -- to the  
14 membership here. If they don't feel like  
15 they're being treated fairly, maybe we can help  
16 to resolve that issue.

17 MR. QUINTANILLA: I agree with  
18 that. I will help.

19 MR. HAGELTHORN: As long as it's  
20 dealing with a restoration activity, yeah. But  
21 anything that's not a restoration activity, this  
22 board should not be addressing. So --

23 MR. TREVINO: If I can just  
24 reiterate -- we have a procedure. If we can,  
25 please, work within that procedure to see that

1 it does work first -- and I will submit to you  
2 that you it will work.

3 MR. MIXON: I think what we don't  
4 want to lose sight of -- and we have this great  
5 bureaucracy and everybody feels helpless  
6 about -- If everybody realizes there's a means  
7 to resolve your concerns -- and I think people  
8 are going to feel a little bit more comfortable  
9 and at ease with what Kelly can do and what the  
10 RAB can do as far as working with the citizens  
11 and also with Kelly. It is not an unmanageable  
12 bureaucracy as a lot of people see it from the  
13 outside.

14 MR. ESTRADA: Well, sometimes it  
15 is. I mean, working from my -- inside -- but  
16 Dick and I were hired specifically to assist the  
17 public. That's the only reason why we were  
18 hired.

19 MS. JOHNSON: When were you  
20 hired, sir?

21 MR. ESTRADA: Pardon me?

22 MS. JOHNSON: When were you  
23 hired?

24 MR. ESTRADA: I came on in  
25 January of 1990. Now, Dick is pretty much

1 restricted to working just environmental issues  
2 because of the pot of money that he's funded  
3 from. I am not. I work every environmental  
4 issue that comes up because I'm funded out of  
5 the operation and maintenance project. So, if  
6 you've got a question, come us to. If you've  
7 got a concern, come to us. If your neighbors  
8 have concerns, give them our phone number.  
9 We'll try and help them.

10 Now, some upcoming activities -- Richard  
11 already touched on the proposed plans. When we  
12 get ready to actually do it -- about two weeks  
13 prior to the start of the 30-day public comment  
14 period -- we will put out both progress reports  
15 and fact sheets in plain English that translate  
16 the proposed plans. It will also be somewhat  
17 shorter, I hope.

18 The public meeting -- At this point in the  
19 planning process, we're looking at having the  
20 public meeting midway through the 30-day public  
21 comment period. That's to give the public time  
22 to get the documents, to look at them, to  
23 formulate what they want to say, then they can  
24 come in, tell us their concerns and then we've  
25 still got at least two weeks left on that public

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1 comment period to do something about it.

2 After the public comment period, we prepare  
3 what is called a Responsiveness Summary. Every  
4 significant comment that we receive, we are  
5 required by law to respond to it. It doesn't  
6 mean we have to accept it, but we have to make a  
7 logical response. That will be published. It  
8 will be sent to everybody who responds and all  
9 the RAB members will get it. Of course, it's  
10 also part of the admin record.

11 MAJ. AYALA: Are those 30 days  
12 working days or are they calendar days?

13 MR. ESTRADA: Calendar days.  
14 There's also a provision that if we get into a  
15 situation where the public requests additional  
16 time, there's also provisions in the law for  
17 that. So, a 30-day comment period could  
18 potentially be extended out to 45 or 60 days if  
19 need be.

20 MR. SAIN: Mr. Estrada?

21 MR. ESTRADA: Yes, sir.

22 MR. SAIN: When you said that you  
23 have to respond to significant comments, what's  
24 the definition of "significant"?

25 MR. ESTRADA: Let me give you an

1 example. Out here at the control tower in 1990,  
2 there was -- well, the jet fuel spill out there  
3 occurred in '88 -- but in 1990, we came up with  
4 a proposed plan even though we weren't required  
5 by law because it was just a fuel spill. But we  
6 publicly went through the whole process  
7 basically just to get some experience in how it  
8 worked. One of the ladies who commented said,  
9 "Well, why don't you just pave over the whole  
10 thing?" And that was not what we considered a  
11 significant comment. Because, one, the state  
12 would have jumped all over us if we would have  
13 done that -- and there was some other reasons.  
14 But that one was not commented on in the  
15 Responsiveness Summary.

16 One gentleman suggested that we put in  
17 recovery wells, treat the water, re-inject the  
18 water uphill, in effect, so that it would wash  
19 back down through the contaminated area and get  
20 a soil wash in there. We considered that a  
21 significant comment and commented on it.  
22 Unfortunately, the State of Texas doesn't look  
23 kindly on re-injection of groundwater. So, that  
24 was basically our answer. I don't know if you  
25 folks have changed your -- since then. Like I

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1 say, that was back in 1990. But it's -- I see  
2 your point and it's basically pretty subjective  
3 what we consider significant or not  
4 significant.

5 The public comment periods we have done  
6 since then -- correct me if I'm wrong, Dick --  
7 there's been about eight of them. We have  
8 received no comments -- nothing at all.

9 Before we get to the next one, after the  
10 Responsiveness Summary, there would be a record  
11 of decision. That's where the Air Force comes  
12 out and formally says, "Based upon the input of  
13 the public, the regulators, our own input, this  
14 is what we're going to do," and then we go off  
15 and do that. It's not quite as cut and dry as  
16 that in that there's follow-up steps. Once that  
17 final cleanup system is put into place, you  
18 don't just turn it on and walk away from it.  
19 You've got to keep an eye on it and make sure  
20 it's doing what it's supposed to do. Hopefully,  
21 when we get to that state in a year or so,  
22 Richard can tell you everything you need to know  
23 about it.

24 We've got one more off-base drilling round  
25 that's still scheduled. We just completed two

1 of them. This one will be up on -- it will be  
2 over on the east side of Kelly Air Force Base,  
3 primarily. We're looking at putting in 10  
4 permanent -- or 10 monitoring wells. At this  
5 point, most of them, we think, will go into  
6 public access land which translates to roads. A  
7 few of them may go into some of those light  
8 industrial plants up there. We think, at this  
9 point, one of them will probably go into the  
10 Normoyle Park area or the St. Francis Academy  
11 area. We're going to be talking to those folks  
12 about that if we decide we need to do that.

13 MR. QUINTANILLA: Will you talk  
14 to all the people who are -- that live in front  
15 of those houses -- those areas where you're  
16 going to pump? Because you know -- you know  
17 what happened there with KENS coming in -- the  
18 people did not know --

19 MR. ESTRADA: I was just going to  
20 mention that. We had a problem with the last  
21 off-base drilling route in that our progress  
22 reports went out late because the printing plant  
23 was late and the contractors came in a couple  
24 days early. This is one of those instances  
25 where we sent out a news release and all the

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1 news media suddenly come running out at us. And  
2 it's the one time we haven't prepared the people  
3 who live out there and told them what's going  
4 on.

5 My boss and Dick and I got together and we  
6 talked about that. So, in the future, even if  
7 we send out the progress reports three months in  
8 advance, we're going to go out there and go  
9 door-to-door in the affected neighborhood and  
10 explain to them what is about to happen.

11 MR. QUINTANILLA: That's being a  
12 good neighbor.

13 MR. ESTRADA: Yeah. And we don't  
14 need the gentleman -- like you said -- What  
15 stations was that? KENS?

16 MR. QUINTANILLA: KENS.

17 MR. ESTRADA: A gentleman got up  
18 there and said, "I don't know what they're  
19 doing. Nobody's told me anything." And he was  
20 right. We messed up on that one. We're going  
21 to make sure that doesn't happen again.

22 It's also been mentioned -- something we're  
23 very proud of -- and you've got a news release  
24 in your packet. Mr. Bailey and some folks are  
25 up in Washington today accepting the 1994

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1 Department of Defense Pollution Prevention  
2 Award. Very strong competition on this. We  
3 knew all along we were going to win it, though.  
4 I won't say anything else about that. But the  
5 news release on that is going out tomorrow  
6 morning. So, hopefully, you'll be seeing quite  
7 a bit about it in the local news media --  
8 instead of all this stuff they've been saying  
9 today about Kelly's on the closure list.

10 Not necessarily a part of the Restoration  
11 Advisory Board -- but we've got some  
12 environmental assessments that are out with the  
13 Alamo Area Council of Governments right now. I  
14 thought -- If you're interested, I could just  
15 very quickly tell you what the four of them are  
16 and if you want additional information on them,  
17 just give Dick or I a call. But the 433rd  
18 Airlift Wing over on the west side of the base  
19 wants to put up a new building to put in a  
20 C5 Galaxy Flight Simulator. Our Combat  
21 Logistics Support Squadrons want to build a  
22 hangar out near the control tower. Our folks  
23 out in the industrial area near building 375 --  
24 which is that huge hangar out there -- want to  
25 put in a support structure to house ground

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1 equipment. And the fourth one is a modern fire  
2 and rescue station which will be right on the  
3 flight line just south of the air base wing  
4 headquarters building. They say those four at  
5 AACOG now. They are up for public review. We  
6 generally run the review periods between 20 and  
7 30 days on these. Again, if you're interested,  
8 I'd be happy to send you the finding of those  
9 significant impacts and you can take a look at  
10 it.

11 Earth Day, Saturday, April 22nd, in  
12 San Pedro Park. Kelly will be there as will a  
13 lot of other folks. In fact, Mr. Sain is  
14 instrumental in getting us there.

15 MR. SAIN: All I know is that  
16 it's actually going to end at 6:00 p.m. --

17 MR. ESTRADA: Right. I just  
18 found out about that today.

19 MR. SAIN: -- and the breakdown  
20 will be between 6:00 and 8:00, because we have  
21 to be out of the park by 8:00.

22 MR. ESTRADA: Right. So, it will  
23 actually run between 10:00 and 6:00. The flyer  
24 that I received and I included in there --  
25 apparently there will be plenty of parking

1           because they're going to use the SAC parking  
2           lots because this is right across the street  
3           from San Antonio College. And we would sure  
4           like to see some RAB members volunteer to come  
5           on out and help man the booth. We've got a  
6           sign-up list going around. If any of you are  
7           interested, we'd be more than happy to have you  
8           out there with us.

9           Now, the last thing I've got -- As you came  
10          in, I handed you a 10- or 12-page packet of  
11          information that we pulled down off the  
12          Internet. We've been providing this to our  
13          commanders and senior people on Kelly for about  
14          a year. They've found it very useful. It's an  
15          edited compilation. It's not the entire  
16          package. I take out those articles that I don't  
17          feel pertain to the Air Force -- Kelly Air  
18          Force -- such as the Army's problem with  
19          unexploded ordnance, for instance. So, it's a  
20          compilation of the defense environment alert,  
21          the inside EPA weekly report and the daily  
22          environment report. It basically covers federal  
23          and state regulatory agencies -- not necessarily  
24          the things that have been finalized -- but also  
25          the thought processes that are going into things

1 that may be finalized a couple of years from  
2 now.

3 It talks about Defense Department planning  
4 and decisions, congressional deliberations,  
5 environmental groups, and one that we're seeing  
6 a lot of now is Restoration Advisory Board  
7 activities at other bases. The basic question  
8 is: Would you like to receive this information  
9 every other week? And I'll turn it over to you  
10 if you'd like to take a vote.

11 MR. HAGELTHORN: Is there anybody  
12 on the Board that would like to receive the  
13 information?

14 (Vote by the RAB members.)

15 MR. RICE: I'd just like to make  
16 a comment. I think this is excellent -- really  
17 great that you're doing this. If you were to  
18 subscribe to these newsletters -- they cost a  
19 couple hundred bucks a year just to get a weekly  
20 newsletter. So, this is excellent.

21 MR. HAGELTHORN: It appears that  
22 the Board members would like to receive this.

23 MR. ESTRADA: Then as is the case  
24 with the primary mailing list, then, even if you  
25 don't want it, you're going to get it.

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1           That's all I've got. Any questions for  
2 me?

3           MR. SOLIS: Mr. Estrada, for  
4 future meetings you should provide for public  
5 address system. We can't hear back here.

6           MR. ESTRADA: I'm sorry. I  
7 didn't realize that.

8           MR. SOLIS: And some other  
9 comments -- have the people identify themselves,  
10 like members of the Board or residents or  
11 whatever, then we can all benefit from what's  
12 being said.

13           MR. ESTRADA: One of the last  
14 things that we're going to be discussing  
15 today -- as we always do -- is determining  
16 when the next meeting is. We also need to take  
17 a look if we want to continue using this room or  
18 go to another location. Now, Dick and I have a  
19 location that's due south of Lackland. It's in  
20 a Knights of Columbus hall. It's a lot bigger  
21 than this and it has an excellent sound  
22 system -- and I just throw that out for your  
23 consideration. It will come up later.

24           MR. MOORE: Yeah. As Captain Ed  
25 points out, the acoustics are better, too.

1 MR. MIXON: Do they serve beer  
2 there?

3 MR. ESTRADA: Yeah. Milk and  
4 cookies. No more questions?

5 MR. TREVINO: And moving along  
6 here -- I apologize for this half-hour delay in  
7 the schedule -- so we can get to our TNRCC  
8 focus -- because that's our main topic of  
9 discussion here. Just relatively quick, there's  
10 two last issues. We had an open-action item on  
11 the RAB newsletter. One was -- we had -- the  
12 RAB was supposed to come back and provide  
13 feedback on, one, do we want to do the  
14 newsletter? And, then, two, if we can establish  
15 a subcommittee to look at and evaluate that  
16 newsletter. So, what I throw out now is: One,  
17 do we still want to continue to do that? And,  
18 two, if, in fact, that is the case, that we  
19 establish that subcommittee to bring that  
20 forward and look at those recommendations and  
21 how we can implement that in the most  
22 cost-effective way -- in a practical way. So, I  
23 guess the first question is: Do we wish to do a  
24 newsletter in lieu of what Mr. Estrada has  
25 indicated -- all the level of work that we do --

1 community relations, press releases, fact  
2 sheets -- everything else -- Do we still have  
3 the necessity to have a newsletter?

4 MR. QUINTANILLA: I would say  
5 yes.

6 MR. TREVINO: Then what I would  
7 like to do is --

8 MR. HAGELTHORN: I would like to  
9 just throw my comment in here. My opinion,  
10 based on what Mr. Estrada has just said and the  
11 fact that we sent out over 13,000 postcards and  
12 we've got about 15 people in the audience,  
13 doesn't really warrant the -- the expense of  
14 creating a newsletter and sending it out, too.

15 Since I've been on this Board, I haven't  
16 seen a real interest of the community becoming  
17 involved here during the meetings. And, so, to  
18 go through the expense of creating a  
19 newsletter. I think that's just a waste of  
20 money, in my own opinion. But I would like --  
21 This is a decision the Board has to make, so --  
22 but that's my personal opinion.

23 MR. SANCHEZ: I think that  
24 the -- the -- that the whole history of the  
25 review -- you know, the technical review

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1 committee that was here before and then now with  
2 the RAB is that there is an enormous, voluminous  
3 amounts of information that has been put out in  
4 the community and it's -- sometimes this tends  
5 to overwhelm people and you get just this  
6 response that you just described. People -- you  
7 know, they -- they can't absorb all this. Most  
8 of it is extremely technical. And, so, I think  
9 that whatever information we have -- whatever  
10 opportunity -- opportunity we have to  
11 communicate with the community -- public --  
12 via newsletter or whatever -- it's well worth  
13 it, you know, to get that information out.

14 You know, surveys are kind of a tough --  
15 you know, tough thing to judge. I mean, you can  
16 get a return -- the actual return of the people  
17 that are here -- I don't think is indicative of  
18 the amount of interest that's out there or may  
19 be out there. Certainly with the -- with the --  
20 the base closure activities around Kelly Air  
21 Force Base, I think the interest of keeping  
22 Kelly working and keeping everything, you know,  
23 as is will be extremely high.

24 MR. TREVINO: What I would  
25 recommend, I guess, for -- Again, to close the

1 action item out, is the Board --

2 MR. SAIN: Are you saying that  
3 this newsletter would be in lieu of what's going  
4 on --

5 MR. TREVINO: No, sir. This will  
6 be in addition to what's currently being done.  
7 And the way I see this newsletter being -- is be  
8 done by the RAB itself with support from the  
9 Air Force. But I see it, basically, being the  
10 responsibility of the RAB and not of the  
11 Air Force. It's -- It's our newsletter. It's  
12 not an Air Force newsletter or a State of Texas  
13 newsletter. It is a Restoration Advisory Board  
14 newsletter for Kelly Air Force Base.

15 So, my question goes back as one: Does the  
16 RAB -- is in favor of a newsletter. And, if  
17 so, -- Well, first of all, let me -- let me get  
18 that one first. And, if so, I will be looking  
19 for a group of individuals to take on that --  
20 that responsibility where the Air Force will be  
21 part of that team in assisting in that  
22 newsletter. So, my question goes out initially  
23 as: Are we in favor of a newsletter? If I can  
24 have a show of hands --

25 MR. HAGELTHORN: Those in favor

1 of the newsletter, show their hands.

2 (Vote by the RAB members.)

3 MR. TREVINO: Mrs. Johnson, is  
4 that a "yes"?

5 MS. JOHNSON: Yes.

6 MR. TREVINO: I have eight.  
7 Joan, is that a "yes" or --

8 MS. FALKENBERG: No.

9 MR. TREVINO: Okay. For those --

10 MR. HAGELTHORN: All those  
11 opposed?

12 MR. TREVINO: -- opposed to the  
13 newsletter, please raise your hand.

14 (Vote by the RAB members.)

15 MR. TREVINO: Six -- It stands as  
16 eight to six, so we will be in favor of the  
17 newsletter. Based upon that, I am now asking  
18 for those individuals to be -- who would like to  
19 take on responsibility --

20 MR. QUINTANILLA: Huh-uh.

21 MR. TREVINO: Mr. Sanchez?

22 MR. SANCHEZ: What would be the  
23 responsibility?

24 MR. TREVINO: You-all would  
25 basically -- At this stage, for now -- is look

1 at those responsibilities in terms of how would  
2 I form a newsletter and actually define how you  
3 would see the newsletter taking place. It may  
4 not be -- It was originally requested on a  
5 monthly basis. Maybe that's not the case. For,  
6 one -- is to look at, one, "How feasible can we  
7 do it"? Yes, we agree for now that we can do  
8 that or that we want to do it. How is it -- you  
9 know, "Is it feasible"? Yes or no. What is the  
10 level of effort that we're talking about? And  
11 then, at that point, bringing it back to the  
12 RAB -- making a presentation and then saying,  
13 "This is what we're going to -- "This is how  
14 we're going to initiate it and what our" -- "our  
15 topics are."

16 MR. QUINTANILLA: A little  
17 correction. We already voted that we wanted to  
18 have a newsletter.

19 MR. TREVINO: That's correct.

20 MR. QUINTANILLA: Now, the next  
21 procedure is how we're going to accomplish it.

22 MR. TREVINO: That's correct.

23 MR. QUINTANILLA: Is it the RAB  
24 that's going to write this?

25 MR. TREVINO: Yes, sir. It is

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1 the RAB --

2 MR. QUINTANILLA: All right. If  
3 the RAB is going to write this, then we're going  
4 to have to comply with the law and then you have  
5 to provide for the payment of funds for this  
6 particular --

7 MR. TREVINO: I indicated --  
8 That's correct. If you understand what I --  
9 what I indicated --

10 MR. QUINTANILLA: Now, why -- at  
11 this particular point in time, I want to know  
12 why is public affairs shying away from that  
13 responsibility.

14 MR. TREVINO: No. They're not  
15 shying away from it. We are part -- We are part  
16 of that team. This is a RAB newsletter --

17 MR. QUINTANILLA: You said  
18 "team." Team means all of the RAB and P.A.

19 MR. TREVINO: That's correct.

20 MR. QUINTANILLA: Okay.

21 MR. TREVINO: We will be part of  
22 that team -- we, the Air Force. But, we, the  
23 Air Force, will not assume full responsibility,  
24 because then it becomes an Air Force newsletter  
25 and not a RAB newsletter. And that's what I'm

1 trying to get --

2 MR. QUINTANILLA: It will be a  
3 RAB newsletter with -- with help and editing and  
4 everything else that goes from it from P.A.

5 MR. HAGELTHORN: P.A. will help  
6 out in the actual production of the newsletter,  
7 but the text needs to be written by the members  
8 of the RAB.

9 MR. QUINTANILLA: Every paragraph  
10 that's in there we write?

11 MR. TREVINO: Let me interject --  
12 Let me have Mr. Walters add -- he's been  
13 looking --

14 MR. QUINTANILLA: I disagree.

15 MR. WALTERS: Technical  
16 comments -- I'm not a member of the RAB but I'm  
17 a member of Public Affairs and work with  
18 newsletters. What the RAB subcommittee needs to  
19 decide is what kind of articles do the RAB  
20 members want to write, what information do you  
21 want to share and who do you want to get it  
22 to -- we've got 30,000 to pick from -- and  
23 then who's going to put the labels on the  
24 envelopes. If it takes three days, five people,  
25 to do envelopes for 13,000, Public Affairs

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1 cannot do 30,000 for you. Somebody is going to  
2 have say, "We're going to decide who needs to  
3 get it and we're going to put the labels" -- I  
4 mean, it's just --

5 MR. QUINTANILLA: Again, let me  
6 read from the law. "The secretary may provide  
7 for the payment of routine administrative  
8 expenses of the Restoration Advisory Board from  
9 funds available for the operation and  
10 maintenance of the installation."

11 MR. TREVINO: You are correct.

12 MR. WALTERS: Mr. Quintanilla,  
13 may I give you technical information on that?  
14 We will pay for printing this. We will pay the  
15 postage on this. We will, if you want, do the  
16 compiling of it, but the writing of it is still  
17 going to be the RAB members and the RAB members'  
18 time --

19 MR. QUINTANILLA: You're writing  
20 certain things for -- you know, and continuously  
21 doing that. All I'm saying is some of that I --  
22 things that you're writing should be part of the  
23 newsletter and we'll gladly have a --

24 MR. TREVINO: If I may  
25 interject --

1 MR. QUINTANILLA: Do you agree,  
2 Mr. Estrada?

3 MR. ESTRADA: Yeah. I see what  
4 you're saying.

5 MR. TREVINO: If I may  
6 interject -- so we can get closure on this --  
7 is that Mr. Sanchez is leading the chair on this  
8 particular issue. Let a subcommittee go back  
9 and brainstorm it, come back to the RAB at the  
10 next meeting -- we'll take it back as a topic,  
11 if that's okay --

12 MR. SANCHEZ: Why don't I look at  
13 our options for it in terms of -- you know, I  
14 don't think that we're going to sit down and  
15 write a newsletter. I think what we're going to  
16 sit down and look at is what is the content of  
17 the information that we want to get out there  
18 and that -- that Kelly Air Force Base is going  
19 to put in it to get out.

20 MR. QUINTANILLA: Very good.

21 MR. SANCHEZ: In other words,  
22 we're going to be, more or less, editorializing,  
23 review the what -- you're going to -- you know,  
24 the information that you would like to get out  
25 there and compare that with the information that



1 we would like to get out there as well to go  
2 back to the initial charge to ensure that public  
3 input is being -- you know, that we are  
4 fulfilling our job of ensuring public input.  
5 And I think this is just a very small way to do  
6 that. So, it's not instrumental -- it's not an  
7 insurmountable problem, as I see it. Now, I may  
8 be completely wrong. But it's a newsletter.  
9 You know, it's not -- we're not writing the  
10 Bible here. But I think -- to go back to our  
11 initial charge -- we would be fulfilling that  
12 charge in a very clear and -- and specific  
13 manner. You know, we would have some input into  
14 this newsletter and some degree or whatever --  
15 and not to say that we are technical experts or  
16 we are preempting the Air Force and -- but --  
17 you know, the technical content of it -- but I  
18 think that would be our role in this instance.

19 MS. FALKENBERG: But I hear two  
20 different things. One, the RAB members will  
21 write the newsletter and then I'm hearing  
22 Mr. Sanchez say that the Kelly Air Force  
23 personnel will write the newsletter and we will  
24 review it. Which is it?

25 MR. SANCHEZ: Well, Joan, I think

1 what I'm saying is that we're going to have to  
2 be looking at all of those alternatives. At  
3 some point, we may not want to write anything  
4 else. We may not have anything to write. They  
5 may have some information that they would like  
6 to get out there and we would say, "Well, this  
7 is appropriate." But there may be an instance  
8 where we get into a topic where the  
9 community -- we feel -- you know, that they  
10 would need specific information that maybe is  
11 not being provided. So, as to fulfill our --  
12 our charge, we would say -- we would have the  
13 option of writing part of that -- you know, that  
14 specific part of that. But those are  
15 alternatives. We're not -- I don't think I can  
16 come back to the whole thing and you give a  
17 product right now.

18 MS. FALKENBERG: Right. But my  
19 question is, is -- Do we have that alternative?

20 MR. HAGELTHORN: Do we have the  
21 alternative?

22 MS. FALKENBERG: Uh-huh.

23 MR. HAGELTHORN: What we have to  
24 do is, we have to look at whether or not what we  
25 would be doing as a membership of the RAB -- the

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1 information we would provide -- provide the  
2 community would be over and above what the Air  
3 Force is already providing. In the -- I'm not  
4 one that likes to throw away a lot of money and  
5 when you talk about this -- production of this  
6 thing -- that's a lot of money. It's tax  
7 dollars that are going --

8 MR. QUINTANILLA: It's -- It's --  
9 Go ahead, sir.

10 MR. HAGELTHORN: If the RAB wants  
11 to take the position and the RAB wants to  
12 generate a newsletter for the community that  
13 would be beneficial to the community, then I'm  
14 all for producing a newsletter.

15 MR. QUINTANILLA: And that's what  
16 we're going to do.

17 MR. HAGELTHORN: But to say  
18 the -- we require the Air Force to produce the  
19 newsletter -- write it and produce it -- no,  
20 because they're already doing what's required  
21 under the law.

22 MR. QUINTANILLA: All I'm saying  
23 is what they do is they include it in the  
24 newsletter.

25 MR. HAGELTHORN: If we want to

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1 write it and have them edit it and produce it,  
2 then I'm --

3 MR. QUINTANILLA: No, no. I  
4 don't understand why you're against, you know,  
5 what they're already doing -- putting it in the  
6 newsletter.

7 MR. HAGELTHORN: I'm only -- not  
8 against that. What I'm saying is, the avenue or  
9 the vehicle they are already using -- we've all  
10 demonstrated --

11 MR. QUINTANILLA: And it hasn't  
12 been effective.

13 MR. HAGELTHORN: You're right.

14 MR. QUINTANILLA: So, let's try  
15 something else.

16 MR. HAGELTHORN: We'll take it  
17 back to the committee and the committee will do  
18 the research and present their findings.

19 MR. SANCHEZ: I'd be glad to look  
20 at the whole options -- and if anybody has a  
21 specific -- you know, Joan -- if you want to  
22 take a look at the information -- I would be  
23 especially interested in, also, any community  
24 members that actually live in the area that  
25 would want to have -- you know, serve on this

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1 as -- to sit -- to look at what's occurring.  
2 Because I think this is part of what we're  
3 talking about when we are saying that we are  
4 trying to ensure -- not that we get our  
5 viewpoint across -- but that a viewpoint that  
6 reflects, you know, that level of community  
7 concern is there and that by no means are we --  
8 something like this would be used, you know, in  
9 some kind of a manner to -- that would be  
10 inappropriate to to go out and slay imaginary  
11 dragons, you know. But I think that if -- if  
12 there is -- if maybe the RAB could do a --  
13 plausibly a better job of getting that  
14 information out to those people in a message  
15 they could easily understand, well, then we  
16 should try it. And if we fail, we can come back  
17 and say, "Well, it's not working. Maybe we can  
18 go to Plan B."

19 But I think it's an exciting -- and a step  
20 forward -- I mean, a step different from what --  
21 you know, to try to give the RAB Board some type  
22 of an individual identity separate from the Air  
23 Force and to fulfill our function of advisory  
24 and also to fulfill that charge of ensuring  
25 public input. If the Board feels like it's not

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1 working, fine, you know, we don't have to do  
2 that. But I -- at least, maybe give you --  
3 you'd like to come back and maybe discuss with  
4 the P.R. people in depth a little bit about  
5 what, you know, they -- what they're doing, what  
6 they could do differently and then come back and  
7 give that report. Ultimately, it will be the  
8 decision of the RAB Board.

9 MR. QUINTANILLA: For instance,  
10 you've got an excellent article here in  
11 Environmental Management and I think 40,000  
12 copies of this have been published -- in this  
13 little magazine. Some of this could be taken  
14 out and put into the newspaper. Because a lot  
15 of people here in the neighborhood will never  
16 see this and this is the kind of information  
17 that I'm saying that should be -- this, again --  
18 this article was developed by Mr. Estrada.

19 MR. TREVINO: Correct. And as  
20 part of the committee that will address those  
21 issues. I think there is a comment from the  
22 back -- a gentleman in the back.

23 MR. SOLIS: If the name of a  
24 newsletter to inform the public -- those that  
25 are here in the area -- I think a summary of

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1 the conclusions of this Board, actions to be  
2 taken and timetable would be sufficient. And,  
3 if you will, extraction of your minutes, saying,  
4 "The Board met. This is what was done. This  
5 is what's planned. This is the timetable."

6 MR. TREVINO: And Mr. Sanchez'  
7 committee will take all that into account and  
8 what you-all see as -- as being part of the  
9 meeting minutes. So, I can continue into the  
10 next -- Yes, sir.

11 MR. SOLIS: Yeah. I wanted to --  
12 I'm Juan Solis, Sr., and I represent 200  
13 families in the Brady Garden area -- most of us  
14 ex-Kellyites and retired military. We bought  
15 there in the late '50s. We don't plan to go  
16 anywhere. Now, when you -- from day one, we  
17 were at ground zero in case of a nuclear war.  
18 We took it in stride. Don't worry about it.  
19 But today, when we're faced with environmental  
20 concerns -- we're the people of the area --  
21 should be kept informed and have an opportunity  
22 to participate. At this point, if you ever have  
23 a vacancy on the Board, I'd like to apply.

24 MR. TREVINO: And you're more  
25 than welcome to submit the application. Please

1 get with Mr. Walters or Mr. Estrada at the end  
2 of the meeting. They'd be happy to entertain  
3 whatever you have.

4 If I can --

5 MR. SANCHEZ: I think -- Was  
6 anybody else going to serve on this committee?

7 MR. QUINTANILLA: Just call on  
8 me. I'm retired and I can help you.

9 MR. SANCHEZ: Really -- I really,  
10 you know, ask that sincerely from all of you.

11 MR. TREVINO: What we can do --  
12 If you-all can please get with Mr. Sanchez --

13 MR. SANCHEZ: Because  
14 otherwise -- I have very strong opinions and --  
15 so they'll say, "Well," you know, "Mr. Sanchez  
16 is ramrodding this again through somewhere  
17 here."

18 MR. HAGELTHORN: Whoever's  
19 interested in getting on the Board -- or on the  
20 subcommittee with Mr. Sanchez, please get with  
21 him after the meeting. Can we go to the next  
22 item?

23 MR. QUINTANILLA: I would also  
24 like to have on this subcommittee some technical  
25 advice from the staff -- from either Mr. Estrada

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1 or Mr. Walters.

2 MR. TREVINO: Yes, sir. All that  
3 will be part of the process. Even though  
4 they'll be one of the team members, they'll have  
5 technical support, as well.

6 The next issue prior to the TNRCC will be  
7 visual aids. Again, at the last RAB, Mr. Bailey  
8 and the RAB as a whole looked at what can the  
9 RAB do -- or bring back recommendations to every  
10 one as part of how can we better visually  
11 provide the information to the community or even  
12 to yourselves. And the action item was to have  
13 all the RAB members come back to us with  
14 recommendations on types of visual aids -- and  
15 when I throw that out -- if you have  
16 something -- in the interest of time -- if you  
17 want to just get with Dick, Mike or myself, or  
18 if you want to just put them down on paper or  
19 give us a phone call later or bring them to the  
20 next RAB -- what I would do at this stage is  
21 just -- let's table that for the next RAB -- if  
22 nothing else -- if I can have concurrence from  
23 that standpoint? Prior to the next RAB, please  
24 give us your input. That way we can better help  
25 support you. From my standpoint, we are -- we

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1 are -- conclude with my portion. And without  
2 further ado, we are now going to have the  
3 Texas Natural Resource Conservation  
4 Commission -- Paul Lewis, who heads up that  
5 organization from a technical and for a facility  
6 standpoint, to provide a presentation for us now  
7 on the risk reduction rules. Mr. Lewis?

8 MR. LEWIS: I'd like to thank the  
9 co-chairs of the Kelly RAB for inviting me to  
10 attend this meeting and give a brief  
11 presentation on basically how the agency decides  
12 what -- or procedures by which we determine  
13 levels of cleanup. I'll have to presume a  
14 certain amount of knowledge on the part of the  
15 audience in the remediation process that's going  
16 on at Kelly. But just for a quick recap -- at a  
17 regulatory agency -- where we interact with  
18 Kelly is in the review of work plans or reports  
19 that they turn in that describe the  
20 investigations that they will do to determine  
21 what kind of contaminants may have released from  
22 past operations and how far have they gone and  
23 at what rate might they be moving.

24 They also need to determine what kinds of  
25 exposure situations would be appropriate to

1 assess the -- the nature of the release. And  
2 then they ultimately have to design some type of  
3 remedial action to clean up the release or judge  
4 if it is severe enough to warrant cleanup. And  
5 you've heard tonight discussion about where the  
6 RAB fits in for the interaction and the review  
7 and comment on this process.

8 Well, the agency also interacts with Kelly  
9 Air Force Base at various steps along the way.  
10 One of the -- the more scientifically oriented  
11 parts of this entire remediation process,  
12 though, is deciding what is the appropriate  
13 level of cleanup. And as with many other things  
14 at the agency, we do have a set of regulations  
15 that come into play, commonly known as the  
16 Risk Reduction Rules. These are a set of  
17 regulations that apply to virtually all  
18 industrial types of operations throughout the  
19 state, and that can include military bases such  
20 as Kelly, and they spell out a process by which  
21 these facilities will come up with cleanup  
22 levels. It's a combination of what we call  
23 Risk Assessment -- a scientific process to come  
24 up with a site specific number with risk  
25 management requirements. That is, what kind of

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1 cleanup will you do? What reporting  
2 requirements are necessary? What interaction  
3 with outside advisory groups might be required  
4 or public notification requirements? All that's  
5 rolled up into this set of regulations that we  
6 call the Risk Reduction Rules.

7 But at the core of those rules are the  
8 actual three cleanup standards. And within the  
9 the packet that the RAB members have, there  
10 should be a one-sheet double-sided copy that  
11 gives you a matrix of the risk reduction  
12 standards. And I'll largely talk from this. We  
13 also have copies available which Mr. Gary Beyer  
14 from our staff will pass out to the members of  
15 the audience.

16 Well, we have, as I said, three risk  
17 reduction standards. What they do is specify  
18 levels of cleanup and corresponding risk  
19 management actions that go with those levels of  
20 cleanup. But the basic objective here is that  
21 any level of cleanup will be protective of human  
22 health and the environment. We just go about  
23 attaining them by different means and we have  
24 three main means that we call Removal,  
25 Decontamination or Control Measures. And in

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1 using those different combinations, there may be  
2 varying amounts of ongoing obligations.

3 Our first standard, closure or remediation  
4 to background, basically requires that any  
5 contaminants released from these activities  
6 regulated here or at any given location would be  
7 removed to background or pre-existing  
8 conditions. The reward for doing that is that  
9 there are no further regulatory obligations,  
10 because there basically will be nothing left  
11 there to regulate. It's considered a permanent  
12 remedy. Hence, there's no requirement for any  
13 type of post-closure care or ongoing operation  
14 such as monitoring or maintenance of any  
15 protective caps or fencing or anything of that  
16 sort.

17 Our second standard combines certain  
18 elements of this first one. The second standard  
19 is closure or remediation to health-based levels  
20 or standards. The federal government has  
21 promulgated standards for levels that of  
22 contaminants primarily in water and we utilize  
23 lots of these pre-published standards because  
24 they are already established as law and they're  
25 wildly accepted as the performance measure to be

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1 attained. Those are used in surface water and  
2 groundwater as two examples of media that would  
3 need to be addressed. There really are  
4 virtually no standards for soils. So, within  
5 our rules, we define procedures to go by to  
6 calculate a cleanup number. And for  
7 Standard 2 -- it was designed to be applied to  
8 many facilities throughout the state in a  
9 self-implementing manner. So, we had to be very  
10 specific about how that value is determined.  
11 So, within our regulations, we even spell out  
12 the equations that would be used to calculate a  
13 number. There is some additional information  
14 that has to be factored in that can be obtained  
15 from various other sources. The calculation  
16 itself is really fairly simple. In fact, we had  
17 also tabulated examples of many of those values  
18 for users of the rules.

19 Standard 2, upon attainment, is also a  
20 permanent remedy. That is, there's no  
21 requirement for any ongoing maintenance. The  
22 land should be usable for any foreseeable use,  
23 be it considered residential or industrial. The  
24 only difference here is that in contrast to  
25 Standard 1, Standard 2 requires a notice be

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1 placed in the deed to the land to reflect that  
2 there's some minor amount of residual  
3 contaminants still in place but at levels that  
4 are protective of human health and the  
5 environment.

6 Standards 1 and 2 because of their very  
7 specific nature -- and our rules can be  
8 self-implemented after providing that -- a  
9 certain amount of notice to the agency --  
10 usually a minimum of 10 days in advance of  
11 undertaking an action. Here at Kelly and at  
12 other major military installations -- they may  
13 want to attain that level of performance but  
14 because of the interactive review by the agency  
15 on their work plans, they -- tend to submit all  
16 their plans to us in advance rather than  
17 self-implementing.

18 Our third standard involves all three types  
19 of measures, removal, decontamination and  
20 control measures in contrast to the first two  
21 standards which are primarily just removal of  
22 the contamination operations. Standard 3 is one  
23 that would use a lot more site-specific  
24 information in determining a cleanup level as  
25 opposed to the generic approach in our Standard

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1 No. 2. It is not meant to be self-implemented.  
2 We do prescribe in the rules that a lot of  
3 information be provided to the agency in advance  
4 for review and approval prior to undertaking the  
5 actual cleanup.

6 (RAB member Quintanilla exits the  
7 room.)

8 MR. LEWIS: And then, as with all  
9 three standards, once the work is finished,  
10 there has to be a report submitted to the agency  
11 to verify actual attainment of cleanup.

12 Now, I had mentioned removal,  
13 decontamination and control measures. Though  
14 Standard 3 can use controls -- and these are  
15 such things as wells to pump out groundwater or  
16 engineered clay caps on top of areas of  
17 contaminated soils or fences -- or in the case  
18 of military installations, an order from the  
19 commander that access to a particular area must  
20 be restricted or no access provided whatsoever.  
21 That's an institutional control. There's a  
22 certain amount of maintenance that must be done  
23 to make sure those control measures either work  
24 or are continually effective. So, Standard 3,  
25 by definition, then, is not a permanent remedy.

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1 There will be ongoing obligations that could  
2 entail issuance of a permit or a continuing  
3 reporting back to the agency on some prescribed  
4 frequency.

5 And Standard 3 is also more amenable to  
6 your tougher problems to solve, if you will,  
7 because a greater deal of site specificity can  
8 be factored into the selection of a remedy.  
9 This is where the -- the risk assessment process  
10 plays a very integral role in the determination  
11 of the cleanup level. As opposed to what we did  
12 in Standard 2 where it's all generic, Standard  
13 3 -- we start off at that same point, but with  
14 justification, we can accept more localized or  
15 site-specific considerations, such as who  
16 actually drinks the groundwater or how often  
17 does a worker traverse a certain area of  
18 contaminated soil. There are many standardized  
19 assumptions that EPA has developed that will  
20 give us answers, but they may not be appropriate  
21 for a particular situation.

22 So, this would all be factored in as part  
23 of the solutions or remedies, as they'll be  
24 called, that Kelly will be providing and for  
25 which the public will have opportunity for

1 review -- either at time of closure of a  
2 particular waste unit or during the RIFS process  
3 that's being conducted here at Kelly.

4 So, I realize that's probably just a  
5 thumbnail sketch of a very detailed process, but  
6 I would like to just respond to your specific  
7 questions, if you have them, and I can provide  
8 you my phone number if you would like to call  
9 back later with a specific question. My number  
10 in Austin is area code, 512, 239-2340.

11 MR. SOLIS: Can I have your full  
12 name again, sir.

13 MR. LEWIS: Paul S. Lewis.

14 MR. SOLIS: L-e-w --

15 MR. LEWIS: L-e-w-i-s.

16 MR. RICE: Some of the  
17 alternatives that Kelly has presented for  
18 cleaning up the groundwater in various zones  
19 rely on the notion that somehow residents off  
20 base can be prevented from either using existing  
21 wells or installing new wells and using that  
22 water. Does either the federal government or  
23 the state government or any local government  
24 have the authority to prevent people from  
25 pumping water from their land if they want to?

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1 MR. LEWIS: I don't believe we  
2 have anything -- any law such as that at the  
3 state level unless it's as part of a groundwater  
4 conservation district. I understand that local  
5 entities through their zoning authorities and  
6 ordinances can impose bans on household wells  
7 for domestic water supply purposes. I don't  
8 know if that is the case here at Kelly or not.

9 MR. BEYER: I think it is. I  
10 think the city has ordinances against -- against  
11 use of groundwater from water wells --  
12 domestic -- or release -- I don't know -- or is  
13 it against drilling new ones?

14 MR. SANCHEZ: The city has  
15 regulations that -- that regulate the drilling  
16 of new wells. I don't think they specifically  
17 prohibit anybody from drinking any --  
18 anything -- any water from their own wells.  
19 Now, I may be mistaken, but I -- I don't  
20 think -- I think that's the case.

21 MR. BROWN: The problem with our  
22 drinking water rules is twofold, but the primary  
23 thing -- This is Bill Brown. I'm with TNRCC.  
24 We don't have a drinking water person here  
25 tonight, but the drinking water rules would say

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1 that if it was going to be for public  
2 consumption -- which means 10 or more families,  
3 I think -- I'm not even sure of that -- but  
4 for a large -- a larger number of people, it  
5 would have to be an approved water supply. But  
6 if it's not an approved water supply, then we  
7 really have no control over the use of the water  
8 for drinking purposes.

9 MR. BEYER: That's the state  
10 published by-rules.

11 MR. BROWN: Yeah.

12 MR. SAIN: But I believe if it's  
13 not for sale and if it's for private use, you  
14 can drill your own well.

15 MR. SANCHEZ: And the actual  
16 reality of it is that people's individual water  
17 wells -- really there's very little control of  
18 that.

19 MR. BEYER: Right.

20 MR. SANCHEZ: But that's the  
21 reality of it.

22 MR. RICE: I guess my question to  
23 the Air Force or anyone else that has the  
24 answer -- if that's the case -- any alternative  
25 that relies on prohibiting people from using

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1 their own wells is really not going to work.  
2 And as I read through this, a lot of the  
3 alternatives seem to rely on just that, as we're  
4 somehow going to prevent people from consuming  
5 this contaminated water that's off base. But  
6 apparently that won't work under Texas law.

7 MR. BEYER: I think the way the  
8 TNRCC has been dealing with it in the past is  
9 that there's -- and they base it on two  
10 requirements. One was that -- One is that less  
11 than 10,000 TDS to define whether it's usable or  
12 not. And, two, if it comes from a producible  
13 aquifer -- if production rate is high enough.  
14 And our policy state-wide has pretty much been  
15 to protect any waters that meet those criteria.  
16 And then, when it comes to local mandates, we --  
17 you know, we don't control those -- but as far  
18 as prohibiting people from drinking wells, I  
19 think what we do is advise people that, you  
20 know, their wells are contaminated -- you know,  
21 and advise against drinking it and using it. At  
22 that point, if you're a wise person, you would  
23 not want to drink water from that well.

24 MR. SANCHEZ: Mr. Lewis, have you  
25 done some risk assessment yourself on some of

1 the Kelly Field projects?

2 MR. LEWIS: I personally have  
3 not, if that's the thrust of your question. If  
4 the state in general does it, generally, no, as  
5 we keep that burden on whatever particular  
6 entity has to address the remediation.  
7 Although, we can utilize, say, the Health  
8 Department for particularly problematic  
9 instances where there may not be a responsible  
10 entity to go to to begin with.

11 MR. AYALA: What options would a  
12 resident in one of these areas here have if they  
13 wanted to find out whether they could drill a  
14 well? And, if so, whether that water would be  
15 safe to drink? Where would they turn to for  
16 that? What source of information -- Is there a  
17 point of contact for that where they could find  
18 out exactly some of the things that we were  
19 talking about here earlier in terms of the  
20 numbers of people to be served from a well and  
21 specifics?

22 MR. LEWIS: I guess one of the  
23 first places to attempt to find answers to that  
24 kind of question would be the local -- probably  
25 the county level Health Department and at the

1 state level we do have one report that's  
2 published annually that lists all known sites as  
3 known to us at the time it's put together --  
4 sites with contamination -- and if somebody were  
5 to access that report and they know that they  
6 live in the vicinity of such a facility, they  
7 could contact us and we could give them more  
8 information. Because -- Oh, there's several  
9 thousand listed in that report each year and --  
10 at one line each was about the limit of space  
11 that we can give to it. It's already a pretty  
12 massive report.

13 MAJ. AYALA: I would recommend  
14 that the committee that's looking at that  
15 newsletter -- that that be one of the foremost  
16 items of consideration.

17 MR. SANCHEZ: What's that?

18 MAJ. AYALA: Information to the  
19 effect of where the citizens in the local area  
20 could find out answers to those questions like  
21 that. Because I would think that's at the  
22 fundamental core or essence of what we're all  
23 about.

24 MR. SANCHEZ: Well, I am with the  
25 Health Department with the -- for the City of

1 San Antonio and Bexar County and I can tell you  
2 that that's a -- you know, without specific  
3 information being provided either by the state  
4 or by the regulatory individuals or by the  
5 consultants -- whoever has been working in  
6 that -- that is a very difficult question to  
7 answer. So, we -- we usually err on the side of  
8 caution for the public that if that is an  
9 unknown water supply -- and by that we don't  
10 have -- an unknown in terms of the exact  
11 chemical content of the water -- our -- our  
12 general recommendation is, if it hasn't been  
13 sampled or analyzed, usually don't drink the  
14 water. That is considered an unknown factor.  
15 So -- I mean, that's -- and that question comes  
16 up on a periodic basis continuously to the local  
17 Health Department, not -- and this is not just  
18 specifically about Kelly Field. This comes --  
19 This same question comes up in regards to  
20 drinking water in apartment complexes,  
21 breakdowns in plumbing, other, you know,  
22 peripheral issues that deal specifically with  
23 drinking water and people's health or their  
24 perception of health or safety.

25 MR. EBERT: Well, last year, we

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1 did a shallow water well survey in the  
2 neighborhood and we went out to 3,000  
3 individuals or residences in the neighborhood  
4 and we did a shallow water well survey. So,  
5 they're aware of what's in the groundwater. If  
6 they had a well, we went out and sampled it.  
7 And, so, we've been out -- gone out there and we  
8 provided those individuals who had a well with  
9 the results of what was in the water. So,  
10 everybody that we know of in the -- that area  
11 around Kelly Air Force Base has been notified  
12 that we're doing a survey. We took water  
13 samples and we provided them with the analysis.

14 MR. SANCHEZ: And I also think  
15 you also sent copies of that to our office in  
16 terms of the results of your samples.

17 MR. EBERT: Whose office is it?

18 MR. SANCHEZ: The San Antonio  
19 Metropolitan Health District.

20 MR. EBERT: Yes, we did.

21 MR. SANCHEZ: Because I know we  
22 have copies of that information -- and we make  
23 it a point for anybody that -- that wants  
24 information about this particular process -- we  
25 will -- they can come down to our office. We'll

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1 pull out all the information we have --

2 MAJ. AYALA: I think that's  
3 great.

4 MR. SANCHEZ: -- and we do that.  
5 But -- And we would be glad to put that in  
6 newsletters. But this is a very, you know,  
7 pertinent and germane question in terms of  
8 relative risk. But to go back to what you are  
9 describing in terms of the health risk process,  
10 could you -- could you elaborate more and tell  
11 them about how that process is continuously  
12 updated, how it's not a fixed position or -- is  
13 it -- does it change as the body of knowledge  
14 increases as the mathematical model has to be  
15 changed --

16 MR. LEWIS: Yes.

17 MR. SANCHEZ: -- the deficiencies  
18 with that particular process and the strengths  
19 of that and why we -- you know, that process --  
20 that particular process is the one -- what is  
21 ultimately decided on as the best available  
22 information that we have at this time to -- to  
23 do this?

24 MR. LEWIS: All right. Well, in  
25 essence, the risk assessment process looks at

1 several pieces of information -- and we'll just  
2 focus the discussion to groundwater because that  
3 seems to be the primary concern here. First you  
4 have what's called hazard identification and  
5 that is simply thought of as, "Well, what  
6 contaminants are here? Let's identify them."  
7 And you have a toxicity assessment. What do we  
8 know about the toxic nature of whatever these  
9 contaminants might happen to be in this  
10 groundwater? And here is where there's  
11 continual evolvment and improvement in the body  
12 of knowledge on the toxicity of chemicals.

13 As a regulatory agency, we at the state and  
14 also at EPA tend to rely upon two primary  
15 sources of information and these are developed  
16 by EPA. They are data bases that come out of  
17 EPA's headquarters and are updated, I think,  
18 every other month for the first one and then  
19 annually for the second one. The first one is  
20 called the Integrated Risk Information System  
21 and it has detailed information on several  
22 hundred common chemical contaminants. The  
23 second one is the Health Effects Summary --  
24 Health Effects Assessment Summary Tables and  
25 those are pamphlets or books that tabulate a lot

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1 of additional information on some other  
2 contaminants. But, collectively, those two form  
3 the primary source of information.

4 Now, the tests that are done to develop  
5 this kind of information could be lumped into  
6 two main categories: Tests to determine cancer  
7 potency of the substance and then other tests  
8 for any other kind of illness that would be  
9 recognizable in test animals such as those  
10 little white lab mice -- those are the primary  
11 ones that are used. The results of these very  
12 complex lab studies that take several years to  
13 do for any one given contaminant are condensed  
14 down into a number -- or two numbers -- maybe a  
15 slope factor for the contaminants for  
16 carcinogenicity or cancer potency and a  
17 reference dose for non-cancer effects. And  
18 that's a piece of the information we're looking  
19 for out of those data bases to plug into the  
20 equation.

21 Now, the equation for groundwater intake  
22 assumes generally certain standard assumptions.  
23 We assign a standard body weight for an adult,  
24 we take a standard lifetime of 70 years for a 70  
25 kilogram adult who drinks two liters per day

1 every day for 350 days of those years, allowing  
2 two weeks off for vacation somewhere else for  
3 that 70-year lifetime. For cancer-causing  
4 substances, it's calculated over a -- I think  
5 it's a 30-year averaging period. For non-cancer  
6 substances, a 25-year period. So, those are all  
7 put together into an equation, then you crunch  
8 the numbers and out comes the answer at the  
9 end. And it would be -- For the -- The  
10 cancer-causing substances is expressed as a  
11 probability -- and these are very, very low  
12 numbers usually in scientific notation. One  
13 times 10 to the minus six is the common  
14 threshold as being ways acceptable versus not  
15 acceptable. There's a range of values. Ten to  
16 the minus four to 10 to the minus six.

17 The drinking water standards that all  
18 public water supplies have to sample for  
19 commonly are looking at that same kind of number  
20 that is expressed as a concentration. So, for  
21 something such as -- let me think of one --  
22 trichloroethylene, a common solvent that's been  
23 used to strip paint from airplanes -- the  
24 maximum contaminant level for that kind of  
25 contaminant is typically .005 milligrams per

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1 liter. That's almost -- That's the sensitivity  
2 of detection of the analytical equipment. So,  
3 it indicates to you that that's a fairly low  
4 number if we can't -- if we can barely detect it  
5 with our instrumentation.

6 There are other substances -- non-cancer  
7 ones -- that can go up to milligrams per liter  
8 before there's some health effect predicted if  
9 it were to have been consumed by a human under  
10 those standardized assumptions. So, remember,  
11 that's a long time to be drinking that same  
12 source of water. So, in reality, if you were to  
13 do a site specific risk assessment, you would  
14 actually measure -- well, just how much water  
15 does a person actually tend to drink from that  
16 source? And if you came here tonight and you  
17 had a Coke out of the machine or some of the  
18 punch that was served, that's not the same water  
19 that would be from the well at a particular  
20 person's residence. So, that original  
21 assumption, then, is not valid anymore. So, you  
22 have to figure out, well, just how much is  
23 actually being consumed and put that value into  
24 the standardized equation.

25 You wanted to know about the updating to

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1 the process. EPA and other research bodies are  
2 continually testing new chemicals not previously  
3 tested or doing additional tests on problematic  
4 ones to improve the data base of toxicity  
5 information. Plus, the basic science of risk  
6 assessment is also evolving. And our risk  
7 reduction rules -- We committed the agency to do  
8 periodic reviews of these types of changes and  
9 revise our prescribed procedures accordingly  
10 when those changes are accepted by the  
11 scientific community.

12 MR. SANCHEZ: Mr. Lewis, also  
13 you -- we might want to explain that the risk  
14 management of that particular hazard is actually  
15 that same process in reverse -- going back --  
16 you know, when you get that one -- one to the 10  
17 minus six and you try to get to that standard,  
18 you essentially -- more or less -- in general --  
19 follow that process in reverse to get to that  
20 level.

21 MR. LEWIS: That's correct. You  
22 could ask the question this way: Well, if the  
23 substance in my well is at a concentration of  
24 100 units, what is the risk? And you can crunch  
25 through the numbers and come up with a numerical

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1 risk. You can then say, "Well, is this an  
2 acceptable risk or not?" And you compare it to  
3 some standard -- and, as I said, 10 to minus  
4 six -- or that's a .000001 -- as a probability.  
5 You know, you wouldn't want to try to win a  
6 lottery ticket with that number. But that would  
7 be a common threshold to compare it to.

8 You can then reverse the question and say,  
9 "Well, if that is the acceptable level of risk,  
10 what does that translate into in terms of the  
11 concentration?" And you go through through the  
12 equation again -- this time turned around --  
13 and you might come up with 50 units as the  
14 corresponding acceptable concentration and  
15 compare it to -- you say, "Ah. Well, I see  
16 originally the well had 100. The acceptable  
17 number is 50, therefore, some type of corrective  
18 action must be performed." So, that cleanup  
19 number basically would then become 50 -- and  
20 that's the objective of the cleanup. Any other  
21 questions?

22 MR. HAGELTHORN: Mr. Lewis, thank  
23 you for your presentation. We appreciate it  
24 from the Board.

25 Let's just go ahead and summarize some of



1 the things we've done and then we'll go ahead  
2 and decide on a date and time and our location  
3 of the next RAB meeting. In summary, we  
4 approved the March 6th minutes with changes. We  
5 approved the membership application of Mr. Smith  
6 who is now a member of the Board. We've  
7 deferred the revised application for the RAB and  
8 we referred the revised RAB charter until the  
9 subcommittee can review that and provide their  
10 input. As of right now, there is no public  
11 meeting scheduled. We should find out about  
12 that shortly and we'll have -- we'll schedule  
13 the public meeting for approximately two weeks  
14 into the public comment period and more  
15 information will come out on that.

16 The RAB newsletter has been deferred until  
17 the committee can come up with a decision of how  
18 they want to approach that and they should have  
19 information to us next month at our next RAB  
20 meeting. And we've tabled the visual aids issue  
21 until the next RAB -- the next RAB meeting.  
22 Anybody who has any input on that, please  
23 provide it to the next RAB -- either bring it to  
24 the RAB or provide it to the  
25 Air Force or to myself before that meeting.

1 Mr. Paul Lewis with the TNRCC provided us  
2 with a presentation -- a very good  
3 presentation. And -- Let's see. Other action  
4 items we have -- the Air Force will research the  
5 FAR's on the claims office and the -- the --  
6 define the responsibility of the Air Force to  
7 provide information to the RAB with regard to  
8 spills here on Kelly. We'll also get a letter  
9 to Ms. Rubia to -- asking her to attend the next  
10 meeting or, otherwise, we'll rescind the -- her  
11 membership application.

12 There's an invitation by Mike Estrada for  
13 any member of the RAB that wants to go with him,  
14 meet with the editors and news directors of  
15 local media. So, if anybody has that interest,  
16 be sure to get a hold of Mike. Other public  
17 relations-type things is the Earth Day on the  
18 23rd, which is Saturday -- the 22nd, which is  
19 Saturday at San Pedro Park. There's a sign-up  
20 sheet over there for RAB members. I'd encourage  
21 all members to participate to the maximum extent  
22 possible. And -- Let's see here. We also  
23 decided that the RAB members would receive the  
24 Internet newsletter from Public Affairs -- and  
25 that will be a very worthwhile tool.



1 MR. SANCHEZ: I concur. I think  
2 we ought to have at -- at that -- either the  
3 northern part of Kelly Field -- and give it as  
4 much -- give the citizens as much access to  
5 these meetings as possible.

6 MR. HAGELTHORN: So, we'll look  
7 at the Knights of Columbus hall, if that's  
8 available for us on the 12th of June. We'll get  
9 information out on that. The only thing that I  
10 would -- as a community co-chairman, I like to  
11 throw out is, I'd like everybody to go ahead and  
12 review the charter again, what the purpose of  
13 the RAB is. It's my opinion we've gone through  
14 five RABs -- six RABs now -- and we really  
15 haven't gotten into any any restoration  
16 activities because we're dealing with legalistic  
17 aspects of how a newsletter should be written.  
18 If our purpose is to provide information to the  
19 community, we really need to stay with the focus  
20 of the Restoration Advisory Board. And I'd like  
21 everybody to review the function and the purpose  
22 of the RAB, so when we come to the next meeting  
23 we have the proper perspective of what we are  
24 supposed to be accomplishing here. Any other  
25 comments from anybody? The meeting is

1 adjourned. It's 8:31. Thank you. Thank you,  
2 audience, for attending.

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