



**KELLY AFB
TEXAS**

**ADMINISTRATIVE RECORD
COVER SHEET**

AR File Number 1153

Kelly Air Force Base Restoration Advisory Board Meeting
February 26, 1998 6:30 p.m.
Garni Science Building, St. Marys University

1153 1

Members/Alternates present:

Brig. Gen. Leroy Barnidge, Jr.,
RAB Installation Co-Chair
Mr. David Johnson (Mrs. Johnson's alt)
Dr. Gene Lené
Mr. Parker Wilson (Mr. Beyer's alt)
Mr. Armando Quintanilla
Mr. George Rice
Mr. Paul Person
Mr. Mark Puffer (Mr. Floyd's alt)

Mr. Damian Sandoval,
RAB Community Co-Chair
Mrs. Dominga Adames
Mr. Nicolas Rodriguez, Jr.
Mr. Willie Jones, Jr.
Ms. Annalisa Peace
Mr. Sam Sanchez
Mr. Sam Murrah

Members Absent Without Alternate:

Mr. Juan Solis, Sr.
Ms. Camille Hueni
Mr. Allan Hagelthorn
Mr. Paul Roberson

Mr. Larry Hoffmann
Mr. Edward Weinstein
Mr. John A. Jacobi
Mr. Carl Mixon

Item I: Call to Order

This special called Meeting was called to order by Mr. Damian Sandoval at 6:33 p.m. The purpose of the meeting was to consider a proposal forwarded by the Committee for Environmental Justice-Action through the RAB Technical Review Subcommittee to apply for DOD Technical Assistance for Public Participation program services. The special, called Meeting was held upon the determination by the TRS that immediate action by the full membership was required. In the absence of the Installation Co-Chair, Mr. Sandoval instructed that the handouts be distributed and the members take a few minutes to read through the material preparatory to conducting the business of the evening.

Item II: Business of the Evening

A. Mr. Sandoval asked Kelly Air Force Base staff attorney, Mary Q. Kelly, to explain the definition of a RAB community member as published in the Federal Register Final Rule on the DOD Technical Assistance for Public Participation program. The rule excludes voting by federal, state or local government officials who are participating on the RAB in an official capacity. Ms. Kelly suggested that those individuals who could be excluded based upon that definition, but who also qualify as members of the affected community, should determine for themselves whether it is appropriate to vote (Mr. Sanchez determined that he was attending in his official capacity).

B. Kelly Air Force Base staff attorney Leslie Brown then discussed the DOD Final Rule on TAPP and gave a thumbnail description of the process.

C. Kelly Air Force Base Public Affairs Specialist Dick Walters reported his telephone conversations with the Air Force Base Conversion Agency Public Affairs and Contracting Officers at AFBCA headquarters. Mr. Walters explained Kelly's unique place as the first RAB to approach AFBCA on the issue and AFBCA's very positive determination to make the application process for Kelly smooth and efficient – a model or prototype for future applications.

D. (At this point the Installation Co-Chair arrived)

E. General Barnidge reviewed the HQ AFBCA slide briefing on TAPP with RAB members and shared copies of an internal electronic mail message expressing AFBCA's offer to train and assist RAB and Air Force staff to produce the application package and to expedite processing of the TAPP request.

F. General Barnidge then summarized the negotiation of parties involved in the RCRA Cleanup Permit process, explaining that the draft TAPP proposal submitted by the Committee for Environmental Justice - Action (CEJ-A) was one positive step toward resolving CEJ-A's protest of the issuance of the permit.

Item III: Motion and Balloting

A. A written resolution authorizing the RAB to proceed with applying for the TAPP program was presented to the members for consideration (This version of the resolution is included as Attachment A to these minutes). Mr. Mark Puffer moved to adopt the resolution. The motion was seconded by Mr. David Johnson. The chair asked for discussion.

B. Mr. George Rice, community member, moved that the resolution be amended to add language that would refer directly to the concept proposed by CEJ-A and discussed at the Technical Review Subcommittee meeting on February 24, 1998. This was seconded by Mr. David Johnson. After discussion, the motion was clarified as:

“To adopt the resolution with the addition of the following language at the bottom of the first page after the words ‘Kelly AFB’: “, *in accordance with concepts set out in draft language at Attachment A to the extent such concepts are consistent with program requirements.*”
(And that the draft proposal presented by CEJ-A would be included in the resolution as Attachment A).

C. After further discussion, the motion to adopt the resolution, as amended, was approved by the unanimous vote of the members present and eligible to vote as RAB "community members" under applicable provisions of the TAPP program Final Rule. A copy of the resolution in the form adopted is attached to the minutes as Attachment B.

Item IV: Announcement of Next Meeting and Adjournment

Community Co-Chair Damian Sandoval announced that the next regularly scheduled RAB meeting will be held on April 8, 1998 at 6 p.m. at Dwight Middle School. The resolution regarding the TAPP program was the specified business of the special called Meeting. This business having been concluded, the RAB voted to adjourn at 7:33 p.m.

PROPOSED RAB RESOLUTION**Draft of 26 Feb 98**

Whereas, the United States Air Force has sponsored the creation of the Kelly Air Force Base (AFB) Restoration Advisory Board (RAB) to provide an organized forum for community participation in the environmental restoration decisions at Kelly AFB;

Whereas, pursuant to the charter of this RAB, the Air Force regularly provides updated reports to the RAB on the status of its restoration activities on and around Kelly AFB, and the RAB reviews the reports and advises the Air Force on cleanup priorities and other matters related to the restoration of the base;

Whereas, the RAB has considered the request from Committee for Environmental Justice Action (CEJA) to participate in a new United States Department of Defense for Technical Assistance for Public Participation (TAPP) program so that the RAB will obtain qualified independent technical assistance in addressing environmental restoration activities at Kelly AFB;

Whereas the RAB has identified a need for technical assistance and has determined that the technical assistance is likely to contribute to the efficiency and effectiveness of the environmental restoration activities at Kelly AFB, and is likely to contribute to community acceptance of environmental restoration activities at the installation; and

Whereas, this RAB desires to proceed with the TAPP application, on the condition that CEJA withdraw its protest to Permit No. HW-50310,

NOW, THEREFORE, BE IT RESOLVED BY THE KELLY AFB RESTORATION ADVISORY BOARD THAT the RAB shall proceed with applying to Kelly AFB for participation in the TAPP program in order to retain qualified in

ATTACHMENT A

dependent technical assistance in addressing environmental restoration activities at Kelly AFB.

The foregoing resolution was passed and approved by the Kelly AFB Restoration Advisory Board on the ___ day of February, 1998.

By: _____

Co-chair

Co-chair

**Kelly Air Force Base Restoration Advisory Board
RESOLUTION**

Whereas, the United States Air Force has sponsored the creation of the Kelly Air Force Base (AFB) Restoration Advisory Board (RAB) to provide an organized forum for community participation in the environmental restoration decisions at Kelly AFB;

Whereas, pursuant to the charter of this RAB, the Air Force regularly provides updated reports to the RAB on the status of its restoration activities on and around Kelly AFB, and the RAB reviews the reports and advises the Air Force on cleanup priorities and other matters related to the restoration of the base;

Whereas, the RAB has considered the request from the Committee for Environmental Justice Action (CEJA) to participate in a new United States Department of Defense Technical Assistance for Public Participation (TAPP) program so that the RAB will obtain qualified independent technical assistance in addressing environmental restoration activities at Kelly AFB;

Whereas the RAB has identified a need for technical assistance and has determined that the technical assistance is likely to contribute to the efficiency and effectiveness of the environmental restoration activities at Kelly AFB, and is likely to contribute to community acceptance of environmental restoration activities at the installation; and

Whereas, this RAB desires to proceed with the TAPP application, on the condition that CEJA withdraw its protest to Permit No. HW-50310,

**NOW, THEREFORE, BE IT RESOVED BY THE KELLY AFB RESTORATION
ADVISORY BOARD THAT the RAB shall proceed with applying to Kelly AFB for**

participation in the TAPP program in order to retain qualified independent technical assistance in addressing environmental restoration activities at Kelly AFB, in accordance with concepts set out in draft language in ATCH A to the extent such concepts are consistent with program requirements.

Passed and approved by the Kelly AFB Restoration Advisory Board on this the 26th day of February, 1998,

By: L. B. J. Briz Gen / USAF
Co-chair

M. B. A. A. RAB Community Co-Chair
Co-chair

DRAFT

PROPOSED LANGUAGE FOR TAPP APPLICATION

- 1. INSTALLATION: Kelly Air Force Base, Bexar County Texas
- 2. SOURCE: Restoration Advisory Board (RAB)
- 3. CERTIFICATION OF MAJORITY REQUEST: On February _____, 1998, the RAB voted to approve the application by a vote of _____ to _____.
- 4. DATE OF REQUEST: February __, 1998
- 5. RAB POINT OF CONTACT:
 - a. Name:
 - b. Address:
 - c. Telephone Number:

6. PROJECT TITLE: Technical Assistance Project

7. PROJECT TYPE: Interpretation of Technical Documents

8. PROJECT PURPOSE AND DESCRIPTION: The goal of the project is to provide technical assistance to the RAB and the community on and, especially, off of Kelly Air Force Base to allow more effective and meaningful participation by the members of the RAB and the community in key decisions.

The goals will be reached through the engagement of independent experts who will interpret and "translate" the data in Kelly AFB technical documents and the regulatory processes involved in base restoration as well as the technical data on the impacts of such restoration for the community members of the RAB, and, thus, for the entire affected community.

Two experts will be sought, each at \$12,500 for the fiscal year 1998. One (a "Restoration Expert") will be engaged to review plans and interpret technical reports for community members of the RAB and to assist with the technical issues involved with clean-up of the contamination, and related regulatory processes. The other (a Health Effects Expert) will be engaged to provide technical assistance to interpret the potential health implications of cleanup levels or remedial technologies, or to explain the health implications of site contaminants and exposure scenarios.

Each expert will be required to meet periodically with the RAB and be available for a coordinated process for requests for assistance from community members of the RAB. Each expert will provide periodic written reports on the work and periodic proposals for work that would fit the needs of the community members as expressed by the RAB. The experts will focus on both long and short term issues and focus their work toward those segments of the community that are least capable of participating in the restoration process.

ATCH A

9 & 10. STATEMENT OF ELIGIBILITY AND QUALIFICATIONS: To qualify for engagement for either position, a person must meet the qualification of the rules for TAPP eligibility in §203.12, must not have a conflict of interest, must demonstrate that he or she has:

- a. expertise in the subject matter of the work; and
- b. capabilities to communicate with non-technical people.

To qualify as not having a conflict of interest, in addition to 32 CFR §203.18, neither the experts nor their employers shall have worked as an employee, contractor or consultant, whether paid or unpaid, for the Air Force, the Greater Kelly Development Corporation (GKDC), a lessee of GKDC, the Committee for Environmental Justice Action (CEJA), a CEJA member, the Foundation for a Compassionate Society, a member of the Foundation for a Compassionate Society, or an individual member of the RAB during the preceding three years. In addition, any expert must agree not to take any work from the Air Force, GKDC, CEJA, a CEJA member or an individual member of the RAB during the work for the RAB and thereafter for one year.

For the "Restoration Expert," the required expertise must include at least a masters degree or PhD and more than three years of experience or a bachelor's degree and more than six years of experience in one of the following disciplines/fields of practice, ground water hydrology, geology, chemistry, or environmental restoration.

For the "Health Effects Expert," the required expertise must include at least a masters degree or PhD and more than three years experience or a bachelor's degree and more than six years of experience in one of the following disciplines: medicine, epidemiology, or health effects evaluation or a related field of practice.

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