

**Minutes of
The Kelly AFB Restoration Advisory Board Meeting
17 April 1995**

The fourth meeting of the Kelly Air Force Base Restoration Board (RAB) took place on the evening of 17 April, 1995 at 6:00 p.m., at the San Antonio Fire Training Academy at 4531 South Zarzamora, San Antonio, Texas.

Nineteen RAB members and/or alternates were present. A list of attendees is provided at attachment 1.

These minutes follow the progression of topics as the meeting took place and correspond to similarly numbered agenda topics. The RAB meeting agenda is attachment 2.

I. Welcome

Mr. Allan Hagelthorn, Community Co-Chair, welcomed RAB members and alternates as well as the audience in attendance. Mr. Hagelthorn explained that Mr. Larry Bailey was absent from the meeting to be in Washington D.C. accepting the Department of Defense Pollution Prevention Award on behalf of Kelly AFB. Mr. Tom Teague, SAIC, was introduced as the facilitator.

II. Administrative Topics

A. Approval of March 6, 1995 Meeting Minutes

Mr. Hagelthorn submitted minutes (previously distributed to RAB members) for approval. Discussion ensued as follows:

Mr. Quintanilla requested several changes. Spelling corrections to his name in Paragraph 4, page 2, Paragraph D, two misspellings. Paragraph D, insert "environmental" in front of "contractor". These changes/corrections were accepted.

Mr. Quintanilla requested clarification of the authority regarding the statement of Conflict of Interest to be included in the RAB Application Form. Discussion ensued as to the correct authority to cite. Indications were *hat it was in the DOD Guidance for the RAB, the Federal Acquisition Regulations, or born. Ms. Williams stated that she would have to check to determine the precise reference.

Two issues were raised which were determined to involve issues discussed outside the RAB meeting and therefore not appropriate matters for introduction as corrections to the minutes:

- * Mr. Quintanilla noted that paragraph E of the proposed minutes did not include "the name and phone number of the contact person at Kelly who handles claims." It was determined that this stemmed from a side discussion after the RAB and was, therefore, not a proper item for the minutes. However, as this would be covered in a planned presentation, this topic was deferred to later in the meeting when Mr. Mike Estrada gave his presentation.
- * Mr. Quintanilla raised an issue concerning RAB interest in current spills, such as the DRMO spill. A lengthy discussion ensued concerning whether or not such spills were properly a matter for RAB consideration. Mr. Quintanilla cited 10 USC 2705 in support of his contention that these matters were proper for RAB consideration and review. Mr. Teague pointed out that recent amendments may

have changed that somewhat. Mr. Trevino pointed out that the RAB's focus is on restoration activities under the Air Force's IRP (counterpart to CERCLA) and therefore did not formally include recent spills. Only restoration activities under the IRP. Mr. Quintanilla maintained his contention that such spills should be matters for the RAB. The issue was not settled; however, it was agreed that the minutes did, in fact, reflect what was discussed at the previous RAB meeting. Since post-meeting discussions can not be a part of the record included in the meeting minutes, the minutes would stand as written and these minutes would reflect this discussion.

- * Lastly, Mr. Quintanilla restated a request for information concerning minority contracting awards in the environmental program at Kelly Air Force Base. Mr. Quintanilla referenced Executive Order 12580 in supporting this request. In the ensuing discussion, Kelly representatives maintained that information regarding minority or small business status was kept only for prime contractors, not their subcontractors. One exception is that subcontractors involved in off-base drilling are identified and listed in the Kelly Progress Reports, as a means of informing the community who is working in the community in connection with the Kelly IRP. Mr. Quintanilla maintained, however, that "... who does the work, when it's done, where it's done . . . is all part.., this particular board." The issue was not resolved.

There being no further comments regarding the minutes, Mr. Thomas Moore made a motion, seconded by Ms. Joan Falkenberg, to approve the minutes with the stated corrections. The minutes were approved as corrected.

B. Membership Issues

- * Approval of new members (Agenda Item II. B. 1.)
Approval consideration for Mr. Tom Smith and Ms. Lexia Ribeiro was carried over from the previous RAB meeting. Mr. Tom Smith was present and was given an opportunity to present any information that the RAB requested. In response to a request from Mr. Rice, Mr. Smith informed the board that he had been a policeman in Texas since 1971 and currently works, in that Capacity and as a responder to emergencies and chemical spills, for Union Pacific. Mr. Hagelthorn commented he had talked with Mr. Smith extensively and made a motion to accept Mr. Smith. Ms. Falkenberg seconded the motion. By vote of members and alternates present, the RAB approved Mr. Smith as a member. Mr. Smith was asked to step forward and join the other RAB members at the tables.

Ms. Lexia Ribeiro was not present.

C./D*. Review and Approval of Revised RAB Application/Charter (Discussed Together*)

- Discussion revolved around changing the application and the charter. Mr. Quintanilla took exception to wording that the RAB was not a decision-making body. Although the September 1994 Guidance on the Formation of Restoration Advisory Boards so states, Mr. Quintanilla maintained that the law stated differently.

- Mr. Quintanilla took exception to the wording that members would not be financially compensated. It was agreed that this should be clarified to state that, while members would not be compensated (wages) for participation, 'the administrative needs of the RAB would be funded.

The RAB voted to have a subcommittee to work with the Air Force to determine and make the appropriate changes for the above issues. Mr. Quintanilla volunteered to chair the subcommittee. Mr. Hagelthorn volunteered to serve on the subcommittee. The issues of Application and Charter rewrite were then tabled pending review and report by the subcommittee.

III. Old Business

A. Public Hearing Update

- Mr. Richard Trevino presented status of scheduling Public hearings for zones 1, 2, and 3 (see slides at attachment 3). The public hearing dates are uncertain at this point until formal comments are received from the State of Texas. Draft comments have been received, but comments cannot be released in draft form. As soon as the state makes final comments, they will be made part of the administrative record and will also be made available to RAB members.

B. Public Affairs Update

- Prior to beginning his presentation of the Public Affairs Update, Mr. Mike Estrada introduced Councilman Juan Solis. who was in attendance.
- Slides of Mr. Estrada's update are attachment 4. The presentation covered:
 - Mailing lists
 - Identified news media Kelly usually works with
 - Changes in the information repository
 - Points of contact for various issues including claims
 - Upcoming, activities
- There was considerable discussion about the points of contact. Mr. Estrada explained current policy that all environmental issues be referred to Public Affairs who then provide guidance to the concerned individual on how to proceed. Mr. Quintanilla stated that he wanted a specific contact number and name for claims.
- Mr. Estrada concluded by asking the RAB members if they would like to regularly receive the information packet that Public Affairs distributes to Kelly AFB senior staff. An example of this packet was distributed at the meeting. This information is gleaned from the Internet, and covers federal and state regulatory agencies. RAB members voted to receive this information as it becomes available.

C. RAB Newsletter

- * Discussion revolved around the importance of more information being distributed. The RAB voted 8 to 6 in favor of a RAB newsletter. A subcommittee will be formed with Mr. Sanchez as chair to decide content, distribution and editorial direction for the

newsletter. A report will be given at the next RAB meeting.

D. Visual Aids'

Mr. Trevino proposed in the interest of time that everyone give their input on visual aids to him or Mr. Estrada before the next RAB meeting. Discussion on this was then tabled until the next meeting.

IV. New Business: Legal Review

Mr. Paul Lewis, TNRCC presented a technical briefing on how the agency determines procedures and required levels of cleanup. Mr. Lewis' presentation is attachment 5.

V. Summary and Closing

Mr. Hagelthorn summarized:

- 1) Minutes were approved with changes.
- 2) Tom Smith is now a RAB member.
- 3) RAB charter & application will be reviewed by subcommittee and provide input.
- 4) No public meeting is scheduled at this time.
- 5) RAB newsletter has been deferred until the subcommittee makes recommendations.
- 6) Visual Aids issues are tabled until the next RAB meeting.
- 7) Mr. Paul Lewis provided a presentation.
- 8) Air Force will research the FARs concerning the issue of "advertising" the claims office.
- 9) A letter will be sent to Ms. Ribiero requesting her presence at the next RAB meeting.
- 10) Mr. Estrada invited any RAB member to go with him to see the media.
- 11) Earth Day at San Pedro Park.

The next RAB meeting will be 12 June at 6:00pm. Kelly PA will check the availability of the Knights of Columbus hall at 5763 Ray Ellison Drive for this meeting.

Mr. Hagelthorn recommended that every RAB member read the charter to familiarize themselves with the purpose for RAB and what its function should be.

**RAB MEETING ATTENDANCE LIST
17 APRIL 1995**

Members (M) & Alternates (A) Present	Members Absent (A = Alternate Present)	
Allan Hagelthorn	M	Larry Bailey A
Tom Moore	M	Nick Rodriguez A
George Rice	M	Florencio Martinez
Armando Quintanilla	M	Richard Hirsch
Billy Brown	M	
Kelly Thurlow	M	
Sam Sanchez	M	
Carl Mixon	M	
Yolanda Johnson	M	
Charles Ayala	M	
Joan Falkenberg	M	
Gene W. Lene	M	
Bill Sain	M	
Roy Gill	M	
Gary Beyer	M	
Thomas Smith	M	
Richard Trevino (Alt Bailey)	A	
Desi Raygosa (Alt Rodriguez)	A	
Raul Villar (Alt Johnson)	A	

Attachment 1

ADDENDUM TO and APPROVAL OF

Minutes of The Kelly AFB Restoration Advisory Board Meeting 17 April 1995

Minutes of the 17 April 1995 meeting of the Kelly AFB Restoration Advisory Board were approved by the board at the 12 June 1995 meeting with the following corrections and clarifications:

Minutes were approved with two proposed corrections. These corrections were accepted provided that check of the transcript verified that it was so stated in the transcript:

- a) Item III. Old Business B. Public Affairs Update Bullet number 8. After the word claims, add the sentence "The Air Force stated that it was the policy of the legal office not to release or publish the name or the number of the contact for the person responsible for claims."
- b) Item V. Summary and Closing, paragraph 8; instead of the word FARs the words "laws and regulations" need to be inscribed.

After checking the Transcripts of the April 17 meeting, the following was found:

Pertaining to proposed correction a): Page 10, lines 10 through 24, it was verified that in response to Mr. Quintanilla's question, "Has the General said that it would not be published?" after intervening comments by others, Mr. Estrada replied, "To just answer your point right now, it's the legal office that has made that decision..."

Pertaining to proposed correction b): Page 129, lines 4 through 8, Mr. Haglethorn stated "The Air Force will research the FAR's (sic) on the claims office and -- the --define the responsibility of the Air Force to provide information to the RAB with regard to spills here on Kelly." The minutes, as written, are accurate in describing what was said during the meeting. However, further checking of earlier portions of the transcript, make it clear that Mr. Haglethorn meant to say "laws and regulations" or something to that effect rather than "FARs" since the FARs pertain only to contract law.

Kelly Air Force Base Co-Chair
Date

Community Co-Chair
Date