

**Kelly Air Force Base Restoration Advisory Board Meeting July 28, 1997 6 p.m.
Dwight Middle School**

Members/Alternates present:

Ms. Annalisa Peace, RAB Community Co-Chair
Mr. Juan Solis, Sr.
Dr. Gene Len6
Mr. Gary Beyer
Ms. Camille Hueni
Mr. George Rice
Mr. Paul Roberson
Mr. Paul Person
Mr. Sam Murrah
Mr. Willie Jones, Jr.
Mr. Larry Hoffman
Mr. Edward Riojas, Jr., RAB Base Co-Chair
Mr. David Johnson (Mrs. Johnson's alt.)
Mr. Chuck Ahem (Mr. Rodriguez's alt.)
Mr. Carl Mixon
Mr. Armando Quintanilla
Mr. Jim Clark (Mr. Sanchez's alt.)
Mr. Allan Hagelthom
Mr. John A. Iacobi
Mr. Grady Floyd
Mrs. Dominga Adames
Mr. Damian Sandoval

Members Absent Without Alternate:

Mr. Edward Weinstein

Item I: Call to Order

- A. Meeting was called to order at 6:15 p.m. Ms. Annalisa Peace, RAB Community Co-Chair conducting.
- B. The RAB members introduced themselves.
- C. Ms. Peace read aloud the statement concerning the purpose of the RAB.
- D. Two resource items were provided to all RAB Members: Robert's Rules of Order and the RAB Resource Handbook.

Item II: Discussion/Approval of Minutes

- A. Mr. George Rice asked that the Minutes be changed to read that Larry Bailey had told him the Air Force intended to replace him as Technical Subcommittee Chairman. He also asked those who prepare the Minutes not to editorialize, but to treat everyone fairly in the Minutes.

- B. Mr. Armando Quintanilla said the Minutes left it unclear as to who is in charge of cleaning up Zone 3 and that it should be specified who is in charge of the cleanup. Mr. Edward Riojas, Air Force Co-Chair said the Air Force is responsible for cleaning up all areas on and off base. However, since this was not said at the last meeting it was not appropriate to change the Minutes.
- C. The Minutes were approved with the following amendment, to Item VII, Section F3, second sentence, to read "Larry Bailey had told me the Air Force had a plan to replace me as the Technical Subcommittee Chairman."

Item III: Administrative Topics

A. Vote on New Members

1. The following applicants for RAB membership were presented to the board for vote: Mrs. Dominga Adames, Mr. Willie Jones, Jr., Mr. Grady Floyd, Mr. David Newman, Mr. Damlan Sandoval, Mr. Ruben Solis.
2. Each candidate was given time to make a brief statement regarding their desire to serve on the RAB. Mr. Solis and Mr. Newman were not present.
3. It was suggested by Mr. Rice that preference should be given to those who filed their applications first. Ms. Peace urged members to take that into consideration.
4. Mr. Mixon suggested members take it under consideration that two applicants did not appear.
5. Since only four seats were available, RAB members were asked to vote for the four candidates they would like to have on the Board.
6. Ms. Adames, Mr. Jones, Mr. Floyd, and Mr. Sandoval were elected by majority vote to serve on the board effective immediately.

Item IV: Community Discussion

City Councilman Rani Prado briefly addressed the RAB. He said this is the first of many RAB meetings he hopes to attend. He said he represents the concerns of his constituents, many of whom live near Kelly. He said he is here on a fact-finding mission and that he is concerned about what is going on at Kelly because his constituents are concerned. Ms. Peace and Mr. Riojas said they were pleased he was here.

Ms. Gomez said she was concerned about what would happen to Kelly and the cleanup program after Kelly is gone. Mr. Riojas told her that the Air Force will still clean up any contamination it caused, even after Kelly is closed.

Ms. Adames asked about the new houses being built in the area. She said she is concerned that no one knows about the contamination in the area. She asked who gives approval for the building of the homes? She asked if the seller is required to disclose information such as this to the buyer?

Ms. Peace said the San Antonio Housing Authority Amended to read "City of San Antonio grants building permits for new homes. She said this is an issue that should be taken up with the city. Ms. Hilary Naab, Kelly AFB Judge Advocate General's Office, said she had copies of the disclosure form and the statute if anyone was interested in seeing it.

Item V: Environmental Justice Training

A. Ms. Camille Hueni, EPA Region VI, gave her report on Environmental Justice. She said she had handouts (see attachment) regarding Environmental Justice. As for funding, she said it has been allocated for Fiscal Year (FY) 1997, but she said it should be available again in FY98 and encouraged interested RAB members to apply.

B. Questions and Comments

Mr. David Johnson asked if the grant was available to private organizations as well as higher education institutions. Ms. Hueni said there were applications available for both.

Item VI: Fuel Tanks Operation

Mr. Riojas reported on night operations at the fuel storage tanks. He said that night fuel storage tank filing operations have ceased. However, flight-line operations will continue. He said this may still involve smaller Air Force fuel trucks receiving fuel from the tanks at night to transport to aircraft on the flight-line; however, the noisier fuel transfer operations which involve filling the storage tanks from large tanker trucks will no longer occur after 5 p.m.

Item VII: Status of IRP

A. Mr. Larry Bailey, Director of Environmental Management, gave the Environmental Restoration Program update.

1. He showed the RAB the Fiscal Year 1998 execution plan (see attached), which outlines how cleanup funds will be allocated over the next fiscal year and shows the source of the funding. He said funding comes from two sources from the Defense Environmental Restoration Account (DERA) or from Base Realignment and Closure Commission (BRAC) funds.
2. He showed another document (also attached) that shows the current cleanup status of each zone.
 - a. He explained that once the Feasibility Study has been completed at the zone, the RAB's advisory function officially ends. However, he said that Kelly will continue to keep the RAB up-to-date regarding designing, building, and operating cleanup systems.
 - b. He also told RAB members that this schedule is a good way for them to see what is coming up down the road.

B. Questions and Comments

Mr. Quintanilla said the schedule shows that the Zone 3 Feasibility Study is complete. He then asked why drilling was occurring on Quintana Road. Mr. Bailey said even though the Feasibility Study is complete doesn't mean the work is done. Sometimes more information is needed in the design phase to ensure the system being installed will work as well as it should. This sometimes requires more wells.

Mr. Quintanilla asked for an explanation of feasibility studies. Mr. Bailey explained a completed study means we have chosen a technology to clean up that area and it has been submitted to the regulators and they have approved it.

Mr. Johnson asked if the monitoring wells are sampled regularly and during high water conditions. Mr. Bailey said the wells are sampled regularly, but not normally during high water conditions.

Mr. Johnson asked that once a cleanup system is installed, is there a point in time when the system's effectiveness can be evaluated. Mr. Bailey said that Kelly conducts annual reviews of all the cleanup systems to ensure they are working as they should or if there is a better way to clean it up.

Mr. Rice said the RAB was told that it would be involved in the Remedial Design at Zone 3. He asked when this would happen. Mr. Bailey said that Zone 3 has not yet progressed to that point.

Mr. John Jacobi, Texas Department of Health, said that according to the schedule, there are some public comment periods coming up very soon. Mr. Bailey said public comment periods for the Zones 2 and 3 soils Proposed Plans will begin in August.

Item VIII: RAB Support

- A. Mr. Denton Lankford, Kelly AFB, gave a report on the RAB budget. He said each RAB meeting cost approximately \$8,000 to 12,000. He said the expense is due to the amount of planning, the numerous actions the contractor must perform to prepare for the meeting, procuring sound systems, screens, transcription and other items, and to produce and mail announcements placing advertisements.
- B. Mr. Lankford informed the board he was leaving to take a new position and introduced his replacement, Mr. Gary Emery.

C. Questions and Comments

Mr. Quintanilla asked why such a variance in the mailing list numbers. Mr. Lankford explained that it depends what the mailings are for and who they are intended to reach. Mr. Quintanilla commented he wanted to know what the RAB budget was. Mr. Riojas told him there was no such thing, the environmental budget had a line item that supports the RAB.

Alan Hagelthorn asked what the total budget for the Community Relations support program is. He said he wanted to see what the contractor was being paid for each line item on the contract. Mr. Lankford said that if that information is available, he can get it through the base contracting office. Mr. Hagelthorn asked if there had been a new Community Relations Plan produced. Mr. Lankford said the plan was scheduled to be published Aug. 1, 1997. Mr. Hagelthorn asked if the contractor is in compliance with the terms of the contract. Mr. Lankford said that to his knowledge, the contractor is in compliance with the contract. Mr. Hagelthorn commented he thought the Community Relations program was pretty ineffective.

The Board discussed at length the methods of getting budget information by contacting the contracting officer, through the Freedom of Information Act, or researching the Federal Budget. Ms. Naab said that she will ensure that all the information that is available will be provided to them without having to go through Freedom of Information Act requirements.

Ms. Peace asked this item be placed on the next agenda.

A short break was taken.

Item IX: Technical Subcommittee Report

A. Report

1. Mr. Rice gave the Technical Subcommittee Report (see attached). He said at the meeting, an evaluation of the Zone 3 cleanup systems was scheduled to be given, but was not because of litigation. He said interim measures that are in place are working surprisingly well.
2. He reported that the Air Force is withholding data from the public. He said he has discovered that sampling data from monitoring wells is not available in any public report.
3. The next Technical Subcommittee meeting was scheduled for Tuesday, Aug. 12, 1997 at 7 p.m. An off-base location was requested. It will be announced at a later date. Topics of discussion will be the allegedly withheld data, the extent of contamination, and potential conflicts of interest.

B. Questions and Comments

Capt. Brad Knox, Kelly Judge Advocate General's office, said the Air Force is not withholding data. He said the information to which Mr. Rice referred is not required for the Installation Restoration Program, which is why it does not appear in a report. He said the data is available through the Freedom of Information Act procedures.

Ms. Peace said if it were not for the lawsuit, this data would not be available to the public. Capt. Knox said the data is always available through the Freedom of Information Act.

Amended as follows "She asked "How are we supposed to request information if we don't know that the information exists?" Ms. Peace said the Air Force's science is brought into question when the Air Force selectively-omits data.

Mr. Knox said the data was not relevant to the cleanup program. Mr. Rice disagreed and said he would show the board how this data was relevant.

Mr. Hagelthorn asked if he could see the data Mr. Rice was preparing to present. Mr. Rice said he did not have it with him. Mr. Hagelthorn made a motion that the discussion should be tabled until the RAB

has the opportunity to review the data.

Carl Mixon, Bexar County Fire Chief, said if Mr. Rice can proceed without inflammatory language, then he should be allowed to give the presentation. But if he cannot, it should wait.

Mr. Rice asked the regulators if they believed the data was relevant. Gary Beyer, Texas Natural Resource Conservation Commission, said he was unable to discuss the issue at this time. He said the best information for the people is factual information.

Mr. Paul Roberson, Greater Kelly Development Corporation, said these are serious allegations and deserve adequate technical review. He moved to amend Mr. Hagelthorn's motion to table the discussion until the technical subcommittee can meet to resolve the issue.

Ms. Peace said she added this item to the agenda because she believed it was important.

Mr. Mixon said that he was not aware until this meeting that Mr. Quintanilla and Mr. Rice were involved in a lawsuit against the Air Force. He said anyone involved in a lawsuit is biased and he found it troublesome that people involved in a lawsuit were so closely involved with decisions that could affect the lawsuit. He said he was dumbfounded that under these circumstances, Mr. Rice was chairman of the technical subcommittee. Ms. Peace said Conflict of Interest would be discussed in the Rules Subcommittee report.

The discussion spilled over into whether Mr. Rice should continue with his committee report and give his New Business presentation on the extent of off-base contamination of the shallow aquifer.

Mr. Hagelthorn's motion, as amended, was voted on. The voice vote was inconclusive and show of hands was taken and the discussion was tabled.

Item X: Rules Subcommittee Report

A. Report

1. Ms. Peace gave the Administrative Subcommittee report. She said the committee agreed to adopt Parliamentary Procedure according to Robert's Rules of Order. She said each RAB member has been given a copy of the book for reference.
 - a. She nominated Larry Hoffman to act as Parliamentarian. He was approved by voice vote.
 - b. The following amendments to the charter were proposed and passed:
 - i. Installation Co-Chair and Community Co-Chair are equals.
 - ii. Experiment on division of chairmanship of meetings. Air Force chairs its agenda items, Community chairs its agenda items.

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Mr. Hoffman moved to postpone any further votes until all the RAB members have the opportunity to review all the items passed by the Administrative Committee. Ms. Peace added the Charter Subcommittee should meet before the next RAB meeting. Motion was passed by a voice vote.

Ms. Peace asked that new members be provided a copy of the Charter.

Item XI: Community Comments

Ms. Christina Flores said she had concerns about the meeting. She said RAB members should have reviewed the issues before the meeting instead of arguing about them during the meeting. She said she has attended several meetings and the meetings seem to be going nowhere.

Item XII: Next RAB Meeting

A. The Board discussed the date for the next meeting.

1. The RAB agreed to meet again Tuesday, Sept. 9, 1997 at 6 p.m.

B. Ms. Peace asked members to turn in agenda items soon and refrain from too many new agenda items because of the amount of unfinished business.

C. Action/Agenda Items

1. Agenda items will include unfinished business from this meeting.

- a. Technical Subcommittee Report
- b. Rules Subcommittee Report
- c. RAB Budget

The meeting adjourned at 9:05 p.m.

Motions/Resolutions/Actions Requested and Taken

A. Motions

1. Motion to approve Minutes as corrected.

a. Approved by voice vote.

2. Motion to conduct new member election by ballot.

a. Approved by voice vote.

3. Motion to table Mr. Rice's presentation concerning neighborhoods until analytical data is provided.

a. Voice vote was inconclusive.

b. Show of hands was called and not completed.

c. The motion was amended to reschedule the presentation for the next meeting after the Technical Subcommittee has seen the data..

i. Approved by voice vote.

d. The amended motion was approved by a show of hands. 15 voted in favor.

4. A motion was made to adopt the following statement of the roles of the Co-Chairs: "the installation and the Community Co-Chairs are equals, jointly responsible for determining meeting agenda, and ensuring that appropriate issues are raised and discussed."

- a. Approved by voice vote.
5. A motion was made to experiment with the meeting format allowing Mr. Riojas to chair meeting portions presented by the Air Force and Ms. Peace to chair the Community presentations.
 - a. Approved by voice vote.
 - b. Point was made that this was contrary to the Charter.
 - c. Ms. Peace ruled the vote would not be taken until the Charter Subcommittee addressed the issue.
6. A motion was made to table the Rules Subcommittee briefing and voting until people could read the information.
 - a. Motion was amended to accept the two items already voted on and if possible have the Charter
 - b. Subcommittee discuss pertinent items before the next RAB meeting.
 - c. Approved by voice vote.
7. A motion was made not to wait two months for the next RAB meeting, but schedule it in four to six weeks.
 - a. Approved by voice vote.
8. A motion was made to adjourn.
 - a. Approved by voice vote.

Resolutions No resolutions.

Actions Requested and Taken

1. New member packages be sent to new members.
2. Charter Subcommittee requested to meet prior to next RAB meeting
3. Mr. Rice's allegations to be discussed in the next Technical Subcommittee.
4. Copies of Mr. Rice's data be provided to members
5. Copies of the Rules Subcommittee recommendation be provided to members.
6. Ms. Naab promised budget information available under FOIA will be provided without a formal request.
7. Technical Subcommittee Meeting held at a public venue.

Attachments Amended to add "*Provided to members at the last meeting.*"

1. Agenda
2. IRP Update
3. RAB Support

4. Mr. Rice's Handout
5. Environmental Justice Handouts
6. Rules Subcommittee Recommendations