

Kelly Air Force Base Restoration Advisory Board Meeting
28 Oct 1998 6:30 p.m.
Dwight Middle School

Members/Alternates present:

Public members:

Brig. Gen. Robert M. Murdock
RAB Installation Co-Chair
Mr. Edward Weinstein
SAWS
Mr. Gordon Banner
TNRCC
Ms. Laura Starkisky
EPA
Mr. John A. Jacobi
TDH
Mr. Trinidad Almaguer (Mr. Sanchez's alt.)
Metropolitan Health District

Community members:

Mr. Damian Sandoval
RAB Community Co-Chair
Mrs. Yolanda Johnson
Ms. Annalisa Peace
Mr. Mark Puffer
Dr. Gene Lené
Mr. Paul Roberson
Greater Kelly Development Corp.
Mr. Armando Quintanilla
Mr. George Rice
Mr. Sam Murrell
Mr. Juan Solis, Sr.
Mr. Paul Person
Mrs. Dominga Adames

Members Absent Without Alternate:

Mr. Nicolas Rodriguez, Jr. BMWD
Mr. Willie Jones, Jr.
Mr. Carl Mixon

Item I: Call to Order

Brig. Gen. Robert M. Murdock called the meeting to order at 6:35 p.m.

Item II: Administrative Topics

- A. RAB members introduced themselves.
- B. Mr. Damian Sandoval, community co-chair, thanked Kelly AFB for putting on the pre-RAB poster session. He said this valuable addition was a cooperative effort between the Air Force and the RAB.
- C. Mr. Sandoval notified the RAB that he had changed employers. He has left the Texas Department of Transportation and now works for Unitech. He said Unitech has contracts with the Air Force through the Air Force Center for Environmental Excellence, including some work with Kelly AFB. His work responsibilities, however, will be with bases in the Pacific region and not Kelly AFB. He asked the RAB to decide whether he should remain the community co-chair.
 1. The RAB unanimously agreed that Mr. Sandoval should continue as RAB community co-chair, with the stipulation that he should inform the board if his work situation changed and required him to work with Kelly AFB. Mr. Sandoval agreed.
- D. General Murdock reviewed the action items from the last meeting and the Air Force's responses. See attachment.

1. Items not covered in the attachment:
 - a) Mr. Armando Quintanilla stated that the draft ATSDR Report was not sent to the RAB for review, as the RAB requested. The draft report was sent instead to Kelly AFB Environmental staff, which questioned certain air modeling conclusions. He said that based on Kelly AFB's comments, ATSDR then withdrew the draft report and currently has submitted the draft for peer review. Mr. Quintanilla said the RAB should have been provided an opportunity to comment on the draft report and the Air Force should have provided it to the RAB.
 - (1) General Murdock said the draft report is not the Air Force's to release to anyone. Release of the draft report is up to ATSDR. The General reported ATSDR said the draft report would not be ready for public comment until after the first of the year. Mr. Quintanilla agreed that is what ATSDR told him.
 - (2) Mr. Sandoval asked why the RAB was not included in the review of the draft report. He said the perception is that ATSDR sent the draft report to Kelly AFB and that Kelly AFB did not like the draft report and sent it back. Mr. Sandoval said he would send a letter to ATSDR asking for an explanation.
 - b) A RAB member requested for information about public involvement activities sponsored by TNRCC. Mr. Gordon Banner, TNRCC representative, said his agency provided a pamphlet to each RAB member explaining the process.
 - c) Mr. George Rice asked for an explanation regarding the denial of Mr. Sandoval's request to attend BCT meetings. General Murdock said it was the BCT's view that attendance by a RAB member was not appropriate. One reason was that the location, duration, and associated expense connected with the meetings would be too great a burden on the RAB representative and his employer. Mr. Sandoval asked if the BCT would reconsider the issue and allow a RAB representative to sit in on relevant portions of the meetings when they are held in San Antonio. He also requested to receive meeting minutes. General Murdock will pass the request to the BCT.

E. Approval of Meeting Minutes (29 July 1998)

1. Mr. Sandoval thanked the Air Force for getting the minutes distributed in a timely fashion. He asked if it would be possible to get the member packets in advance. General Murdock said since additions and changes are being made to the packets even up to the day of the meeting, it would be extremely difficult. However, he would try to accommodate the request.
2. Mr. Quintanilla asked for a couple of corrections to the minutes. He said Mr. Alan Hagelthorn could not be the alternate for Mr. Paul Person. Mr. Person said that the statement in the minutes was not intended to suggest Mr. Hagelthorn would have two votes and for that reason, it was incorrect for him to be designated as Mr. Person's alternate. Mr. Person also stated that he would find another alternate.
3. Mr. Quintanilla said the statement by Ms. Mary Kelly, Kelly AFB Legal Office, was incorrect regarding the Air Force's position on paying RAB members'

training expenses. He said the Air Force paid for his travel expenses when he recently attended a training session.

a) Ms. Kelly said the minutes were correct as written because they accurately summarized what she said on the subject of funding. Further, the funding of Mr. Quintanilla's recent trip was a special case. She introduced Mr. Patrick Haas, Air Force Center for Environmental Excellence, to explain the special circumstances. Mr. Haas said Mr. Quintanilla was invited to attend the conference in question to provide input, not to receive training. The conference was co-sponsored by the Department of Energy, the Environmental Protection Agency, and the Department of Defense. Funding for conference attendees was channeled through AFCEE. No Kelly AFB funds were used.

b) General Murdock suggested that Kelly look to other agencies as possible funding sources for future RAB member training. Mr. Rice asked General Murdock to provide the RAB with a concise policy statement. General Murdock agreed to provide that.

4. The minutes from the 29 July 1998, RAB meeting were approved, as revised by the deletion of the reference to Paul Person's alternate.

F. RAB Member Elections

1. Ms. Tanya Huerta was presented to the RAB for inclusion on the Board. She briefly introduced herself to the Board. Her nomination was unanimously accepted.

G. TRS Administrative Business

1. Because of his dual duties as RAB co-chair and TRS chair, Mr. Sandoval submitted his resignation from the chairmanship of the TRS.

a) His resignation was accepted.

b) Dr. Gene Lené was nominated as the new TRS chair. His nomination was accepted unanimously by the RAB.

c) Mr. Ed Weinstein, San Antonio Water Systems, was nominated to serve on the TRS. His nomination was accepted unanimously.

H. RAB Term Limits

1. Mike McGhee explained to RAB members that to comply with the provision in the new charter that RAB community members would serve staggered two-year terms, it was necessary for the community members to draw lots to determine whether their current terms would end at the conclusion of 1999 or 2000. Half the lots were for an additional one-year, the other half for an additional two-years.

The results of the drawing were as follows:

| Term ending 12/31/1999 | Term ending 12/31/2000 |
|-------------------------------|-------------------------------|
| Mrs. Johnson | Mr. Sandoval |
| Ms. Peace | Dr. Lené |
| Mr. Rice | Mr. Murrah |
| Mr. Solis | Mr. Quintanilla |
| Mr. Puffer | Mr. Hagelthorn |
| Mr. Jones | Mr. Mixon |

| | |
|------------|-------------|
| Mr. Person | Ms. Huerta |
| | Mrs. Adames |

I. Mr. John Jacobi, Texas Department of Health volunteered to accept the roll as Parliamentarian for the RAB. He was accepted unanimously by the RAB members.

Item III: Community Comments

A. Mr. Larry Davies, San Antonio Alliance for Democracy and Jobs for Justice, said the community wants the Air Force to stop covering up what is happening and move forward with cleaning up the neighborhoods. He said he attended some RAB meetings several years ago and has seen no significant change in attitude by the Air Force.

B. Mr. Phillip Doyle, representing the Committee for Environmental Justice Action, made a statement against the use of monitored natural attenuation as a cleanup method. He said he and his group would do all they can to ensure the Air Force takes active measures to cleanup the contamination as quickly as possible.

Item IV: Report – Natural Attenuation Conference

A. Mr. Quintanilla reported on the Monitored Natural Attenuation Conference, co-sponsored by the Department of Energy, the Department of Defense, and the Environmental Protection Agency, held in September 1998. Mr. Quintanilla attended the conference. (See attached slides for the outline of his report). He said the conference attendees saw natural attenuation as another “do nothing” alternative. Likewise, the Air Force’s effort to raise the drinking water standard for TCE to 50 parts per billion is also viewed as a “do nothing” alternative.

B. Questions/Comments

1. Mr. Rice said the RAB has repeatedly asked the Air Force for its plans to clean up the neighborhoods, but it has never produced a plan. Mr. Rice said he believes the Air Force is planning to walk away from the contamination after the base closes.

2. Mr. Quintanilla said he asked Mr. Tad McCall about the Air Force’s plans to use natural attenuation. He said Mr. McCall told him that it was unlikely, but not impossible, that natural attenuation would be used to clean up contamination in residential areas.

3. Ms. Huerta asked when the base was officially closing, and what was the status of the clean-up schedule. She was told the base was officially closing July 13, 2001. Mr. Mike McGhee, Kelly AFB, said that the law allows that the base can be closed without all the cleanup systems in place. However, the property deed can only be transferred when the cleanup systems are in place, operating, and proving to be effective.

4. Mr. Juan Solís commented that it was his understanding the contamination must be cleaned up before the property could be transferred. Mr. McGhee told him that the treatment systems must be in place and operating successfully before property could be transferred by deed. Once the cleanup systems are operating successfully, completely cleaning up the site would take several years.

5. Mr. McGhee said the base is still on track to meet its goal of all clean-up systems in place by the end of 2000, but that target may change if conditions change.

- C. The Air Force was asked to make a presentation at the next RAB regarding the clean-up timeline, property transfer, and lease requirements.

A short break was taken.

Item V: Kelly Clean-up Program Documents

- A. Mr. William Ryan, Kelly AFB, gave a presentation on upcoming opportunities for community involvement. See attached slides.
- B. Questions/Comments
 - 1. Mr. Rice asked if there was a plan in place to clean up off-base contamination at Zone 3. Ms. Leslie Brown, Kelly AFB Legal Office, said that the Air Force could not answer specific questions regarding Zone 3 due to Mr. Quintanilla's lawsuit.
 - 2. Ms. Huerta said it was important that the questions be answered. Ms. Brown said that the Department of Justice, which is handling the case, must review and approve all answers given to questions that may be related to the lawsuit. She said she has submitted questions to the DOJ and hopes to have approved answers soon.
 - 3. Mr. Quintanilla said Kelly AFB is trying to hide something. He said his lawsuit is only about his small piece of property. He said the other 20,000 people that live around him would like answers. He asked where was the environmental justice?
 - 4. Mr. Sandoval said that two consultants have been hired through the TAPP—one for groundwater matters and another for health-related matters. They are now waiting for documents to review.

Item VI: GKDC Activities Update

- A. Mr. Paul Roberson, Greater Kelly Development Corporation, gave a presentation regarding status of the redevelopment program at Kelly. See attached slides.
 - 1. He presented RAB members with a copy of the GKDC's environmental policy. See attached.
 - a) Mr. Quintanilla complimented GKDC's handling of environmental issues.
 - b) Mr. Roberson said environmental issues are discussed frequently in GKDC Board meetings. He said the meetings are open to the public. He will provide the RAB with GKDC Board meeting agendas.

Item VII: Edwards Well Contamination

- A. Mr. Rice gave a presentation regarding the Air Force's contamination of the Edwards Aquifer. See attached slides.
 - 1. Before his presentation, he informed the Board that he was a candidate for a seat on the Edwards Aquifer Authority Board.
 - 2. He said the purpose of his presentation was to show that the Air Force has been intentionally dishonest in regards to its statements regarding contamination of the Edwards Aquifer. He said the Air Force should have reported to the public that it had contaminated drinking water and the Edwards Aquifer.
- B. Questions/Comments

1. Mr. Doyle asked if any wells are still active and how can the integrity of these wells be ensured. Mr. Rice said most of the wells are newer wells and should not be a problem, but there could be many unknown wells that could still pose a threat to the aquifer. He said that's why it's important to clean up the shallow aquifer as quickly as possible.

C. Major Gargiulo, Kelly Bioenvironmental Engineering Flight, gave a presentation on Kelly's Safe Drinking Water Program and the background of Water Well 313. In summary, he said the wells complied with the Safe Drinking Water Act. He also stated contamination levels detected in 1986 were most likely the result of cross contamination between sampling and analytical equipment and switched samples. See attached slides.

D. Questions/Comments

1. Mr. Sandoval asked Mr. Jacobi what was the policy at the time of the discovery of contamination in 1986. Mr. Jacobi said the Air Force appears to have acted properly and there is no evidence of a permanent problem. He said since contamination was not found in any other wells, there was no apparent impact to the aquifer.

2. Mr. Rice asked General Murdock to provide a written explanation as to why the statements regarding contamination of the aquifer were made. He said people who made the statements either knew they were false or should have known.

3. Major Gargiulo said the Air Force did not knowingly make false statements.

4. Mr. Sandoval asked Mr. Rice when would he remove responsibility from the Air Force for a mistake that happened more than 10 years ago one, which appears to have had no impact.

a) Mr. Rice stated that if the Air Force would apologize, he would say nothing more about the matter.

5. Mr. Sandoval said he believed the RAB was spending too much time on a subject of little consequence.

6. Mr. Quintanilla said the Responsiveness Summary, in which the false statement appeared, should be corrected.

7. Ms. Huerta commented that the zone displays did not have any values marked.

a) Mr. McGhee said the displays were very basic and staff was on hand to answer any questions people had.

Item VIII: Summary and Closing

A. Dr. Lené announced the dates for the next TRS meetings. The meetings will be held 17 November, 15 December, and 12 January. All meetings will be held at St. Mary's University at 6:30 p.m.

B. Mr. Sandoval encouraged RAB members to continue to take information discussed in the meeting back to the communities.

C. The next RAB meeting was scheduled for 19 January 1999, at Dwight Middle School. The election for the community co-chair will be held at that meeting.

The meeting was adjourned at 10:05 p.m.

Motions/Resolutions

Motions

1. Motion was made to have Mr. Sandoval continue as Community Co-Chair.
 - Approved by a show of hands.
2. Motion was made to approve the 29 July 1998 RAB minutes.
 - Approved by a show of hands.
3. Motion was made to add Ms. Huerta to the RAB.
 - Passed unanimously.
4. Motion was made to make Dr. Lené the TRS Chairman.
 - Passed unanimously.
5. Motion was made to add Mr. Weinstein to the TRS.
 - Passed unanimously.
6. Motion was made to make Mr. Jacobi the RAB parliamentarian.
 - Passed unanimously.

Action Items

| | Requester | Action |
|-----|------------------|--|
| 1. | Mr. Sandoval | Damian will draft letter to ATSDR and bring to TRS meeting |
| 2. | Mr. Rice | Ask BCT for rationale behind decision not to allow RAB Co-Chair to attend. |
| 3. | Mr. Sandoval | RAB requests all BCT minutes. |
| 4. | Mr. Sandoval | Are BCT minutes in the information repository and administrative record? |
| 5. | Mr. Sandoval | AF should try to get RAB packets to RAB members 2-3 days before RAB meeting. |
| 6. | Gen. Murdock | The AF will look at other government agencies that sponsor training activities which RAB members could attend. |
| 7. | Mr. Rice | Request specific policy guidance on RAB training. |
| 8. | Mr. Sandoval | Request presentation on property transfer requirements. |
| 9. | Mr. Sandoval | Request presentation on clean up schedule. |
| 10. | Mr. Sandoval | Request DOJ point of contact for Mr. Sandoval and Ms. Huerta. |
| 11. | Ms. Huerta | Request a copy of data slide from Major Gargiulo's presentation. |
| 12. | Mr. Quintanilla | Wants to know how many monitoring wells were at Kelly in 1986 and how many were sampled. |
| 13. | Mr. Rice | Will the Air Force answer in writing why the statement was made in 1995 in the responsiveness summary (page 11). |

Attachments (provided at the meeting to all RAB members).

1. Glossary Booklet
2. Environmental Update
3. Acronyms Fact Sheet
4. Environment Laws
5. EM Division Project Managers

6. State Risk Reduction Rules
7. Flood Damage Report to TNRCC
8. RAB Meeting Minutes (29 July 98)
9. RAB Application of Ms. Tanya Huerta
10. Talking Paper on AFFF Incident (10 Sept 98)
11. Talking Paper on IWCS Leak (27 Dec 97)
12. WPI Memoranda on Quintana Road
13. Zone Maps
14. Summary of Well 313 Issue
15. Re-Use of Treated Groundwater Position
16. Institutional Controls/Monitored Natural Attenuation Positions
17. Summary of 1592 Tank Demolition
18. Public Involvement Opportunities Under RCRA and CERLA/IRP
19. Upcoming Public Involvement Opportunities
20. 29 July 98 RAB Action Items/Responses
21. TNRCC Pamphlet – Public Participation in Permitting
22. 22 Sep 98 TRS Minutes