Administrative Record

FORT WINGATE DEPOT ACTIVITY, GALLUP, NEW MEXICO

Document No. 96-1

Fort Wingate Depot Activity, Restoration Advisory Board (RAB) Meeting, Wednesday, April 3, 1996

Paul Baca Professional Court Reporters

April 1996



Inquiries regarding this Document and/or the Administrative Record for Fort Wingate Depot Activity should be made to: Commander, Tooele Army Depot, Tooele, Utah 84074

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	12	LARRY D. FISHER, TEAD				
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ssiona	14	Tooele, Utah 84074				
Profe Court Repo	15	MALCOLM WALDE	'n	LYNN SHELTON		
	20	BRAC Transiti	on Coordinator	Environmental Manager/Giant	:	
	16	Fort Wingate,	New Mexico	Bloomfield, New Mexico		
	17	JOE WINKLER		JULIE A. JACOBS		
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FORT WINGATE DEPOT ACTIVITY RAB COMMITTEE MEETING APRIL 3, 1996

ATTENDANCE ROSTER

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P-R-O-C-E-E-D-I-N-G-S [6:38 p.m.]

MR. LARRY D. FISHER: I'd like to get started and I would like to welcome everybody to the Restoration Advisory Board Meeting this evening, April the 3rd, where hopefully some more people will show up.

But we do have the RAB Members here, some of the RAB Members, and we appreciate that, their attending tonight.

This is going to be pretty informal because, you know, most of us know each other anyway and but I have changed the agenda a little bit.

I have asked Malcolm Walden to give us a little bit of history basically at Fort Wingate, what has happened since it became a closed BRAC site and kind of get us up-to-date of where everything is right now; and then we'll kind of follow the agenda here and discuss the RAB Co-Chair.

And then we'll have Mr. Steven Egnaczyk give us the information that's on here. And feel free at any time if you have any questions, just raise your hand and we'll try to answer those as we go.

MR. MALCOLM WALDEN: Larry, could we maybe have an introduction of who is here --

MR. FISHER: Oh, --

MR. WALDEN: -- and who is facing us here.

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MR. FISHER: -- yes. Also, I have a I'm I'm Kevin Tiemeier

sign-up sheet, if everybody would please sign that; then maybe we can get some copies out here later. And we'll just --

MR. WALDEN: Let's start with you and just go around.

MR. FISHER: Oh. Again, my name is Larry I'm the BRAC Environmental Coordinator for Fort Fisher. Wingate and I'm located at Tooele, that's T-O-O-E-L-E, Army Depot in Utah.

MR. LYNN SHELTON: Lynn Shelton. basically here as a citizen. I'm the Environmental Manager for Giant Refining Company in Bloomfield, New Mexico.

MR. MALCOLM WALDEN: Malcolm Walden. the Base Transition Coordinator for Fort Wingate, stationed out of Tooele, also, in Utah.

MR. JOE WINKLER: Joe Winkler, New Mexico Environment Department. I'm just serving on the Board. MR. KEVIN R. TIEMEIER: with the Restoration and Engineering Division of the Industrial Operations Command at Rock Island, Illinois.

MS. MARY JANE STELL: I'm Mary Jane Stell. I'm the Assistant Project Manager and Project Geologist for ERM.

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MR. WINKLER: Who is ERM?
MR. WINKLER: Who is ERM?
MS. STELL: Sorry. We're the contractor
working for the Army Environmental Center out on the
site.
MR. WINKLER: Oh.
MS. JULIE A. JACOBS: I'm Julie Jacobs with
the New Mexico Environment Department.
MR. BOB SWEENEY: I'm Bob Sweeney with the
New Mexico Environment Department, also, but I'm with the
Hazardous Materials Bureau out of Santa Fe.
MR. PHILLIP SOLANO: I'm Phillip Solano,
also with the New Mexico Environment Department, the
Hazardous and Radioactive Materials Bureau.
MR. STEVE EGNACZYK: I'm Steve Egnaczyk
with ERM, the Project Manager here, along with the
contractor, AEC.
MR TIM ALEXANDER. I'm Tim Alexander and
I'm with the Army Environmental Conter and I'm the
I m with the Army Environmental Center and I m the
supordinate at the installation with Larry Fisher.
MR. WALDEN: Okay. As Larry said, I'm the
Base Transition Coordinator for Fort Wingate and I know
that some of you are sort of coming on board here
recently.
So I thought what I'd do is just give you a
brief background on - from a BRAC perspective - on where

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we are now and how we got there.

Fort Wingate was a BRAC I installation. That was the first of the BRAC actions. It was a subordinate installation of Tooele Army Depot in Utah, which is how we were involved with it.

BRAC I identified four of Tooele's subordinate installations. In addition to Fort Wingate, there was Navajo in Flagstaff, Umatilla up in Oregon, and Pueblo in So we established a BRAC office at Tooele to Colorado. manage the closing and realignment of those installations.

We started closing Fort Wingate in 1989 and completed the action in January of 1993. At that time, it was put into a caretaker status, upon completion of the closure. We had met the requirements of the BRAC law by closing it.

At that time, you may recall that there wasn't a lot of concern about what was going to happen after The intent of Congress was, and I'm going to closure. say, by "closing them," that's what we did.

In '93, in the summer of '93, President Clinton changed that attitude by putting out his Five-Point Plan for economic redevelopment of BRAC installations, which was later absorbed into law by, or, as the prior amendment, and really changed the way that the

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Administration and, hence, the Army, the Department of Defense, looked at BRAC properties to where re-use became as important as closing the installation down.

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400 Gold Ave., SW • Suite 200 Albuquerque, New Mexico 87102 That is what then started really putting the emphasis on: What are we going to do with these places? Fort Wingate being a classic example.

What would become of it once it was closed?

The Five Points that the President had were the creation of a Base Transition Coordinator position for every installation, which I am for Fort Wingate; larger grants; rapid environmental mediation; the access to federal government.

There were a lot of complaints from communities, that they were dealing with a multitude of different federal entities and they needed to have a single point of contact who they could deal with. That was the crux of the idea behind the BTC position.

Fort Wingate is unique in that it is the only BRAC property that is one hundred percent withdrawn Public Domain land. That has caused a number of problems here.

Because of that, it took awhile for every one involved to actually catch on to what that meant. The primary significance of it was that it couldn't be treated the same as other BRAC installations.

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The process had been set up and it's been followed pretty closely, that you close an installation down and you put it in re-use by having the local community decide what is going to become of that installation.

Because Fort Wingate is one hundred percent withdrawn Public Domain land, that couldn't happen.

Once we started trying to do that by establishing a local Re-use Committee and getting the four primary entities who have interests, - which are The City of Gallup, McKinley County, the Pueblo of Zuni and the Navajo Nation - that alliance lasted for about six months and then fractured from internal divisiveness.

Ownership became the primary issue that, you know, that caused that to happen.

The land, because it was withdrawn Public Domain land, it was determined that, by law, it had -- Yes, ma'am?

MS. JULIE JACOBS: Would you mind if I just back up a little bit. What do you mean, "Public Domain land"?

MR. WALDEN: Fort Wingate was identified under a Public Land Order in 1868, I think it was signed by Ulysses S. Grant, that it was withdrawn from the Public Domain, from public ownership, for military

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When the installation was closed, by definition it no longer had a military purpose; and as withdrawn land, it had to be returned to the Public Domain.

The Department of the Interior, today, is the holder of Public Domain lands. So that meant that Fort Wingate would be returned to the Public Domain, i.e., the Department of the Interior.

MS. JACOBS: Okay.

MR. WALDEN: Okay?

MS. JACOBS: Thank you.

MR. WALDEN: So, in '93 then, when this came to light, actually it took until '94 for this to really sink in, a number of things came into play.

The Bureau of Land Management, which is a raw land agency, had initially been approached by the Corps of Engineers for - The term is "relinquishment" - to have this Public Domain land relinquished back to the Department of the Interior.

At that time, BLM, who is the Public Land manager for DOI, indicated that they were only interested in Fenced-Up Horse Canyon, which is the area where the Anasazi Ruins are, and the back piece up in the pine trees, for swap with Cibola National Forest.

They weren't interested in the rest of the depot

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because it has improvements and that ruled it out, from BLM's viewpoint.

However, BLM is not an independent agent in BIA entered into the picture. BIA and BLM are this. both DOI constituent agencies.

They are subordinate to the Secretary of the Interior, and the decision rose to the Secretariat level for political reasons.

It was decided that the prior BLM position would be reversed and that BLM would accept back the land that was being offered for relinguishment and then turn it over to the BIA to be held in Trust for the Tribes, Navajo and Zuni.

In September of '95, this was drawing to a head. A number of things were coming into play. The New Mexico congressional delegation had gotten into the picture. The Army had written a letter of relinquishment to the Department of the Interior, offering up approximately half of the property.

The other half is being retained by the Ballistic Missile Defense Office for purposes of launching missiles down to White Sands.

There was an attempt to get an MOU, a Memorandum of Understanding, signed between the Department of the Interior and the Department of Army that would have

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established the rules that would have allowed this relinquishment to take place.

At the last minute, almost literally, the Department of the Interior came up with some more requirements which the Army was unable to meet, primarily environmental in nature, which, in essence, said that before Interior would accept the property back, it would have to be totally remediated.

The normal BRAC process says that you have a local redevelopment authority, a Re-use Group which gets a grant, comes up with a Re-use Plan, and that Re-use Plan is the basis for the EIS.

Tim, would you say that that happens almost just about every place across the country?

MR. ALEXANDER: In many. In many.

MR. WALDEN: In a lot of. In the majority.

MR. ALEXANDER: Yup.

MR. WALDEN: That's the way the system is supposed to work, and it does, in the majority of locations.

Because there was no Re-use Group here, there was no Re-use Plan and there was nothing, no local option to base that Re-use Plan on.

So, Interior wound up saying that they would not accept the property back until it was environmentally

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remediated. That caused the MOU not to be signed and that caused things basically to go into a long-term holding pattern.

The local Re-use Group had fractured. There was no property being transferred to DOI. There were a couple of attempts; one sponsored by Senator Bingaman and another by Senator Domenici to bring the - I'll use the quote here - warring factions together; Senator Domenici's was specifically identified at looking at what economic development opportunities there were.

None of those were successful.

That brings us to where we are now, and that is that we are in that long-term holding pattern. No land will be transferred to DOI until remediation is complete, sometime around the turn of the century.

The local people here in Gallup had hired an attorney to put an injunction in to stop the transfer. Well, you can't file an injunction until there's something to file it against. So until a transfer takes place, an injunction can't be filed against it. So that's off now.

The congressional delegation is looking at a political fix, trying to get the land removed from the withdrawn Public Domain land status or try and bring pressure to bear against the Department of the Interior

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to not claim relinquishment for all of the property, to set aside some piece for economic development.

The State has been noticeably absent from this whole thing. The prior administration didn't want to get involved. The present administration, the Stillness Science Advisor, a gentleman by the name of John Vusich, was involved. He has since resigned and it sort of dropped off the radar screen there.

There have been some attempts by influential local citizens here in McKinley County to bring the State into it. They haven't been too successful. So it's really been a political mishmash.

But the bottom line result has been: Things are pretty much on hold. The only thing that's really moving forward at the moment is environmental remediation, you know. Some progress being made there.

There is some economic re-use going on. There's a private company, a company called TPL that is on Fort Wingate. They are the notable shining success story in that they actually have people employed there, a good percentage of whom are Native American. And, last year, they contributed a million and-a-half dollars into the McKinley County economy, which, out here is, you know, fairly substantial.

They stand to grow even larger here over the

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next couple of years. They have a very high-tech process and they're a clean operation. So, you know, it's an attractive thing they have out there.

We are looking at seeing if there are any other interim users; and interim leasing is the fix that Congress identified for situations such as this, to where, rather than having a BRAC property just lie totally dormant, having no use from it, you look at what can be done on an interim basis.

And we're going to start taking a serious look at whether or not anything could be done in terms of, you know, short-term interim leases.

I think that basically brings us up to where we are now. I hope that was, you know, a short but fairly comprehensive --

MR. WINKLER: Actually, the unit you mentioned, that's the one doing the military explosive --

MR. WALDEN: Yeah. TPL has a contract to demilitarize primarily pyrotechnics.

MR. KEVIN R. TIEMEIER: With the demilitarization. The contract is with the Industrial Operations, --

MR. WALDEN: It is.

MR. TIEMEIER: -- with the demilitarization competitive contracting team.

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15 1 MR. WALDEN: Was there a question? I'm 2 sorry. 3 MR. TIEMEIER: No. I just wanted her to Copy • Expedite Copy Services Available Fax: (505) 843-9242 4 have that and for your edification. 5 MR. WALDEN: Oh. Okay. Anyone have any Albuquerque, New Mexico 87102 Suite 200 6 questions? 7 MS. JACOBS: I'm at a loss. 100 Gold Ave., SW . let. (505) 843-9241 8 MR. WALDEN: Okay. Where did I lose you? 9 MS. JACOBS: It has changed hands so many Daily 10 times. And so who, currently, is responsible for --11 MR. WALDEN: Fort Wingate? 12 MS. JACOBS: Yeah. 13 MR. WALDEN: Me. Professional Court Reporters 14 (Laughter) 15 MR. WALDEN: I mean, you're looking at the 16 one with the --17 MS. JACOBS: You're the Base Transition 18 Coordinator. ∇ 19 MR. WALDEN: Yeah. But the caretakers 20 out there work for me, also. And, unfortunately, when 21 someone has a problem at Fort Wingate, the first person 22 they think of is me. So, I'm -- When it comes right down 23 to -- When push comes right down to shove, I'm the 24 responsible person. 25 MS. JACOBS: And you're with the Army?

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1 MR. WALDEN: Yes. It's still Army 2 No property has changed hands here. property. MS. JACOBS: Copy • Expedite Copy Services Available Okay. 3 Fel. (505) 843-9241 • Fax: (505) 843-9242 MR. ALEXANDER: Nor did the BRAC law 4 5 require that it change hands. Albuquerque, New Mexico 87102 As Malcolm explained earlier, it was a 1993 6 7 initiative by President Clinton, who said, "Hey, we're 8 going to put this land into the hands of the local 9 economy." Daily 10 MR. WALDEN: We have met our requirement under law when we closed the installation. 11 MS. JACOBS: Do you have to have a Re-use 12 13 Plan here before you can transfer land? Or what's the Professional Court Reporters 14 status of the Re-use Plan? 15 Again, because of Fort MR. WALDEN: No. Wingate's unique nature in being withdrawn Public Domain 16 land, if nothing else were to happen, - And I think I **BAC** 17 have covered some of the options of things that could 18 19 happen - but if nothing else were to happen, at some 20 point around the turn of the century when the property has been remediated to the point that the Department of 21 the Interior would be willing to accept it, they would 22 sign a Letter of Acceptance to the offer of 23 24 relinquishment and the property would transfer from Army to Interior and would then be Interior's property, which 25

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the current indications are, would be, in essence, given to BIA to be held in Trust for the Tribes.

MR. ALEXANDER: You know, we've been talking about the Year 2000.

But because there is this change in priorities and because there's been a lack of local -- I guess there's been no Re-use Committee and, frankly, there's been some failures by the Senators' offices, et cetera, to pull together the local folks, priorities have changed for the Army.

There is not a lot of funding, basically, even coming into remediation right now and that is something that we have talked about at our meetings.

And, so, the Year 2000, meeting the Year 2000 is a function of having the funding to do many of these things that we have been working on, at least the concept for that.

MR. WALDEN: If the funding is not there. that date obviously slips.

MR. ALEXANDER: Yeah.

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MR. WALDEN: But, in the meantime, until something such as that causes property transfer, it remains Army property and it remains basically in the caretaker status that it is in now.

MS. JACOBS: So no Re-use Plan is needed?

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MR. WALDEN: If a political action - And I think that's probably the only thing that would happen that would cause a change - were to happen, to enable a local organization to get together to form that Re-use Plan, then it could be.

There is an organization called the Northwest New Mexico Council of Governments which has indicated its willingness to accept that role.

However, the Office of Economic Adjustment, which is the DOD agency that deals in this area, has indicated they won't recognize that group unless it has participation of the Navajo and Zuni.

The Navajo and Zuni obviously have vested interests in the property transfer into BIA, so you've got a built-in dichotomy there that, you know, doesn't let them get together.

That's been part of the problem right from the beginning, is there are too many competing vested interests.

MS. JACOBS: Thank you.

All right? MR. WALDEN:

Thank you, Malcolm. Ι MR. FISHER: Okay. appreciate that. It kind of gets us up-to-date on what is going on there, you know, because we have some new members from the State here with us and that helped a

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What we would like to do, for sometime now, we have been without a Community Co-Chair of our RAB, Restoration Advisory Board. We would like to, at this time, elect a Co-Chair.

What we have done is, we have tried to wait till we had all the RAB Members here, or at least a larger percent of them, and it's never happened.

So, what I would like to do anyway is just --I'd like to turn the time over to Malcolm. Malcolm is going to help go through this process and we'll try to elect or vote upon a Community Co-Chair, you know, for the Restoration Advisory Board.

MR. WALDEN: This is going to be a little bit difficult because of, you know, the lack of community involvement. Lynn is truly the only citizen who is here.

However, as voting members of the RAB, Larry,

myself, and I believe there's --

MR. WINKLER: Joe.

MR. WALDEN: -- Joe; and I'm not sure who else is a voting member.

> MR. ALEXANDER: Al, but not --

MR. WALDEN: Not here. No.

MR. ALEXANDER: Julie. Julie is

representing Chris Whitman.

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20 1 MR. WALDEN: Okay. So Julie would be. 2 COURT REPORTER: Representing who? Copy + Expedite Copy Services Available MR. FISHER: Chris Whitman. 3 Albuquerque, New Mexico 87102 Tel. (505) 843-9241 • Fax: (505) 843-9242 MR. WALDEN: Whitman. I believe that we 4 5 have enough here to be -- you know, to have this be 6 official, an official action. And, you know, since I am sitting here in the 7 role of a Temporary Chair, it's difficult for me to 8 9 nominate. **Wile** So what I would like to do is ask if there are 10 any nominations for a Co-Chair. 11 Okay. Larry, how about you? 12 13 MR. FISHER: I'd like to nominate Mr. Lynn Professional Court Reporters Shelton. 14 15 MR. WALDEN: Do I hear a second? MR. WINKLER: I second it. 16 PAUL BACA MR. WALDEN: Okay. We have a nomination 17 and a second. Are there any others? 18 19 If there are no others, I'll call for the Okay. question. All in favor of Lynn being elected as Co-20 Chairman, signify by saying "Aye." 21 MR. FISHER, MR. WINKLER, MR. WALDEN: Aye. 22 23 MR. WALDEN: Any opposed? There being no opposed, the motion carries and Lynn is now the Co-Chair. 24 COURT REPORTER: What's the vote? 3 - 0,25

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21 1 the motion carries, or what? 2 MR. WALDEN: One, two, three, four, 5 - 0. **Daily Copy** • Expedite Copy Services Available 3 COURT REPORTER: I'm sorry. Who? 400 Gold Ave., SW • Suite 200 Albuquerque, New Mexico 87102 Tel. (505) 843-9241 • Fax: (505) 843-9242 4 MR. WALDEN: I'd better count. One, two, 5 three, four. And you're voting, right? 6 MR. FISHER: Sure. 7 MR. WALDEN: All right. 8 (Laughter; simultaneous verbiage) 9 COURT REPORTER: I'm sorry. For the 10 record, I have Fisher, Malcolm, Winkler, and who's the 11 fourth vote? MR. WALDEN: Fisher, Shelton, Walton and 12 13 Winkler --Professional Court Reporters 14 COURT REPORTER: Oh, Shelton voted? Okay 15 I didn't hear you vote. That's why I was then. 16 wondering. 4 - 0. Okay. 17 MR. WALDEN: Yeah. And the motion carries BA(18 and I'll turn it back over to you, Larry. 19 MR. FISHER: Okay. Thank you. And, also, 20 Julie. 21 COURT REPORTER: Also, Julie? Is it 5 - 0 then, with Julie? 22 23 MR. WALDEN: Yes. 24 MR. FISHER: Yes. She can vote. 25 Okay. COURT REPORTER: That's what I need:

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22 1 Then that's 5 - 0. names. 2 MR. WALDEN: That's what I thought I said. 5 - 0. Thank you. Copy • Expedite Copy Services Available 3 4 COURT REPORTER: Julie Jacobs. Okay. 5 Thank you. 6 7 (5 - 0 vote, voting members identified 8 above; Lynn Shelton, RAB Co-Chair) 9 Daily Now, I'd like to turn 10 MR. FISHER: Okay. the time over to Steve Egnaczyk. He's going to discuss 11 12 the preliminary results of the landfill investigation. 13 Then we will go into the OB/OD closure update. Professional Court Reporters 14 Steve. 15 MR. STEVE EGNACZYK: Thank you, Larry. Just to refresh everybody's memory, back in June 16 AUL BACA 17 of 1994, the base clean-up team for the installation agreed to review the status of three waste disposal areas 18 19 relative to the period of operation, the nature of the 20 waste disposed at each location, and all the applicable 21 standard New Mexico Solid Waste Management regulations 22 and potential closure requirements. 23 The three areas again, just to refresh everyone's memory, were the Western Landfill Area, the 24 Central Landfill Area, and the Group C Disposal Area. 25

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These areas were identified to us, the Western and Central Landfill areas, during our initial investigations on the installation as areas that have been utilized for the disposal of weapon use and debris, construction and related debris, all as being nonhazardous.

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As part of the closure operations of the installation, the focus of our investigation was to go back to these locations, confirm the basic boundaries of the areas by bilateral extent and depth of waste material and also to confirm the waste material that had been landfilled in those locations and confirm the nature of those waste materials against what had been reported to us informally in our early investigations on the installation.

So, safe characterization activities were initiated at the three areas in the week of 8 January of this year and were completed on the 23rd of February.

The characterization activities included the excavation of trenches and test pits throughout the identified areas to confirm the size and depth of the landfilled areas and the nature of the disposed material.

MR. WALDEN: Were all three trenched?

MR. EGNACZYK: Yes. All three areas were trenched.

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Basically, all three areas are of different size, so our main focus was to basically install random trenches in the locations that would allow us to determine where the boundaries of the landfill areas were; and then, also, to get into the waste materials to characterize what those waste materials were.

Approximately 45 trenches were installed through all the three areas that vary in size.

The Group C Disposal Area I think required maybe five to six trenches because, really, there, the focus was more surficial deposition of waste materials, and we were just confirming the depth more than the area of extent.

And then the other two areas, it was more of a boundarying of the actual extent of landfilled areas.

So there were more trenches that were put in, for example, at one end to confirm where an edge might have been and then to confirm waste materials on through that landfilled area.

We also took soil samples throughout the landfilled areas, both the areas that were representative of the waste materials that we found within the landfill itself, and then also below those waste materials to provide at least a preliminary assessment of what impact those waste materials might have been on underlying soils

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and, then, if any groundwater or surface water might have been hit on those immediate areas.

No surface water or groundwater was encountered in any of the landfilled areas during our trenching activities or in the Group C Disposal Area.

The characterization activity basically confirmed the reported nature of the landfill materials. They were principally of solidness for waste, refuse, debris, metal strapping, boxes, different things like that, associated with I think one of the ongoing activities of the installation, rather than necessarily the closure.

There were several exceptions. These exceptions included finding some ordnance-related scrap in the Western Landfill Area that we believe is associated with the former deactivation for this Army installation.

And by "ordnance-related scrap," I mean materials that had been demilitarized and all and any ordnance-related materials that had been removed, and these were the just the empty shell casings that had been placed on the landfill area.

That area, it's to basically remove all the shell casings that we directly encountered during our excavation activities and then get a preliminary characterization as to the size of that area; and then

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that will be turned over to the Huntsville Corps of Engineers for actual clearance activity at some future point in time, probably in coordination with the activities they will be performing this summer.

Then in the Central Landfill Area, in one of the random trench locations, we encountered several 55-gallon drums in the landfill area that contained what looked to be like hydraulic oils or asphaltic tar materials.

Those drums were identified and we took --

MR. WALDEN: Were they still intact? MR. EGNACZYK: Yes, they were intact.

One of the drums was actually ruptured as part of our excavation activities. We removed all the soil that had been impacted by that rupture.

I believe it was a hydraulic oil drum that had been ruptured by that.

And characterization is currently being performed on those materials so that we can implement properly for off-site disposal.

So all the materials that were basically --Well, all the soils that were basically impacted by that rupture were all excavated out and placed in 55-gallon drums. The remaining drums that were not ruptured during the excavation activities were all left in place.

As I said before, groundwater was not

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encountered in any of the excavations --

MR. WALDEN: Excuse me, Steve.

MR. EGNACZYK: Sure.

MR. WALDEN: Did your trenching activities that encountered those drums, did you have any indication as to how many more drums might be there?

MR. EGNACZYK: No. Really, the focus of this, in doing a random series of trenches, you're kind of depending on the luck of the draw, the luck of the dig, so-to-speak, on where you're digging.

So, because we were really looking to confirm the nature of waste materials, we certainly excavated around that area. We didn't just, you know, see it, run, and move on.

We excavated around that area and identified as many drums as we could, without starting to dig up the whole landfill area.

So, we certainly did open up the trenched area around those drums, themselves, to see if it was in fact a large number or an accumulation of drums.

MR. WALDEN: Okay. Thank you.

MR. EGNACZYK: Based on these activities, we will be preparing a report that goes through our review channels to the Army, and then I guess the Army Environmental Center will then be making that available

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28 through the proper channels. 1 2 So, I'm summarizing the activities of our findings in the landfill investigation and, also, the Copy • Expedite Copy Services Available 3 [el. (505) 843-9241 • Fax: (505) 843-9242 analytical results from the soil samples that were 4 collected during the characterization activities. 5 Albuquerque, New Mexico 87102 Suite 200 Are there any other questions on that issue that 6 7 I can answer for anyone? 400 Gold Ave., SW MR. SHELTON: Lynn Shelton. Have you 8 9 received any of the analyticals back for any of the Daily soils? 10 11 MR. EGNACZYK: Not yet. The other question: 12 MR. SHELTON: You said you did not encounter groundwater. 13 Professional Court Reporters MR. EGNACZYK: That's correct. 14 Typically, in this area, we 15 MR. SHELTON: consider the Sonsela Formation to be the uppermost 16 UL BACA 17 aquifer. Have your studies borne that out, also? 18 MR. EGNACZYK: Well, I think that's -- Tim 19 20 might want to get into that. But I think there has been a discussion or an 21 issue regarding shallow perched locations on the 22 installation, whether they do in fact exist. 23 I think they have been identified at other 24 focused locations around the installation and I think 25

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that was our concern in these areas: if these landfilled areas were in fact located over a shallow perched area.

And I'll let Mary Jane step in on that issue.

MS. MARY JANE STELL: In the Western Landfill, the base of the waste was approximately eight feet deep, if my memory serves me.

And we had a pretty big excavator out there, so we thought, at one location, we would dig down to the maximum extent of the excavator, just to see how deep the groundwater was.

We got to approximately 21 feet and it was very dry.

So, that's the only real evaluation that we could do during this trenching exercise, to look at groundwater in those immediate vicinities.

We don't believe that it should be an issue.

MR. SHELTON: And I wouldn't consider it to be much deeper than that.

> MS. STELL: Right. I wouldn't, also.

I think our concern was that MR. EGNACZYK: there was a perched zone, and if there was a perched zone underneath the waste materials, themselves, that if anything could be impacting from those wastes or could be migrating from those waste materials down to any potential perch zone; so, as Mary Jane said, we went as

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400 Gold Ave., SW • Suite 200 Albuquerque, New Mexico 87102 Tel. (505) 843-9241 • Fax: (505) 843-9242 Daily Copy • Expedite Copy Services Available	1	deep as we could in that excavation effort to just, you
	2	know, confirm that there wasn't any groundwater in the
	3	shallow zone at that location.
	4	MR. ALEXANDER: Let's go Well, Steve,
	5	can we review?
	6	Go back and review the basic premise for going
	7	into the areas and, I guess, what we're going to do
	8	relative to, I guess, the regulatory requirements
	9	MR. EGNACZYK: Okay.
	10	MR. ALEXANDER: that would then
	11	MR. EGNACZYK: Right. Under the State of
	12	New Mexico Solid Waste Management regulations, there are
_	13	specific requirements regarding the closure of a solid
fessiona Irl orters	14	waste landfill.
Pro Cau Rep	15	So a lot of our investigation activities were t
	16	support the finalization of those areas, since they
	17	weren't necessarily implemented as direct solid waste
PAUL BAC	18	management facilities.
	19	What we're trying to do now is go back and
	20	recapture information so as we can prove to the State of
	21	New Mexico that they had been closed or are closed
	22	properly.
	23	In other words, was there a proper soil cover
	24	across the top of the landfill area covering the waste
	25	materials, where the waste material is boundaried within

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the installation area itself?

And then, also, what the underlying nature of the underlying soil might be, because there are some specific closure requirements and, actually, construction requirements associated with some of these landfills.

At the time period that these landfills were actually put into operation, the Solid Waste Management regulations did evolve over the time period of the initiation operation and closure of these landfills. So. based on the time periods that we had, information on the landfills were actually started and used and we were really there trying to match up, you know, the criteria of the State of New Mexico Solid Waste Management regs for those landfills.

MR. ALEXANDER: Which is principally a function of what type of material went into the landfill.

> MR. EGNACZYK: Right.

MR. ALEXANDER: Okay? That's the key. So that's why we went in. We had some understanding that there was some demolition debris in the landfills, not much more than that.

But we questioned that and, therefore, we went and did the intrusive work.

So, now that we found what we found, it does pose some problems for us and maybe you want to get into

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that, unless I'm jumping out of sequence.

MR. EGNACZYK: No. Not at all.

I think the issue there is how or what is the best and most economical way to implement closure of those landfill areas?

I believe there are overall installation plans to do the restoration of the installation that involve several other locations that tend to wash out - lagoons, et cetera - and possibly relocating those waste materials into a landbased unit or some solid waste management facility up in the Demolition and Burning Ground Area that will maintain itself under Army ownership, more from safety concerns and environmental concerns.

And that comes down to a balance of: if it's more cost-effective or really environmentally sound to actually remove those waste materials from the landfilled areas completely and consolidate them up into the OB/OD Area.

MR. WALDEN: Would the State accept closure of, a Closure Plan that did not require relocation of materials?

MR. EGNACZYK: It's dependent on how or the defensible position you present on the waste materials that are there and the type of capping material that is currently present and, basically, the engineering or

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geotechnical requirements that require it as part of the solid waste management landfill.

Those landfills, in a sense, don't meet those requirements now and I'm just, you know, supposing that, in that sense, they would be more receptive to an option that might remove those waste materials altogether.

MR. ALEXANDER: In addition, we're now in a rather untenable position that we have discovered some drums which we believe contain some petroleum-like materials, like hydraulic oils and some asphaltic material, so we probably -- we'd certainly have an obligation to go back and look at that.

You don't put liquids in landfills and, so, we're going to have to address that problem one way or another.

MR. WALDEN: And that has been communicated to the State?

MR. ALEXANDER: Yes. We have communicated that information to the State. And we've been working primarily -- This is, this is -- And I don't want to make this any more complicated than needs be this evening. But we have been working with the Solid Waste Bureau, Mr. David Duran's group, and we have yet to pass a lot of this information on to Mr. Duran, formally.

But, really, we're at a juncture now, and Steve

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alluded to it, where we are considering restoration across the facility.

And, frankly, we have been discussing and seriously considering, in consultation with the State EPA, the implementation of that landbased unit up in the OB/OD Area.

Well, that, frankly, you know, may play the key part in basically directing how we address these landfills that are or that were under investigation.

So, you know, and I think Steve was rather clear about what factors we need to, to --

MR. WALDEN: So it basically does become part of a comprehensive plan --

MR. ALEXANDER: You've got it.

MR. WALDEN: -- to map those landfills more comprehensively.

MR. ALEXANDER: Yeah. Yeah

MR. EGNACZYK: Specifically, there would be a range of options on both sides.

We could certainly present a range of options that would say, "Here is" -- or we could properly close these landfills in the locations that currently exist, to attempt to meet the Solid Waste Management requirements.

"But, yet, here is an option and an overall

restoration picture that we also might be able to

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implement." 1 2 Copy • Expedite Copy Services Available 3 Albuquerque, New Mexico 87102 Tel. (505) 843-9241 • Fax: (505) 843-9242 4 5 400 Gold Ave., SW • Suite 200 6 7 8 9 Daily 10 11 12 13 Professional Court Reporters 14 15 16 17 18 19 20 21 22 23 24 25

And there are, I'm sure there are, regulatory requirements that would require performance, --

MR. ALEXANDER: Yeah.

MR. EGNACZYK: -- comments, and their review and their concurrence on a technical approach.

So they're all just options now that we're considering, now that we've seen what waste materials are there, and so we don't want to put anyone on the spot --

MR. ALEXANDER: Right.

MR. EGNACZYK: -- on the State's side.

MR. ALEXANDER: Right.

MR. EGNACZYK: Just options that we're, you know, that we're looking at this and seeing the waste materials that were seen down there and then looking over at our overall restoration goals.

MR. ALEXANDER: Yeah. But I think we can say at this point that the State, - And they're here, some of the folks are here - if they disagree, I'm sure they'd say something.

But the State is also interested in the, I guess, the concept of a landbased unit in the OB/OD Area. So we have discussed that in a preliminary way at recent meetings.

So, and that's frankly where a lot of

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restoration concept is going to, Fort Wingate. So that's important to note.

And we have talked about this at previous meetings, the idea of bringing waste up into the OB/OD Area.

But, you know, one thing you have to understand is, because the shift in priorities, '93-'94, and the developments on the re-use end, that becomes stagnant; that's given us an opportunity to argue not for quick fixes and transfer of property but how we really go about bringing an integrated and cost-effective approach to remediation at Fort Wingate.

MR. WALDEN: You have the luxury of time. MR. ALEXANDER: Yeah. We're taking that time, too.

It's no longer like, for example, where TNT washed out where, you know, you'll throw the cap on it, get the rod out, then come back when we've taken care of the OB/OD Area, and move the material out so, therefore, you have the property freed up down below for basically a, you know, relaxed use, for lack of a better term.

So, you know, so that's where we're going, and --

MR. EGNACZYK: And another distinction from the three areas, let me just clarify that, the Group C

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Disposal Area was really being looked at, at the State of New Mexico's request, because of their concern that there is refuse in the watercourse; and there are New Mexico regulations against that.

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So that material will probably be removed, no matter what, to another location.

MR. WALDEN: And not because of its proximity to the slashed-on boundary.

MR. EGNACZYK: Right. Right. Well, not because it may have been a landfilled area. It really wasn't a true landfill area. It was just a surface dumping of scrap metal and debris on the surface, and that area is distinctive.

I didn't want to lead you into that that was a landfilled area.

That is really surface debris and scrap on the surface that will be, you know, pulled out at a future point in time.

MR. ALEXANDER: Well, that, that then may be a semantical issue. I mean one may well probably legally argue that you have a landfill up there.

MR. EGNACZYK: Right.

MR. ALEXANDER: But that, that's not -- The bottom line is, you know, we intend to address that area.

And, again, that's more material, that instead

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of paying money to ship it off-site, put it in an obscure site up in the OB/OD Area; it's got a home.

MR. EGNACZYK: As far as re-use of the installation, that removes two locations that might have long-term controls and really access any future re-use restrictions from those locations and frees up that land for a total transfer and re-use for, for what?

Well, actually, for unrestricted re-use as long as everything is done in accordance with and everyone is happy with the zone, okay?

Are there any questions?

All right. The next issue I'll address for everybody is really an update on the closure of the OB/OD Area.

As you may recall the interim status, the Open Burning/Open Detonation Area is located on the western portion of the installation.

I think everyone back here pretty much knows where it's located, but it's basically this area back in here.

MR. WALDEN: Show it to this lady that's back at the end.

> MR. EGNACZYK: Okay.

I'm not sure who she is. MR. WALDEN:

Larry, we need to ask her to introduce herself.

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We might need to see who else is here.

MR. EGNACZYK: Excuse me, ma'am. I just wanted to let you know that the next area I'll be talking about is the Open Burning/Open Detonation Area that's located on the western border of the installation.

MR. FISHER: Excuse me. Would you mind? We went around and introduced ourselves. Everybody introduced theirselves and I was wondering if you wouldn't mind, also, so we know who you are and who you're with.

MS. ANN SASAHARA: My name is Ann Sasahara. I'm with the Navajo Superfund Program.

MR. FISHER: Okay. Thank you.

MR. EGNACZYK: Basically, our last submittal to the State of New Mexico was back in September of 1995 when we transmitted to them Closure Field Work Plans, basically to implement field investigation and characterization activities within both the current and closed OB/OD Areas.

Both arroyos that transect both of those areas have residue and debris areas that had been identified during a previous preliminary site walk-over and then a detailed site walk-over last summer; that because of safety concerns and because of just an unknown extent of contamination of refuse and debris, needed further

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characterization.

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And the Work Plans were developed really because we-needed to do trenching operations in those areas that presented a very high safety and hazard issue.

And we wanted to make sure that those activities were brought through not only cost-effectively but also in a safe manner so that we could trench through those areas without an adverse impact on human health and environment to the people that would be doing the actual work.

So those Work Plans were submitted.

And since then, I think there have been a series of meetings looking at ways to resolve some of the administrative issues and regulatory issues that the State of New Mexico has, regarding the interim status of closure of the area.

And, maybe, Tim, you would like to pick up on the latest meetings and the status of those meetings and where we are at.

MR. ALEXANDER: Yeah. Frankly, for the past year, and this is certainly the Army's perspective, we've been going round and round on an issue of "How do you get to a point where you have a complete Closure Plan for the Open Burning/Open Detonation Area?"

And our contention over, oh, Jeez, at least a

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year has been that we need to carry out these investigative activities before we can go about selecting a closure option.

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Our impression is that the State of New Mexico has been asking for the Final Detail and that option for how we were going about to close the OB/OD Area.

I think, recently though, we've had some real good meetings and some breakthroughs and that they're exercising some creativity, allowing us to work through the closure process, which gives us more time to carry out our investigative activities, and then go about selecting a closure option.

So, what we're doing I think is, at this point in time, we've agreed to modify the Closure Plan, update that Closure Plan, which -- Well, I guess the closure then would come about in phases, which would lead to or conclude with the selection of the closure option, and enable us to provide the State with the detail that meets all the regulatory requirements which dictate elements of a final Closure Plan.

But we couldn't give them that until we did this investigation out here. And we're a little more intelligent about what we're going to tell them we were going to do.

We couldn't do it, or, tell them what we were

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going to do without the information, and I think we've arrived at some agreement about that and on how to go about getting to that point, administratively.

MR. WINKLER: Have you completed all the trenching you're going to do, all the investigation?

MR. ALEXANDER: Sir, that, what's going on right now is that we are -- Again, we're holding meetings and, frankly, we were out on-site today, working out real specific details on where monitoring wells will be placed, both in shallow and deeper bedrock zones, things of that nature.

So I think we're getting to the point where we're going to find agreement with the investigative approach, and we're hoping, we're hoping that this leads to implementation of the investigation this summer, probably towards the latter end of the summer.

MR. EGNACZYK: Last summer, we basically did a detailed site walk-over both arroyos, which we really needed, because that was the first time we had actually gotten into those arroyos and done a detailed site walk-over with current maps, to really map out the location of the debris and residue areas, so that we could come back and then plan where the trenches could go and in a cost-effective manner, so that we'd get the information we need to move forward on a closure option.

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It will also provide the characterization information that the State of New Mexico had asked for.

So, as a result of that, we are going to put the Work Plans together in the fall.

But, really, it's what we need, as the implementers of a lot of the field activities, but it may not necessarily be what the state needs, Tom, to answer their administrative issues.

So there are really two agendas that we are all trying to merge together on, so that we meet the needs and the requirements of the State of New Mexico for the Closure Plan itself; but, also, because for the safety concerns and the ordnance nature of things out there, that we can safely do our investigation and charactization activities and then also look at potential options for those areas.

MR. ALEXANDER: One other thing I'd like to add, and I think it's rather important, is that the RCRA activity in the OB/OD Area and that closure is definitely linked, by regulation, to how we disposition the rest of the sites along the facility, okay?

Specifically, it's the Closure Plan that should open up the avenue for implementation of a landbased unit in the Open Burning/Open Detonation Area, okay?

So, it's a rather important process.

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So the Closure Plan doesn't just say, "Okay, this is how we're going to close the OB/OD Area" but it's also, again, the vehicle for saying, "We have remediation waste throughout the facility," okay?"

Now, "Can we, through regulation, you know, move this waste up into the OB/OD Area?"

And we're working on those considerations right

MR. EGNACZYK: So we have basically completed most of the preliminary mobilization activities and we have gone in and supported the roads through those areas that get pretty wet and pretty slick in the winter and with the spring thaws and, also, in the fall, you know, rainy time.

So we have gone through and laid down gravel through all those areas and worked on the roads.

And we have also done an ecological and wetlands characterization of the areas to basically identify sensitive habitats or areas that might be ecologically sensitive to any of our excavation activities or any of our intrusive investigation activities.

And those efforts have been coordinated with the Corps of Engineers in Albuquerque and also with the archeologists out of both the State Historic Preservation Officer's office and also the Corps of Engineers in

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Albuquerque, the archeological group, to make sure that we were not impacting any areas adversely in any of these activities that what we do up at the landfill will be done under the guidance of an on-site archeologist to make sure we maintain conformance with the Memorandum of Agreement on those issues that the Army currently has.

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MR. ALEXANDER: We've been shooting this information around pretty fast and I'm just wondering if Lynn or anybody in the room has any questions?

Some of these folks have been with us today and spent most of the day with us, working with us. But the representative from the Navajo Superfund Program, I guess, -- Is that part of the EPA?

MS. ANN SASAHARA: Yes.

MR. ALEXANDER: Okay; you know, if you have any questions. I mean we basically go on from talking specifically about what we've found in these landfills that were under investigation and we've moved from that discussion into: How does that tie into facilitywide restoration?

So, if there's any questions on that, you know, --

MR. WINKLER: Have you summarized this in any sort of documentation?

MR. ALEXANDER: No, we haven't. And the

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reason is this, is because it was only three weeks ago, I think, where we cracked a pretty hard nut; and that is that we found some agreement as to how to go about working with the closure issue, the closure of the OB/OD Area, and that's the inroad to tying up a lot of loose ends.

We've done an RI/FS, standing out there for a long time. And if you recall, we had made recommendations for actions at a pistol range, some soil around the Building 5, et cetera, and most of these ended up in decisions or, at least, recommendations at this point to move the waste off-site. Treat it and move it off-site.

That's no longer the case. And the whole number of it was, remember, the priority, was to access the property. Access the property. Access the property.

But we haven't gotten any, you know, indication that there's going to be a re-use.

MR. WINKLER: Did I understand correctly that some of the material may be put up there on a temporary basis?

Nothing will go up MR. ALEXANDER: No. there on a temporary basis.

And what we are considering is part of a landbased unit and you're looking at a state-of-the-art

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secure, secure -- And so when I say "state-of-the-art," it is what is meeting the most, the most stringent of regulatory requirements: double-lined facility or something like that. That's what we're considering right now.

MR. WINKLER: In other words, it would be taken up there on a permanent basis?

MR. ALEXANDER: Yeah. No. Well, if that's your question, yes. Consolidating the waste, yeah.

MR. WALDEN: That would remain Army property forever.

MR. ALEXANDER: Right. That's correct. Yeah. And the reason why it remained Army property forever is because of the regulatory status of the Open Burning/Open Detonation Area and the requirement for postclosure care for that facility for 30 years, okay?

So that that -- So it makes sense, too, you know. Why should you send it to somebody else's facility? Why not take care of our own.

And it's a lot of -- It's a pain right now. It seems like it's going to be a lot cheaper to do it that way.

And we may need that unit to basically work in tandem with maybe some of the other techniques for addressing the OB/OD Area and that's really its key.

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If you need it and you get economy of scale and, 1 frankly, the larger the darned thing is, you know, you 2 realize that you have more economy of scale. Copy • Expedite Copy Services Available 3 Albuquerque, New Mexico 87102 Tel. (505) 843-9241 • Eax: (505) 843-9242 MR. BOB SWEENEY: I'm Bob Sweeney with the 4 5 Environment Department. In answer to Mr. Winkler's question, let me 6 throw out that it is possible to obtain temporary 7 authorization to move those materials to the landbased 8 9 unit. Daily And then when the Corrective Action Management 10 Unit is permitted, then the materials would be put in 11 there permanently. 12 But it is possible to put items on property 13 Professional Court Reporters temporarily for up to two years. 14 MR. EGNACZYK: It might be important, --15 MR. ALEXANDER: The other thing is --16 MR. EGNACZYK: -- also, too, just because 17 we have given briefings to the RAB Committee before, that 18 \triangleleft the initial activities were done under CERCLA in an RI/FS 19 20 Report. And I don't know if Phil wants to speak on this, 21 but over the last year or so, I believe the State of New 22 Mexico has gained authority for more of the RCRA program 23 and, really, I mean to say now that most of the future 24 activities will really be under the direction of the

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49 1 State of New Mexico and the RCRA Program, more so. Or 2 maybe it's a combination of things. Copy Services Available 3 But I think that's one thing that's kind of Fax: (505) 843-9242 changing things, also, is that thre has --4 5 MR. ALEXANDER: Yeah. 400 Gold Ave., SW • Suite 200 Albuquerque, New Mexico 87102 Tel. (505) 843-9241 • Fax: (509 6 MR. EGNACZYK: -- been a change in the Copy • Expedite 7 nature of their authority in how the Demolition and 8 Burning Ground Area is being administered. And, that, I 9 think is a --Daily 10 MR. ALEXANDER: I, I think what it does, 11 Steve, is emphasize the point, that the fact we're 12 operating under right now two sets of regulations that 13 end up at the same point. Professional Court Reporters 14 And what we've been arguing for, or at least 15 discussing, with the State has been that we find some 16 equivalency between the work that we've done under CERCLA 17 and the requirements of RCRA and those new requirements BAC 18 or those new authorities that the State has, you know, I 19 guess, recently --20 MR. EGNACZYK: Received. 21 MR. ALEXANDER: -- received, or whatever 22 you want to call it. 23 MR. EGNACZYK: Yeah. 24 MR. ALEXANDER: So it's a difficult issue 25 for us, too, you know. On the bottom line, it's the

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1 same. 2 MR. EGNACZYK: Are there any questions that I can answer? Copy • Expedite Copy Services Available 3 Tel. (505) 843-9241 • Fax: (505) 843-9242 MR. SWEENEY: No. 4 5 MR. ALEXANDER: Bob, let me ask you a question: Do you see any area where you think that that 6 window of opportunity for a two-year use of the OB/OD 7 Area is applicable and would be beneficial to us at this 8 9 time? Daily 10 MR. SWEENEY: Yes. Bob Sweeney again. may be an administrative thing. 11 It's simpler to get a permit modification for a 12 temporary unit and then proceed from that to the 13 Professional Court Reporters Corrective Action Management Unit, and that gives you --14 Well, it means that you can start storing items there 15 faster than if you waited for the Corrective Action 16 BACA 17 Management Unit to get a permit. And I just threw that out because Mr. Winkler 18 used the word "temporary" and it is possible that things 19 would be put up there temporarily, depending on what 20 you're looking at it for. 21 Before you did that, there MR. WALDEN: 22 would have to be some sort of driver to cause that to 23 happen; wouldn't there? 24 MR. ALEXANDER: Well, I'm trying to 25

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understand what or where it would be beneficial for us to move something up there. And that's where I'm --

MR. WALDEN: That's basically the same thing I'm asking. I don't see why --

MR. ALEXANDER: And that's really where I was kind of -- Maybe Bob had an idea that I didn't know about and I was hoping maybe he would share it.

MR. SWEENEY: I'm Bob Sweeney again. If you wanted to start cleaning up other parts of the base, those outside the OB/OD Area, you could do that as soon as you were given the temporary authorization.

MR. ALEXANDER: But given that, what we're looking for is a landbased unit, okay?, for permanent, you know, residence of remediation waste throughout the facility.

To store anything up there on a temporary basis, I'm not sure what we would gain, because what we would want to do would be to, for example, you know, remove the material from one of the -- from the Group C Area, because that's the easiest, okay?, remove the material from the Group C Area and put it in a unit that's already built.

I mean, that -- I, I can't see taking or excavating it, and then somehow putting it in something that's secure and environmently sound until we have the,

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In my

you know, -- Unless, of course, the condition was causing 1 2 a problem. And I don't know that, you know. You know. 3 **Daily Copy** • Expedite Copy Services Available 400 Gold Ave., SW • Suite 200 Albuquerque, New Mexico 87102 Tel. (505) 843-9241 • Fax: (505) 843-9242 You'd know. Maybe there is something we can work on out 4 5 there. But, right now, I don't see the application, 6 7 unless you see something; and I don't doubt it, that's 8 what you do. Bob Sweeney, again. 9 MR. SWEENEY: experience, I've dealt with one of these at Sandia 10 National Labs in Albuquerque and they applied for the 11 temporary unit beforehand because it was faster to permit 12 and it was simpler to build and allowed them to start 13 Professional Court Reporters cleaning up other areas and moving them to that area with 14 the intent of building this permanent facility right next 15 door and then moving items from there into the permanent 16 AUL BACA landfill. 17 Whether that's the case at Fort Wingate or not, 18 I don't know. 19 MR. ALEXANDER: I'd be more -- I'd be 20 interested in specifics, you know. But even with our 21 problem with the drums, which is something we're 22 grappling with right now, I mean, you know, you can't put 23 liquids in any type of facility. 24 25

Then, if we're going to have -- If we get into

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that, we're going to have to remove those suckers and those boogers are going to have to go basically off-site.

We can't do anything with the, you know, the drums that are there now and that we've discovered in the Central Landfill. We're going to have to address that.

You address it when you go into, basically for removal of the material into your secured unit, and then you start picking out drums; or do we -- We know where some of the drums are. We don't know where all the drums are.

We've now introduced some new investigative techniques to find all the drums right now. I mean that's something that the folks could talk about.

You know, right now, we think, think they're, you know, they're containerized. We got to the bottom of the waste - And, Mary Jane, you can help me on this. We got to the bottom of the waste.

I don't think we have evidence that there's, you know, liquids or anything that had been leaking, you know, throughout, with the kind of mass of the waste, at least from the trenches that we excavated.

So, you know, we've got to answer a question, you know: Is there an urgency then to remove those drums? Or do we wait until we actually get that facility up in the OB/OD Area?

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MR. WALDEN: Because your -- the philosophy seems to be to approach this as an integrated process, and there isn't any particular re-use urgency driving this anymore; it would seem that doing it, you know, in a calculated way would be, you know, better.

And it sounds like the point that you were making, Bob, was that there is an easier process in getting a temporary permit than a permanent permit and that sounds like the point you were making.

But unless there's some particular urgency driving that, I don't think it necessarily applies there, you know.

> Bob Sweeney. That's correct. MR. SWEENEY: Anything else? MR. WALDEN:

MR. ALEXANDER: I don't know. But I'd like to say I encourage that kind of dialogue, you know. I mean we really do appreciate that kind of Honestly. dialogue.

And if you've got a -- You know, if you've got an answer to a problem that we have out there, we want to hear about it.

MR. SHELTON: Well, I think probably everyone here seems to be familiar with the environmental industry.

But depending on your analytical data from your

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initial investigation, it may not be necessary to move anything. Use in-situ remediation, if necessary.

But except for the scrap pile, I understand that that would have to be moved.

MR. ALEXANDER: Well, I think, I think what we do is -- We're -- Where Steve and I get to, I think one of the major points Steve was making is that, is that we have some, some performance standards for closure of a landfill with a given nature of waste, okay?

MR. WALDEN: Um-hum.

MR. ALEXANDER: And they involve capping and things like that. So we're looking at the engineering feasibility of even capping these areas.

And when you're looking at the Central Landfill, at the area of the Central Landfill, the waste is all sitting down in an arroyo, basically.

So you've got some problems. You have some problems there - And that is a surface watercourse.

Now, how active it is at this point in time? I think that's extremely debatable. But, but, you know.

MR. WINKLER: Have you found any powerful solvents? Anything? Or it's been pretty much oil or hydraulic fluid? Nothing really --

> MR. ALEXANDER: Right. MR. WINKLER: -- toxic?

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	1	MR. ALEXANDER: Yeah.	
 Suite 200 fexico 87102 Fax: (505) 843-9242 <i>lite Copy Services Available</i> 	2	MR. WALDEN: No mustard gas or anything	
	3	like that.	
	4	(Laughter)	
	5	MR. ALEXANDER: That's right. That's	
	6	right. And, frankly, let's talk about the approach to	
	7	analysis.	
e., SW , New 1 , 3-9241 , Expe	8	Mary Jane, do you want to volunteer, basically	
old Ave rerque, 05) 84. Copr	9	talk about some of the criteria that we used in the field	
400 G Albuq Tel. (5 Daily	10	for taking samples?	
	11	MS. MARY JANE STELL: Sure. What we did	
	12	is, we set up a kind of a tachism treatment and we used	
_	13	it in our visual observation to try and dig down to	
fessiona Irt orters	14	native soil.	
Pro Cor Rep R	15	And we were looking to characterize the waste,	
	16	as Steve said, in the native soil beneath the waste, in	
3ACA	17	the event that any contaminants were to move down from	
	18	the waste into the soil beneath.	
	19	We screened the buckets of the excavator with an	۱
	20	0.V.A.	
Π	21	In the event that we detected anything above the	!
PAU	22	normal background condition, we would then jar the sample	•
	23	and take a headspace reading after it had set there the	
	24	appropriate time, depending upon the weather conditions	
	25	that day, to see if there were any volatile organics in	

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those soils.

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We had -- I think the maximum that we ever got was 10 parts per million. I mean very, very low concentrations. And almost no locations of that, only a couple, anywhere. We used that as a criterion.

If we had found any organic vapor indications, we would have sampled that location and then below it.

Being that we really didn't see that, we tried to take a representative sample of the waste, basically for every 50 foot of the trench, the waste, and then below it, so that we could make sure that we had characterized the waste.

Most of it, within each individual burial feature, for example the Western Landfill, there was some individual burial trenches that they put material in, within each trench itself, the waste was fairly uniform.

We didn't see a lot of one type of material in one area and another type in another. It looked like they dug a trench, put the same type of stuff in and filled it right back in. So we'll evaluate that data when we get it.

And we plotted cross-sections up, so that we know where the waste was. We've mapped the area in detail.

And so that we think we'll be able to get a real

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good idea, if we find contaminants there, where they are, 1 which type of waste it's in, and if it's below the waste 2 at all. Copy Services Available 3 Albuquerque, New Mexico 87102 Tel. (505) 843-9241 • Fax: (505) 843-9242 MR. ALEXANDER: Excuse me. I think 4 another, another criterion was actually just staining; 5 Suite 200 you know, just visual observations of the material. 6 **Expedite** MS. STELL: Right. That's what I said at 7 400 Gold Ave., SW • The visual -first. 8 Copy MR. ALEXANDER: Right. 9 Daily MS. STELL: -- observation --10 MR. ALEXANDER: Right. 11 MS. STELL: -- was the first criterion. 12 MR. ALEXANDER: Yeah. 13 Professional Court Reporters MR. EGNACZYK: And I think the distinction 14 you were trying to make in whether we would remediate 15 something in place was in -- Let's just say in an 16 industrial operation; say you spilled something on the 17 BAC ground and you then have requirements associated with 18 that spill and then to clean that spill up. 19 In this case, we actually had areas that, in 20 AUIL, effect, were improper landfilled areas; so we really fall 21 under the landfill requirements more so than how to 22 remediate the waste. 23 So it's really a combination of the two, not 24 only that if there's waste materials there, or how you 25

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would address that contamination, but also the fact that under the State the New Mexico Solid Waste Management requirements, there was an improper landfilling activity that was being undertaken.

So then you fall into: If it was going to be a landfill, it should have been constructed for that type of a landfill before you started and then closed properly.

So, now, you're going back to Ground Zero and trying to regroup to say, "Did that meet, in any way, shape or form, the landfilling requirements?"

If we're to be closed to those requirements, well, what do you do then? Just remove it?

MR. ALEXANDER: Yeah. I guess another, or, a more important point is, the majority of waste was demolition pipe, refuse, you know, pallets, you know, scrap wood, --

MR. EGNACZYK: Metal.

MR. ALEXANDER: -- metal.

MS. STELL: A lot of metal banding.

MR. ALEXANDER: Yeah.

MR. EGNACZYK: Yeah. Metal banding.

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MR. ALEXANDER: But, unfortunately, you know, there were some things in there that were causing us these problems and, you know, in terms of: Okay,

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you've got this stuff here.

Now you've got to look at <u>these</u> particular set of requirements for closure of that site.

And most of it involved capping and some might even require -- Certainly, if we were going to close the Central Landfill in place, Number 1, we haven't heard from the State.

But I know that there will be a request to find out, "Were there any other drums in there?"

"Yeah, we know about some."

"But we want you to, we want you to -- Well, basically, they've all got to come out of there."

And there are also groundwater requirements, okay? - which may pose some consideration, and as well as postclosure care, again, for those units for 30 years.

So you see what I'm saying? - is that those units, even if we closed them in place and capped them, the Army would have an obligation then to monitor those sites for 30 years.

So, as part of our integrated approach, right now we're leaning towards: If we're going to build a facility up in the OB/OD Area, it's going to be a secure facility.

Again, the key is, there's economy of scale. You know, hey, it makes a lot of sense to put our problem

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under one roof, and that's kind of where we're going That's the concept. right now.

MR. FISHER: Are there any other questions? If not, we're running out of the time, also, and we do have to clean up this area. But if there are no other questions, you know, thank you for coming.

> MR. WALDEN: Yeah. I've got one.

MR. FISHER: Okay.

MR. WALDEN: What about at down in the contaminated area, the administrator area, as far as asbestos, mud-based paint and things going in there?

If anything's going to become available for re-use, you know, reasonably, it's going to be in that area first.

Can you give a brief summary of what the status is as far as those types of things, not underground, but lead-based paint, asbestos and such?

MR. EGNACZYK: Well, most recently, we came back in and, in our initial environmental investigation program, we did a visual survey of all the installation buildings and structures for a grouping of contaminants of concern that included PCBs, PCB transformers that might have been located on the installation, asbestos-containing material, lead-based paint and radon.

Initially, we just walked through buildings and

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tried to identify surfaces that might have a high likelihood of lead-based paint.

Recently, we came back into ten of those buildings and actually used an analytical instrument, a field analytical instrument called an XRF and also collected chip samples from various surfaces in those buildings to actually confirm the nature of the paint in those buildings as either lead-based paint or nonlead-based paint.

So those analyses are not back yet or are still being compiled along, really, with the results of this landfill investigation.

And that information hasn't been officially transmitted to anyone of the State yet, as the landfill discussion we've been having today is really an update for the RAB Committee. So, not to put them in any spot at all, none of that information has been, you know, officially transmitted to them.

But we are preparing a report that will go through the channels and it will be eventually submitted to them.

And I think, also, the lead-based paint information will be part of the overall environmental investigation program.

MR. ALEXANDER: Could I, can I interject? -

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Albuquerque, New Mexico 87102 Tel. (505) 843-9241 • Fax: (505) 843-9242 in that, in that our requirements right now are a function of re-use.

Anything separate, for lead-based paint. But there's no, I guess, re-use for, I guess, children, et cetera, the buildings; okay? Really, there's no requirement then to remediate lead-based paint.

But there is a requirement, a notification requirement. There is also a notification requirement for, you know, asbestos-containing material in the buildings.

We essentially put together documents that meet those noticing requirements. You know, I guess you know, so I just want to put that out on the table.

MR. WALDEN: Sure. The reason I was asking the question, is that if we re-use or even if an interim leasing came up in those buildings, the most likely scenario would be some sort of light industrial use, probably.

And what I was really getting to there was: Do we know enough to know whether or not there would be any restrictions on that sort of use yet?

And it sounds like you're saying: When this thing comes back, then that kind of information --

MR. ALEXANDER: Well, with that, that would tie the lead-based paint thing up.

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But I guess, I guess, you know, what one typically does, even for interim leasing, is that we go back through, - That's the installation - the Army would go back through facilities that are now under consideration for leasing and reevaluate conditions such as asbestos, okay?

If you're not going to have kids in there and what-not, that we provide them whatever information we have about lead-based paint, and that meets the requirement for lead-based paint.

The biggest issue would be probably asbestos. And we do have a couple of buildings there where we know we do have some PCBs that have been spilled along the floor and just basically have been identified for remediation and are part of our remediation program. So that's the last consideration.

But, really, the biggest thing would probably be the asbestos update. Wouldn't you agree, Larry?

MR. FISHER: Um-hum.

MR. WALDEN: Okay. That's fine. Thank you.

MR. FISHER: If there are no other questions, we'll go ahead and adjourn.

Thank you very much.

(7:44 P.M., ADJOURNMENT)

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REPORTER'S CERTIFICATE

I, CHARLOTTE MACIAS, a Certified Court Reporter in the State of New Mexico, DO HEREBY CERTIFY, that the foregoing Public Hearing before the Restoration Advisory Board, Fort Wingate Depot Activity, taken on April 3, 1966, at Gallup, New Mexico, is a complete and accurate record of the proceedings taken by me in stenographic shorthand, and transcribed, to the best of my ability.

I FURTHER CERTIFY that I am neither employed by nor related to any of the parties in this proceeding and that I have no interest whatsoever in the outcome of the proceedings.

WITNESS MY HAND this 8th day of April, 1996, at 400 Gold Avenue, Southwest, Suite 200, Albuquerque, New Mexico 87103.

CHARLOTTE MACIAS, NMCCR#161 License Expires: 12-31-96

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