

**MEETING SUMMARY, FORMER NANSEMOND ORDNANCE DEPOT (FNOD)
RESTORATION ADVISORY BOARD (RAB)**

To: Restoration Advisory Board members, Interested Parties
 From: Sandra Chaloux, CEC, Inc., RAB Facilitator
 Ken Hafner, U.S. Army Corps Project Manager and RAB Co-Chair
 Re: February 7, 2002 RAB Meeting Summary

<p>RAB Members Present: Eric Salopek David Saunders Cherie Walton Marian "Bea" Rogers Ken Hafner Tom O'Grady Ted Sherman Dave Taylor Russ Dudley Bruce Johnson</p> <p>RAB Facilitator Present:</p> <p>RAB Members Absent: Fred Bright Thomas Decker Stephen Cline Jim Bennett Tim Fink Rob Thomson</p>	<p>Affiliation: VDEQ Bennett's Creek Reactives Management Corporation Community Co-Chair USACE, Project Manager, Gov't. Co-Chair City of Suffolk Continental Suffolk Fire Department VDOT Respass Beach</p> <p>Sandra Chaloux (CEC, Inc.)</p> <p>Nansemond Indian Tribe Community General Electric Dominion Lands TCC EPA</p>
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7:05 p.m. **Introduction and Welcome/Call to Order/General RAB Discussion**

(Sandra Chaloux – CEC, Inc.)

The meeting was called to order. RAB members and guests introduced themselves. No corrections were noted for the December 2001 RAB meeting summary.

7:10 p.m. **RAB Business**

RAB Business

Sandra opened the floor for RAB business and gave RAB members an opportunity to report any interactions with the public concerning the project. Bea Rogers said that she told several people about the RAB and invited them to come. Dave Saunders also mentioned the RAB to some people.

RAB Operating Rules

Sandra asked for any comments on the updated Operating Rules. There were none. The Operating Rules were approved and signed by the RAB members present.

RAB Election

Elections were held for community co-chair and alternate community co-chair. Only RAB members present were considered for elections. A RAB member asked if Thomas Decker was still on the RAB and Sandra said that Bea had contacted him. Bea said that she spoke with him and that the reason he was not attending the RAB meetings was because of a perceived conflict of interest with his employer -but that has been resolved. He told Bea that he is still interested

in being a member of the RAB. Bea told him to contact Sandra to let her know that he planned to continue to serve as a member. Sandra commented that she had not heard anything from him. Bea was re-elected to serve as the community co-chair. Dave Taylor was elected to serve as the alternate co-chair.

7:25 p.m.

Corps Project Update (*Ken Hafner, Cheryl Fromme and Rick Aiken – USACE*)

Cheryl Fromme provided project updates for the various sites. Rick Aiken discussed Land Use Controls and the March 7th public meeting and Ken Hafner talked about the Site Management Plan. Ken introduced Cheryl (Army Corps Project Engineer) and reminded the RAB that she would be out on maternity leave for the next couple of months. Cheryl added that her staff will be on hand and available during that time including Keri Robertson as a contractor.

Project Updates

James River Beachfront (JRB)

The JRB has been completed including grading and seeding. The soil has been removed and final inspections have taken place. The draft report is now under review. Once comments are received and the report is final, it will be put in the Administrative Record. The next step is a Risk Assessment for the remaining soil. Then the Corps will do a proposed plan and Record Of Decision (ROD), and determine if any long-term monitoring will be required.

Bea Rogers asked about the stability of the revetment and Cheryl said that the revetment was designed to be a stabilization and erosion control measure. Rick added that the revetment is stepped so that it breaks the energy of the waves. He said it is an extremely well designed cover. Initial soil samples were elevated in lead, so additional sampling will be done here.

Nansemond River Beachfront (NRB)

The NRB still requires some work. It is eroding –so additional erosion control measures are required. The Corps has been going out monthly to remove any slag that has washed up on shore. The slag was declared non-hazardous, but the Corps still plans to monitor and remove slag that washes up. The Corps' priority is to obtain additional funds and/or use existing construction debris to prevent erosion along the beachfront.

Track K Dump

Track K Dump removal efforts are completed. Final confirmation sampling work plans have been sent out to the regulators for review. Comments have been received from the VADEQ and EPA. The tentative schedule for confirmation sampling is the last week of February. Once this takes place, the next step is to do a proposed plan and ROD. The pesticide area is not considered part of the NPL source area, but the Corps completed the confirmation sampling efforts at the pesticide drum area at the same time as the Track K Dump.

Residential Well Testing

Cheryl said that future work at the site includes residential well sampling and the installation of monitoring wells. There has been a bit of delay with work plans. Once comments are received from the regulators, the Corps will begin work. Installation of the wells on TCC property as well as the cluster in the Respass Beach residential area will take place in March. Sampling will be completed in April and lab and data analysis will take place in May and June. The draft report will be issued in July, with the internal review being completed in August, including a review by an EPA toxicologist. Rick said that the Corps hopes to have a final report on this testing by September or October 2002. The results will be presented to the RAB in October. Ken added that the Corps is issuing a press release about the sampling. The Corps will not provide information about the actual residential well sampling locations, but will give general

information about what the Corps is doing. Cheryl said that they are also producing a fact sheet to talk about residential well sampling and its history on the site.

Offshore Investigations

Russ Dudley asked about the nearshore investigations. Cheryl explained that the Corps has separated offshore and on shore studies, and found a buffer zone (now called the near offshore area) that hasn't been investigated. The areas for the nearshore investigation will include the shallow area of the JRB, the lakes, and the piers. There are about 6 areas being tied together for the nearshore investigation.

Ordnance & Explosives

Rick said that at the last meeting he reported that the Corps had completed 70 of the 144 grids. These numbers only reflected work on the GE property. The new OE numbers on the web site now reflect all the grids the Corps expects to investigate. The Corps has completed 154 of 250 total grids at a rate of half a grid to a grid per week. This rate of completion depends on what they find in each grid. There are a number of new things on the web site including maps and tables. He showed areas on the map – where ordnance has been found, OE scrap has been found, and where no OE related items were found. The number one priority in terms of OE work is Dominion Lands. The number two priority is the border of GE.

Tom O'Grady pointed out that Continental Properties wants to begin construction as soon as possible on the property. Ken said that the Corps needs the signed Right of Entry from Dominion Lands before they can finish the work. The surveyors are ready to go as soon as the Corps gets the signed Right of Entry. He reiterated that this site is the first priority for the OE contract.

Rick showed a table summarizing all of the OE items that have been found, collected and removed. He defined what each category meant. UXO is ordnance that was fuzed, should have gone off, but didn't. There has been no UXO found at the FNOD site. Most of the munitions were demilitarized (disassembled). OE items are items not fully demilitarized but still contain an explosive charge. An example includes the adapter boosters found in the TNT area. They were burned, but still contained explosive material melted in the bottom. Miscellaneous munitions are primarily small arms.

Tom O'Grady asked if any chemical or biological warfare items had been found at FNOD. Rick said that they have not found either at FNOD. Tom pointed out that SAIC's definition of OE includes biological and chemical warfare. Rick stated that the broad definition of OE includes anything the military has used (including chemical or biological warfare items) but no chemical and biological warfare materials have been found at FNOD so far.

Bulk Explosives refers to the crystalline TNT that was removed from the TNT area. OE scrap is shrapnel that no longer contains explosive material, but once belonged to munitions. Non-OE scrap includes all other materials not related to ordnance. Contaminated soil at FNOD is soil primarily contaminated with Lead and TNT. Rick will add these definitions to the web site.

Bruce Johnson asked what the difference was between miscellaneous munitions and OE scrap. Rick said miscellaneous munitions refers to the weight of items that have been removed that may have contained a small amount of internal explosive residue such as primers, detonators, tracers, grenade fuzes, small arms, cartridge cases, and small arms projectiles. OE scrap is primarily shrapnel or burnt OE fragments that once contained explosive fillers, detonators, primers, etc.

Land Use Controls (LUCs)

The Corps has met with each landowner and stakeholder, and has received input on the Draft Interim Land Use Control Implementation Plan from several. As soon as the Corps receives all the comments, the Corps will incorporate the comments into the Plan (LUCIP). The regulators have reviewed the plan. The final LUCIP should be posted on the web by the 27th of February in time for the March 7th public meeting.

He showed a copy of the notice that gave information about the March 7, 2002 public meeting. The meeting is from 6-9 p.m. There will be exhibits in the lobby starting at 6, and a short presentation at 7. Ken added that there will be information available about the entire project, not just LUCs. There will be exhibits and fact sheets highlighting the progress that has been made at the site in 2001. Rick said the public meeting will explain what the Corps proposes for Land Use Controls. Then there will be a 30-day public comment period. After the comments are collected, the Corps will do a responsiveness summary that will include a summary of all comments received and responses to those comments. It will not lead to a Record of Decision. Bea suggested sending a separate public meeting invitation to the landowners and the City. Rick said that the landowners have been very cooperative. The key piece for the landowners is a legal part – the Memorandum of Agreement. The MOA will bind them to participate in the process and notify those associated with the land that this was a former military property.

The key pieces of the LUCIP include what they expect to do for each site. This particular plan will address known or suspected OE sites until the Corps has completed the OE cleanup. This plan will eventually become part of the final ROD for long-term maintenance and monitoring. The LUCIP will address sites where OE work has been done, sites where OE work is being done, and OE sites that haven't been started yet. Land Use Controls are geared to each type of area. The project team has worked with current landowners and their consultant SAIC to determine what types of controls are applicable, effective and will work at FNOD. Rick mentioned to Tom O'Grady that the Corps wants to meet with the City again to discuss the City's involvement and the permitting process. Tom O'Grady said that he'd like to set up a meeting between the Corps and the City of Suffolk.

Rick showed the conceptual site model for FNOD that is in the LUCIP. He noted that nothing is zoned for residential. The Corps would prefer that areas at the former depot that have been cleared for ordnance not go to residential zoning. But if that happens, the Corps wants to be a part of the process. The site model shows those areas that are non-OE sites as well as those that have OE. There are certain areas where OE items have been demilitarized and areas where OE items were "kicked out" in the surrounding areas. The Corps has found two smoke grenades near the Horseshoe Pond that they need to investigate as well as a possible burn area on TCC property that they will look into. The only place where we really need land use controls are marked in red on the LUCIP.

Bea asked if letters of comfort would be given to landowners. Rick said he is not sure about that. The EPA gives comfort letters based on the completion of a cleanup -saying to the best of their knowledge, at this time, there is nothing on that property.

The Draft Interim LUCIP requests that property owners notify subsequent property owners that the property was ex-FNOD property on their deeds. For the areas that have had OE, the deeds will say that munitions clearance was conducted, and if new property owners encounter something they think could be OE- they should call the Corps to investigate it. The third notice will be given by the city to all property owners, including a map showing where the OE work has taken place.

Russ Dudley asked about whether LUCs were being considered on the entire FNOD property. Rick said that the broad concept of LUCs including public education and general notice will apply on the entire FNOD property. Institutional controls are either proprietary, which is putting a deed restriction on, or governmental controls. Institutional controls will apply to sites where the Corps wants to monitor the land use. Rick said the best way to handle liabilities for the property and the government is full disclosure. Once the landowner knows exactly what they are getting, if they take action to put themselves at risk, it will be difficult for them to find the Corps or the government at fault. He reiterated that the OE items found at FNOD have been demilitarized and would take a lot to set off.

Ted Sherman of Continental Properties pointed out that the maps referring to Dominion Lands Phase 1 should now say Continental Properties. His company owns about 13.5 acres that goes from Harbourview Boulevard to GE Lands. Bea asked if the Corps will have to remove trees for the upcoming OE work. The Corps does have a plan to go into a mechanical sifting process on the GE land. In order to do that, the Corps will have to make some roads and remove trees. They will talk to GE about what GE wants to do with the trees when they are cut down.

Budget/Cultural and Natural Resources/Site Management Plan

Ken said that this year's budget, \$3.88 million, is just under what it was last year. The budget was signed and they are finally beginning to distribute money. He has received the second quarter allotment. He still has not received all of the contract money but he expects to get it shortly. As more is learned about the site and more information is available, the Corps can better determine what funds will be needed. By the time the Corps is finished, including monitoring and maintenance, he estimates the FNOD cleanup to cost between \$34 and \$35 million.

Tom O'Grady asked if Ken anticipates that future year spending will stay at about \$4 million a year. Ken said he expected an increase next year, and then a drop in funding to about where they are now the following year, and then a dramatic drop off in funding. Tom asked Ken anticipated finishing the project in three years and Ken said no. They anticipate at least 2 years of OE work. The Corps has funded work for half of the Areas Of Concern thus far. He has budgeted money so that all sites will be under investigation by the end of next year. The work and budget will depend on what the Corps finds at the Areas of Concern. Tom asked if the project would be completed in 3-5 years. Ken said probably.

Ken reported that he had talked to Steve Cline of GE, and that GE apparently has some interested parties wanting to buy their property. Ken and Rick have been working with the Huntsville District to expedite the OE cleanup. There are several issues that have to be coordinated with EPA and VADEQ about how to phase the work. It may or may not be possible to do the OE and soil and groundwater investigation work simultaneously. To preclude extending the schedule out 3-4 years, the Corps is looking to be proactive in moving through the process. The more the Corps talks to the landowners and knows their land use plans, the better the Corps can respond. Ken pointed out that it is difficult to predict how long it will take to complete the work at FNOD without knowing what type of soil and groundwater problems exist. Rick added that the field work takes less time than the required paperwork. The site work could be finished as much as a year before the final reports and paperwork are complete.

Ken said he had talked to Tim Fink about the article on TCC that appeared in the newspaper. Tim was not present but Pat Genzler commented that Virginia Community College system (VCCS) is not on a certain schedule or in a hurry to move the Portsmouth campus. Ken asked if it is fair to say that there is a piece of property in Portsmouth that could meet the needs of TCC. Pat said he is not aware of that but that he didn't anticipate a move in the near future, though that could change. The Corps was concerned that if VCCS sold the property, they may try and

market the property in more than one piece, which would change the priority of the Corps work. Ken brought this issue up as an example of the helpful information he finds when he talks with the landowners. The Corps is very conscious of the discussions and negotiations taking place. The Corps wants to make sure that the present work plan schedule represents the best estimate of what the Corps can do with the funds available. Ken said he has no problem approaching headquarters for additional funds when they have a justification.

The site management plan will be on the web site including the schedules as soon as possible. It has been sent to the regulators for final review and as soon as comments are received it will be placed on the project website. This year's plan is more comprehensive and complete than in the past.

Ken gave an update on the archaeology issues at the site. The human remains that were removed from JRB were sent off to a lab for analysis. The investigation has been completed, although the Corps does not have the final report yet. It is beginning to appear that the remains are not Native American. The next step is DNA analysis. The DNA analysis will provide more information on the origin of the remains. Once this is determined, the Corps will inquire to see if there are any groups in the community that are interested in representing or claiming those remains. Now that the remains have been removed, it is no longer having any impact on the site work at FNOD.

Ken showed a project timeline outlining the next several months. It is available in the newsletter and online. Tom O'Grady asked about the Public meeting for the Impregnite Kit area and asked if the meeting was for a Record of Decision (ROD). Ken said the meeting is to kick off the public comment period for the ROD. Rick added that almost all of the work for that area has been done. EPA is requiring a no further action ROD, because this site was originally listed as part of the NPL/Superfund list. It takes time to go through the paperwork and public comment process for a Record of Decision. The hazardous toxic waste work being done on the GE property will take more time to complete.

8:25 p.m.

DEQ Update

Eric Salopek said that he reported earlier that the fish tissue results would be communicated by a DEQ press release. This is not the case. DEQ is currently working with the health department to develop language for a letter that the health department will issue. That should be completed within 30 days and then some form of a release will be issued. For closure to the issue, VDEQ is looking at providing the information in the Restoration News, on the project web site, and possibly in a TCC newsletter, rather than a general press release. He apologized for the delay but commented that they want to make sure the data is correct.

Rick had another comment from the Corps update. He said a canister was found in grid D-6. It is not OE, and it is clearly not chemical weapons. The canister has a nut on one end and looks like it has a valve. They have found canisters out there before, but they have been recognizable as fire extinguishers. This one was not identifiable. It has water in it, probably from when it was buried. It has been secured and a team from Reactives Management is coming out to confirm what it is. Harry Wheeler said it didn't look like anything out of the ordinary. It was about 6 inches long and maybe 4 inches in diameter.

8:35 p.m.

Landowner Update

Sandra asked if any landowners had updates for the RAB. Ted Sherman said that Continental is working on the new building in the Bridgeway Commerce Park. At a minimum, they will be adding 260 more parking spaces to accommodate Affina's expansion.

Ken asked Tom O’Grady if the City would be taking a new Aerial photo of the area. Tom said that the city could participate in the cost, if the Corps could work it out. Ken said that one of the most difficult things in this system is to trade money back and forth between the federal and state or local governments. Tom asked Ken to describe the exact area the Corps would want on the photograph and from what perspective. Tom suggested a local company for Aerial Photography. Ken said he would like to get a new photo for the web site if the city was going to have the site flown. As they add information to the site map, they realize how much more data the photo would provide. The Corps has not budgeted for an aerial photo right now. A RAB member asked if there was a possibility a promotional satellite imaging companies would have something. Rick said if they are going to use it as a background, it needs to have a lot of detail. Ken said that they will look at it and figure out the best option.

Bea asked what happened to the material that was removed when I-664 was constructed. Russ said he was sure it was removed properly and that VDOT would have used a process that they would routinely use.

8:45 p.m.

Other Business

Bea spoke about the CPEO conference that was scheduled in Baltimore on February 23rd and 24th. She asked Sandra to put together an information package for her to take with her. Bea asked if anyone on the RAB had concerns that she could bring up at the meeting. None were mentioned. She said they would be discussing how the RAB is functioning and whether RAB’s address community concerns. There will be representatives from Congress, the EPA, and the Army Corps of Engineers. Ken said that the organization has contacted the Corps about the conference. Rick added that CPEO is led by Lenny Segal, an activist, who is very well respected. Rick commented that there are a lot of FUDS sites that are not on the NPL and not well funded, so there are a lot of frustrated people.

Sandra asked if there were any other public comments or questions. None were noted.

8:50 p.m.

Establish Action Items/Set Agenda and Date for Next RAB Meeting

The next RAB meeting was set for April 4, 2001 at TCC.

Agenda items for the next RAB meeting:

- Corps Update
- An update on the canister that was found and the OE grids
- Report on the CPEO meeting - Bea

Action Items:

- Press Release on fish sampling – Virginia DEQ

9:00 p.m.

Meeting Adjourned

<p>Guests Present: Cheryl Fromme Rick Aiken Lacey Young Harry Wheeler, Jr. Pat Genzler George Walton</p>	<p>Affiliation: USACE USACE, Contractor CEC, Inc. Tech VCCS Community</p>
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