

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

To: RAB Members, Interested Parties  
 From: Sandra Chaloux, CEC, Inc., RAB Facilitator  
 Ken Hafner, U.S. Army Corps Project Manager and RAB Co-Chair  
 Re: October 3, 2002 RAB Meeting Summary

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| <p><b>RAB Members Present:</b><br/>         Jim Bennett<br/>         Fred Copeland<br/>         Russ Dudley<br/>         Tim Fink<br/>         Ken Hafner<br/>         Marian “Bea” Rogers<br/>         Eric Salopek<br/>         Rob Thomson<br/>         Cherie Walton</p> <p><b>RAB Facilitator Present:</b><br/>         Sandra Chaloux</p> <p><b>RAB Members Absent:</b><br/>         Bruce Johnson<br/>         Thomas O’Grady<br/>         David Saunders<br/>         Dave Taylor</p> | <p><b>Affiliation:</b><br/>         Dominion Lands<br/>         GE<br/>         VDOT<br/>         TCC<br/>         USACE, Project Manager, Gov’t. Co-Chair<br/>         Community Co-Chair<br/>         VDEQ<br/>         EPA<br/>         Reactives Management Corporation</p> <p>CEC, Inc.</p> <p>Respass Beach<br/>         City of Suffolk<br/>         Bennett’s Creek<br/>         Suffolk Fire Department</p> |
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7:05 p.m.      **Introduction and Welcome/Call to Order**

*(Sandra Chaloux – CEC, Inc.)*

The meeting was called to order. RAB members and guests introduced themselves. Sandra reviewed the meeting agenda and the handouts provided to the RAB members including a Sept. 7<sup>th</sup> *Virginian Pilot* article about the ordnance and explosives (OE) efforts in the TNT area and Carl Serrette’s application for RAB membership. There were no corrections to the last meeting summary.

7:15 p.m.      **Corps Update**

*(Ken Hafner, Rick Aiken, Cheryl Fromme – USACE)*

Ken began the update with a review of the funding status and project timeline.

***Project Budget (as of October 1, 2002)***

Ken mentioned that October 1 was the start of the Corps’ 2003 fiscal year. The actual amount spent on the FNOD project in Fiscal Year (FY) 2002 was \$4.33 million. The amount planned for FY 2003 is \$4.89 million.

The Corps does not currently have a signed FNOD budget for 2003 because of the Continuing Resolution Authority (ie. Congress hasn’t passed the budget yet). The Corps is operating on a pay-period-by-pay-period budget. Ken commented that the ordnance clean-up staff is funded until November 2002. The real impact of the budgetary situation is the delay in awarding some of the planned contracts. Ken has requested 2003 funds for the OE cleanup work, which makes up more than half of FNOD’s total budget.

### ***FNOD Project Timeline***

Ken and Rick showed the project timeline. Rick pointed out that the timeline has changed since the newsletter was distributed in September. The Corps is a month behind schedule on well sampling because of problems encountered in installing the wells. In addition, the process for closing out the Impregnite Kit area has changed (discussed later in detail).

Two important upcoming events are the December RAB meeting, at which the Corps will brief the community on the delisting of the Impregnite Kit area, and the February 2003 RAB meeting, at which the Corps will present the results of the sitewide well sampling effort. There are two Records of Decision planned for FY 2003, including one for the Track K Dump (tire pile and paint cans) and the other for the offshore area. Ken explained that a Record of Decision describes what the team needs to do to complete the cleanup at a site. He noted that the project timeline changes almost monthly. Ken also pointed out that the team has a Site Management Plan, which is available on the project web site, and updated every year. It provides a history of the project and information on the plans and schedule for the cleanup. The new draft of the Site Management Plan will be posted on the web site as soon as all comments are incorporated.

### ***Impregnite Kit Area Record of Decision***

*(Cheryl Fromme – USACE, Rob Thomson - EPA)*

Cheryl provided a brief background on the Impregnite Kit area. It is an area on Dominion Lands property where impregnite kits were buried when the depot was active; they were subsequently removed by the Corps. These kits contained a white powdery substance that was used by the military to protect soldiers from chemical warfare. A company investigating the site for Dominion Lands made the initial discovery in 1995. The Army Corps then conducted investigations and removed the impregnite kits and associated soil from the site. The Corps was scheduled to do a more formal closeout for the site including a Proposed Plan, Public Meeting, and Record of Decision because the Impregnite Kit area was part of EPA's 1999 National Priorities Listing (NPL). However, since the last RAB meeting, EPA has determined that since the Corps completed the removal action at the site prior to the actual NPL listing, EPA will delist the site from the National Priorities List once they receive a closeout report from the Corps. This report will be based on a post-removal confirmatory sampling effort conducted at the site indicating that no contamination exists at the site. The Corps is no longer required to prepare a Proposed Plan, hold a public meeting, or prepare a Record of Decision for this site.

Rob (EPA) stated that the best-case scenario for delisting the site would be by the end of December 2002. EPA has to submit the information to the Office of Management and Budget (OMB), which will actually publish the Notice of Intent to Delist in the *Federal Register*. The Notice of Intent to Delist will be available for public review and comment for a period of 30 days. If there are no public comments received during this period, the delisting will then become final.

Sandra asked the RAB for input on the best way to communicate this change of events to the public as the newsletter was distributed in September to 3,700 people advertising a public meeting in December for the proposed plan. Jim Bennett (Dominion Lands) suggested that the project team be available at the advertised time and place (Bon Secours) and have a copy of the *Federal Register* notice there to discuss. Jim said he did not anticipate much public interest in this delisting. Ken said that the Corps will provide a briefing about the Impregnite Kit area closeout at the December RAB meeting. This meeting will coincide with the public comment period for the delisting of the site. Ken said the Corps will modify the project's web site to reflect the new developments. Bea suggested that the Corps send out a fact sheet about the Impregnite Kit area that will also be made available at the next RAB meeting. Jim said that he

feels that this is a success story and should be described that way. Rob said he would notify the Corps when the notice hits the *Federal Register*. Ken said the Corps would like to include a copy of the notice on the Corps' FNOD project web site or put a link to the notice on the project web site.

Once the close out report is signed and in final draft, it will be placed in the information repository at TCC Portsmouth campus library.

#### ***James River Beachfront (JRB)***

Cheryl began by informing the board that the final removal document is not yet at the regulators. She is not sure why, especially given that the Corps has resolved all of its comments. She said she will look into it.

SAIC is creating a work plan for the near shore investigation around the fishing piers. This work plan will be submitted to the regulators for review in the next few months. The Corps is also starting the investigation to determine its course of action for the near shore investigation at the JRB (near the new revetment) for FY 2003. Cheryl said that the *offshore investigation* addresses anything that may have migrated from the FNOD site into the river – or from the mean low-water line into the river. *The near shore investigation* will address anything that has migrated from the river's beaches/FNOD to the mean low-water line. Inland waters will refer to work at lakes and ponds. Bea asked whether the Corps was going to start at the JRB and work its way around to the Nansemond River beachfront (NRB) for the near shore investigation. Cheryl said the Corps is investigating only those areas near potential contamination sources. The Corps will be investigating the piers in case contaminated materials were pushed off the piers when they were used. The JRB is the site from which a large amount of debris was removed last year. An overall risk assessment of the JRB will be conducted later this year.

The Corps is also getting ready to investigate the Horseshoe Pond area at the end of October or in early November. If it is determined that there is a pathway from the pond to the near shore, another near shore investigation will be undertaken near the Horseshoe Pond.

#### ***Nansemond River Beachfront (NRB)***

The Corps has submitted its final removal report for the NRB to the regulators for review. The project team expects to begin the site screening process investigation at the NRB early next year to determine whether further cleanup is required at this site. The results of the site screening process will be linked to the near shore study.

#### ***Track K Dump (Tire Pile and Paint Cans)***

The confirmatory sampling at the Track K Dump site has been completed. The Corps is waiting to receive the finalized background study to compare the data with naturally occurring levels and to ensure that no other contamination exists. Cheryl expects this background study to be finalized in November. The Corps hopes to complete its sampling report by December 2002. The next step will be to complete the proposed plan and prepare a Record of Decision (ROD) for this site in the second quarter of FY 2003. Rick said the Corps expects to be ready for a public meeting in the June/July 2003 timeframe.

Bea asked about the triangle area. Rick showed the location of this parcel and said that it is not a source area or an area of concern and will not be affected by restoration efforts. He said that the triangle area will be the first parcel that TCC will consider selling.

#### ***Ordnance and Explosives (OE)***

Rick discussed a new strategy for the Main Burning Ground area on GE property. The Corps has employed OE technicians who have spent a great deal of time removing pieces of metal one by one to clean out old trash pits, many of which did not contain OE. It has been an expensive

and labor-intensive process. Continuing using this approach would result in a timeline of at least six more years to finish the OE work at the site. Mechanical sifting devices were considered to accelerate the process, but were eventually determined to be impractical because of the extensive safety distances required.

Rick provided a brief background on the Main Burning Ground and how the pits and trenches were used to dispose of munitions. The munitions were placed in the pits with railroad ties, doused in diesel fuel, and then ignited. During this process, some shrapnel and live rounds would kick out. These kick-out areas need to be cleaned up. Rick commented, to date, no OE items have been found below 18 inches in the kick-out areas. The Corps' new plan will involve investigating these areas down to 24 inches.

The Corps will clear pits and trenches that are known to contain OE (such as the burn sites) to depth. The Corps will clear other pits and trenches to 24 inches initially. If OE or OE scrap is found, the Corps will continue clearing to depth.

There are two debris areas that the Corps is also investigating on GE property. The Corps will use historical aerial photography and the age of the debris fields to determine whether OE is likely to be mixed in with the debris. If the Corps suspects that a debris area contains OE, the OE crews will clear these areas to depth. On the other hand, if no OE is suspected to be in the debris, but is suspected below the debris, the debris will be removed by a construction crew with OE technicians present in case the construction crew finds anything questionable. The Corps would then remove the OE beneath the Debris. The Corps will not disturb debris if no OE is suspected to be within or below the debris. The Corps will provide construction support during future development or soil disturbance activities for all areas in the Main Burning Ground site footprint. Rick said that the Corps has briefed GE and the regulators about the new approach and both were satisfied with the new plan.

Rick also mentioned a new strategy for the TNT area. The Corps proposes to continue chasing the magnetic anomalies to depth, except over roadbeds, and to clean bulk TNT exposed during magnetic anomaly investigations. The magnetic anomaly investigation will be expanded 100 feet beyond the last OE item discovered until no OE is found. This may mean less than a full 100-foot grid depending on the location of the last OE item discovered. The Corps will clear no deeper than 6 inches on railroad beds and roadbeds that were part of the original depot. Finally, the Corps will address soil contamination and any remaining bulk TNT in the subsequent Remedial Investigation/Feasibility Study (RI/FS) and subsequent Remedial Action. Cheryl mentioned that the RA and RI/FS in this area will also address groundwater contamination. Rick said that the two sites that will receive most of the Corps' attention for cleanup at FNOD are the Main Burning Ground and the TNT area. The Corps will be dealing with OE, affected soil, and groundwater in both places.

#### ***GE/DLI/CPC Grid Plan***

Rick showed the OE investigation grid/plan for the GE Main Burning Ground site and the TNT area. He explained that under the new strategy the OE work should take 2 to 3 years to complete as opposed to 4 to 6 years with the old strategy.

#### ***Land Use Control Implementation Plan (LUCIP)***

The Corps signed the LUCIP on August 21, 2002. The Corps is working on the Memorandum of Agreement (MOA) with the City of Suffolk. The next step will be to negotiate MOAs with the affected landowners. The Corps is specifically asking the city not to allow residential zoning in the TNT area or the Main Burning Ground area. Tim Fink asked whether the landowners were going to be able to comment on the MOA with the city. Rick said that landowners did have a chance to review the elements of the MOA; they can be found in Table 9 of the LUCIP, which includes the responsibilities of all the parties for each type of control.

Rick said he did receive comments from the college from Pat Gensler. Rick said that what the Corps is requesting from the city in its MOA is the Corps' right to participate in rezoning activities at FNOD and to provide information to new landowners about the land use controls through the city. Ken said he anticipated that to be implemented this plan will probably have to be adopted by the city council. Rick said that the various departments in the City have been very cooperative. He said that the Corps will use MOAs to ask affected landowners to place a notice on their deeds that will transfer to future landowners. The notice would let future landowners know that the property was a former military base and would tell them what to do if they encounter something that could be ordnance.

### ***Sitewide Well Testing/Residential Well Testing***

Cheryl noted that the Corps installed monitoring wells in September as follows:

- Well cluster (deep and shallow wells) at Respass Beach
- Shallow well at the JRB (There were already five monitoring wells at the JRB. Two of these wells have indicated low levels of TCE in the past.) The new well will help the project team to determine the presence of TCE at this site.
- Well cluster (deep and shallow wells) at the Nansemond River Beachfront
- One well at TCC lake
- Well cluster on the west side of Streeter Creek near J Lake.

Shallow wells are about 20 feet deep; whereas deep wells are approximately 60 feet. The schedule for the groundwater monitoring effort has changed since the last RAB meeting and is as follows:

- Sampling of monitoring wells – October 2002
- Lab and data analysis – November 2002
- Data validation/draft report – December/January 2003
- Army/EPA/DEQ reviews – February 2003
- Final report/report to RAB – February 2003

The Corps is currently working on utilizing all the wells throughout the FNOD property to do groundwater modeling. This will provide a better understanding of groundwater flow directions across the site and will help delineate any groundwater contamination. Cheryl said that there are approximately 50 wells sitewide (a combination of shallow and deep wells installed by various parties such as the Army Corps- Baltimore District, and GE). Russ Dudley offered to let the Corps access VDOT wells. He said that VDOT did an investigation about 4 years ago.

### ***Archaeology Study Update***

Tim Thompson, the project archaeologist, gave a brief overview of the status of the human remains that were discovered at the JRB. Four years ago, human bones were found at the JRB beachfront because of erosion. The Corps covered the burial site back up to protect it from additional erosion while developing a plan of action to deal with the remains. Based on the available information at the time, the initial assessment was that the remains were of Native American descent, perhaps from the Nansemond tribe. The Corps entered into consultation with the State Department of Historic Resources and the Nansemond Tribal Association to discuss a suitable plan of action. Prior to this, Tim did some archaeological testing at the top of the bluff area near the site and discovered that there was a quite sizeable historic site there. Despite an absence of artifacts in the burial site itself, test pits surrounding the site did contain artifacts dating back to the period between 1780 and 1810. Tim said it was clear that there was some type of occupation at the site even though no structures showed up on the historical maps. On the basis of the type of artifacts found and the historical map, he concluded that it was probably some type of slave quarters.

The Corps hired a contractor to remove the burial. The burial was then determined not to be of Native American descent. The burial had taken place in a six-sided coffin with wrought nails. The body was interred in a shroud and the only artifacts found in the coffin were shroud pins. No buttons, jewelery, or other artifacts were found. Given the circumstances of the discovery, the Suffolk police investigated the site as a possible crime scene. After the Suffolk police determined that the remains were not related to a crime, but rather of historic concern, they reburied the remains on top of the original site. Subsequent to the NPL listing, the Corps conducted further investigation of the remains.

It is important to note that the original excavation and erosion had destroyed some of the evidence necessary to make a positive identification of the remains. To further investigate, the remains were sent to the anthropology lab at Radford University. On the basis of measurements of certain bones and population statistics, the lab determined that the remains are most likely that of a 20-to 24- year-old African American female. It was also determined that the African American woman was healthy with no evidence of having suffered from trauma or disease. The cause of death is unknown.

The Commonwealth of Virginia (Department of Historic Resources) then requested that the Corps submit the remains for DNA analysis. In light of the fact that the remains were originally thought to be of Native American descent, the Nansemond tribe is listed as an interested party on the burial permit with the state. Tim explained that the Corps needed to have the tribe's permission to conduct the DNA analysis. Following the tribe's approval, the remains were sent to a lab in Texas for DNA testing. However, the lab was not able to obtain a bone sample that contained enough DNA to conduct the testing. Tim said he is scheduled to pick up the final report on the effort on Monday, October 7. He said the report will contain the excavation report from the burial removal, as well as all the lab analysis from Radford, and a letter/report from the lab in Texas.

The Corps will present the final report for this effort to the Nansemond tribe, which is still listed as the primary interested party on the state permit. He will ascertain whether the tribe has any further interest in the remains. Tim said he is quite sure that on the basis of the findings, the tribe will have no further interest in the remains. Tim said he is already encouraging people to begin networking on behalf of the Army Corps because the Corps is obligated in its permit with the state to rebury the remains. He said he would like to find some place in the community to bury the remains and even determine whether there is any community interest in participating in a burial ceremony. The Corps will undertake all financial obligations regarding a burial place and ceremony for the remains. No other human remains were found in the area. The Corps tested a 50-foot area surrounding the burial site. Tim said a six-sided coffin and burial in a shroud instead of clothes was typical in the late colonial period. The nails in the coffin were another clue. Cut nails were widely available by the late 1840s. He pointed out that the race and age of the remains determined by the laboratory are based on statistical analysis and are not 100 percent certain. The Corps has gathered all the information that there is to gather on the remains. No comments were made by the RAB or guests present.

8: 20 p.m.

**Regulatory Update** (*Rob Thomson – EPA, Eric Salopek -VDEQ*)

Rob told the RAB that EPA was moving forward with the delisting of the Impregnite Kit area. He said by this time in December, we should be in the middle of the public comment period for the delisting. EPA is still in negotiations with the Corps on a sitewide Interagency Agreement. Rob said he hopes it will be completed by the end of 2003. As of October 1, EPA is also undergoing the Continuing Resolution Authority and is experiencing budgetary concerns.

Eric commented that Respass Beach has the potential to be adopted into the State Water Quality Program, although this has not yet taken place. If it becomes part of the program, VDEQ will investigate the source(s) of the contamination. Eric anticipates that this site will be adopted into

the State's program in the next 2 to 3 months. A meeting guest mentioned that Respass Beach has been approved for city water. It will take 2 to 3 years to hook-up the residents of Respass Beach to City water. Cheryl reiterated that the findings that Eric was speaking about in Respass Beach are unrelated to FNOD. Eric said that the resident affected by MTBE was offered an alternate water supply and water treatment system by VDEQ. He said the resident declined this offer. He said that only one residence so far has been identified to be affected by MTBE.

8:30 p.m.

### **RAB Business & Landowner Updates**

#### ***Landowner Updates***

Tim Fink reported that Bill Gibbons, his facilities manager at TCC, passed away from a heart ailment last month. Tim said he is trying to identify a new alternate to replace Bill. The RAB and the Corps express their sincere condolences to Bill Gibbons's family.

Jim Bennett (Dominion Lands) is pleased with the new close-out procedure for the Impregnite Kit area. He reported that Dominion has a contract with Continental Properties, which wants to expand its facilities. Continental has a 130,000-135,000-square-foot office building, and wants to purchase an additional 10.5 acres to the south of their current building. Dominion will present the sale for approval to the Planning Commission this month. In late October or November, Jim anticipates Dominion will finalize the sale of this property.

Fred commented that everything is going very well for GE. The Corps' OE crew is moving right along.

Russ (VDOT) began by addressing the question Bea asked at the last meeting about how the proposed third crossing might affect the FNOD property. He said that the only work that VDOT has undertaken concerning this issue has been the environmental impact statement that was conducted as a part of the site location and design study. On the basis of this study, it does not appear that the third crossing will have any effect on the FNOD property. Russ indicated that the new tunnel will be built on the west side of the Monitor-Merrimac Memorial Bridge. He brought copies of an excerpt/executive summary from the environmental impact study for anyone who was interested.

Rick mentioned that there is a new bond designated for higher-education funding. If the bond is approved, TCC will receive \$25 million for its new campus, although this amount is only a portion of what is needed to build the entire campus. If this happens, the Corps will need to expedite its efforts on TCC property.

#### ***RAB Business***

Bea pointed out that we have two potential new RAB members. She asked Carl Serrette to introduce himself. As the operations manager with Burbage Grant Homeowners Association, Carl coordinates all outdoor activities, including the oversight of vendors and contractors, to ensure that the property quality is maintained.

Bea asked Luther Weaver (Armistead Forest) to introduce himself. He has lived in Armistead Forest for about 15 years. He said his main concern is his community and the wells around it. He wants to ensure that the properties in his neighborhood are taken care of in terms of property values. He said he came to the meeting to learn more. He wants to report back to his homeowners association which meets the third Monday of the month.

Bea said she had one more inquiry from Shirley Snellings of the Huntersville community. Shirley said she was going to try to come tonight but must not have been able to make it. Sandra pointed out that there were RAB applications available on the sign-in table for anyone interested in applying for RAB membership.

Sandra asked whether the board wanted to vote on new RAB members. Bea said that this was a visitation meeting for the prospective RAB members and that the vote should take place at a later meeting. The other RAB members agreed. The community RAB members generally like to see prospective RAB members attend several meetings before a membership vote is taken.

Rick said the Corps forgot to mention new developments at the Horseshoe Pond. It turns out that an area designated for investigation near the Horseshoe Pond requires no further action. This potential site was found during the confirmation sampling effort for the Impregnite Kit area. To streamline the delisting of the Impregnite Kit area, this potential site has been investigated separately. An arsenic hit showed up in one of the confirmation samples there. After further review of the lab report, the team determined that the Arsenic hit was actually a data entry error by the lab. The arsenic hit was actually a spike that the lab placed in the sample for data validation purposes and was not actually taken from this site. No further actions are anticipated for this site.

Several RAB members commented on the FNOD shirts that Ken, Rick, and the regulators were wearing. Rick explained that the shirts were created for a presentation that the Corps did in September at the UXO Countermining Forum. He said the shirts were put together to highlight the teamwork between the Corps, EPA, VDEQ, and the Corps contractors on this project.

Bea told the prospective RAB members that this project has been recognized for a variety of its accomplishments including community involvement and the Land Use Controls plan. Ken said that this project has gotten further than any other project in the Corps in terms of implementation of a Land Use Control plan and will become a model for other projects around the country. Rick said that this is the first time anyone has identified Miss Utility as a source for identifying/notifying landowners around the affected area prior to digging activities. Bea also said this was one of the first projects in which Navy ordnance dive teams were used to investigate around the piers. Rick and Ken said that teamwork has been a huge factor in the success of this project. This is also one of the first times EPA has streamlined the delisting process for a site. Bea said she wanted to acknowledge the efforts of Sandra Chaloux and her team for keeping the parties talking to each other. Tim Thompson also said that the programmatic agreement for the archaeology study was a first and will be used as a model for other projects.

The RAB discussed the article that ran in the Virginian Pilot. Bea said that Phyllis Speidell, another reporter from the Pilot, is interested in covering the project. She may be attending the next RAB meeting. Ken encouraged the new prospective RAB members to contact him if they had any questions about the project.

8:50 p.m.

**Public Comment Period / Q&A**

No comments or questions were raised.

8:55 p.m.

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

The next RAB meeting was set for December 5. The meeting will be held at the Bon Secours Health Center at Harbour View. The meeting room is on the second floor. Take the elevator to the second floor, the room is to the right.

**Agenda items** for the next RAB meeting:

- Impregnite Kit area closeout and delisting
- Archaeology study update

**Action Items:**

- Fact Sheet for Impregnite Kit area briefing at next RAB meeting

8:45 p.m. Meeting Adjourned

| <b>Others Present:</b> | <b>Affiliation:</b>      |
|------------------------|--------------------------|
| Rick Aiken             | J.M. Waller & Associates |
| Carl Serrette          | BGOA                     |
| Brian Hudson           | EPA                      |
| Scott Emry             | HRPDC                    |
| Herb White             | Merchant Realty          |
| Jackie Taylor          | Respass Beach            |
| Harry Wheeler, Jr.     | TechLaw, Inc.            |
| Cheryl Fromme          | USACE-Norfolk District   |
| Ed Henson              | Zapata Engineering       |
| Cliff Walden           | Zapata Engineering       |
| Luther Weaver          | Armistead Forest         |