

Former Laredo Air Force
Environmental Evaluation
Malcolm Pirnie, Inc.
Contract No. DACA 56-01-D-2004
Task Order No. 0009

**US ARMY CORPS OF ENGINEERS
FORMERLY USED DEFENSE SITE
(FORMER LAREDO AIR FORCE BASE)**

PUBLIC MEETING SUMMARY

for the Public Meeting
occurring on

May 1, 2003

Laredo, Texas

Summary Prepared By:

Group Solutions RJW
Community Relations Consultant
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Austin, Texas 78752
(512) 448-4459

**US ARMY CORPS OF ENGINEERS
FORMERLY USED DEFENSE SITE
(FORMER LAREDO AIR FORCE BASE)**

PUBLIC MEETING SUMMARY

MAY 1, 2003

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Overview

On May 1, 2003, the US Army Corps of Engineers hosted a Public Meeting to inform the citizens of Laredo of on-going environmental studies being performed at the Formerly Used Defense Site (FUDS) at the Former Laredo Air Force Base and to respond to citizens' questions and concerns.

Attendance

Private citizens, three television stations and one member of the *Laredo Morning Times* registered at the May 1st meeting. Also attending the meeting were officials from the City of Laredo including Councilman Eliseo Valdez, Precinct 5, and Mr. Larry Dovalina, City Manager. The Texas Commission on Environmental Quality was represented by the Regional Director, Mr. Gerardo Pinnon and the Sector Manager for Field Operations, Ms. Rose Luna-Pirtle.

Public Outreach

Outreach in advance of the public meeting included:

- Three public notices published in the *Laredo Morning Times*. Notices were published on April 13, April 20 and on April 30.
- Meeting notices prepared by the project team and distributed by the City of Laredo to homes in the FUDS area (week of April 14).
- Six hundred (600) meeting announcements distributed through Newman Elementary School students the week of April 21.
- A briefing held for the City of Laredo on April 24.
- A media briefing and tour held April 25 for members of the Laredo press. As a result of meetings with the press, several stories about the project were published in advance of the public meeting.

Meeting Logistics

The public meeting began at 6:35 p.m. Mr. Brian Condike, Ft. Worth District Program Manager for the US Army Corps of Engineers led the meeting. Mr. Dan Davis, Tulsa District Technical Manager, discussed investigations. Mr. Jonathan Green, Project Manager from Malcolm Pirnie, assisted Mr. Condike and Mr. Davis during the question and answer period. Other project team members from USACE and Malcolm Pirnie were also present.

Ms. Sarai Moore Muerer, certified shorthand reporter, recorded meeting proceedings. Ms. Cordelia Flores, certified translator, assisted during the question and answer period. Approximately thirty-five attendees asked questions of the Corps of Engineers and provided input.

Display boards and soil samples were available for viewing. Applications to participate on a Restoration Advisory Board (RAB) and requests for soil testing were also available. As meeting goers entered the building foyer, they signed in at registration tables before entering the meeting room.

Presentation

Mr. Brian Condiike opened the meeting with an introduction and explanation of the purpose of the meeting. Mr. Dan Davis spoke of continuing environmental investigations occurring at the Former Laredo Air Force Base. He gave the audience background information on the project as well as descriptions of the investigative processes being used.

Mr. Condiike spoke about a community participation tool, the Restoration Advisory Board, and the role RABs play in creating two way communications between the government and communities. Mr. Condiike also addressed the Intertek Technical Services (ITS) fraud settlement, giving background information and explaining that the USACE was repeating the testing and augmenting that testing to ensure accuracy and depth of information.

The floor was opened for questions.

Summary of Oral Comments

Oral and written questions were accepted from the floor. Ms. Cordelia Flores translated each question and each answer so that both were available in English and in Spanish.

The following is a summary of the comments made. Verbatim comments are available in the transcript located in this report.

Question or Comments	Number of Comments Received
Fraud Case / Rebuilding Public Trust	9
Results of Environmental Testing	4
Property Values	2
Health Issues/ Health Testing Issues	9
Nature of Testing	3
Further Testing (at Newman Elementary)	3
Clean Up	3
Initial Impressions of Samples	1
RAB	1
Other	4

**US ARMY CORPS OF ENGINEERS
FORMERLY USED DEFENSE SITE
(FORMER LAREDO AIR FORCE BASE)**

May 1, 2003 at 5:30 pm

AGENDA

Refreshments

Presentation by United States Corps of Engineers

Question & Answer Session

Please step forward to the microphone to ask your questions. We ask that you speak clearly and give your name for the record.

Por favor, pasa adelante al microfono para hacer sus preguntas. Por favor, trata usted de hablar claramente y indicar su nombre para el registro.

Adjourn

Displays and Samples are Available for Viewing



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Fort Worth District

Environmental Investigation of the Former Laredo AFB

**Formerly Used Defense Sites Program
(FUDS)**

May 1, 2003



**US Army Corps
of Engineers
Fort Worth District**

Introductions

USACE – Ft. Worth District Project Manager –

Brian Condike (formerly David Scotto)

USACE – Tulsa District Technical Manager –

Dan Davis (formerly Carol Wies)

Malcolm Pirnie, Inc. Project Manager –

Jon Greene

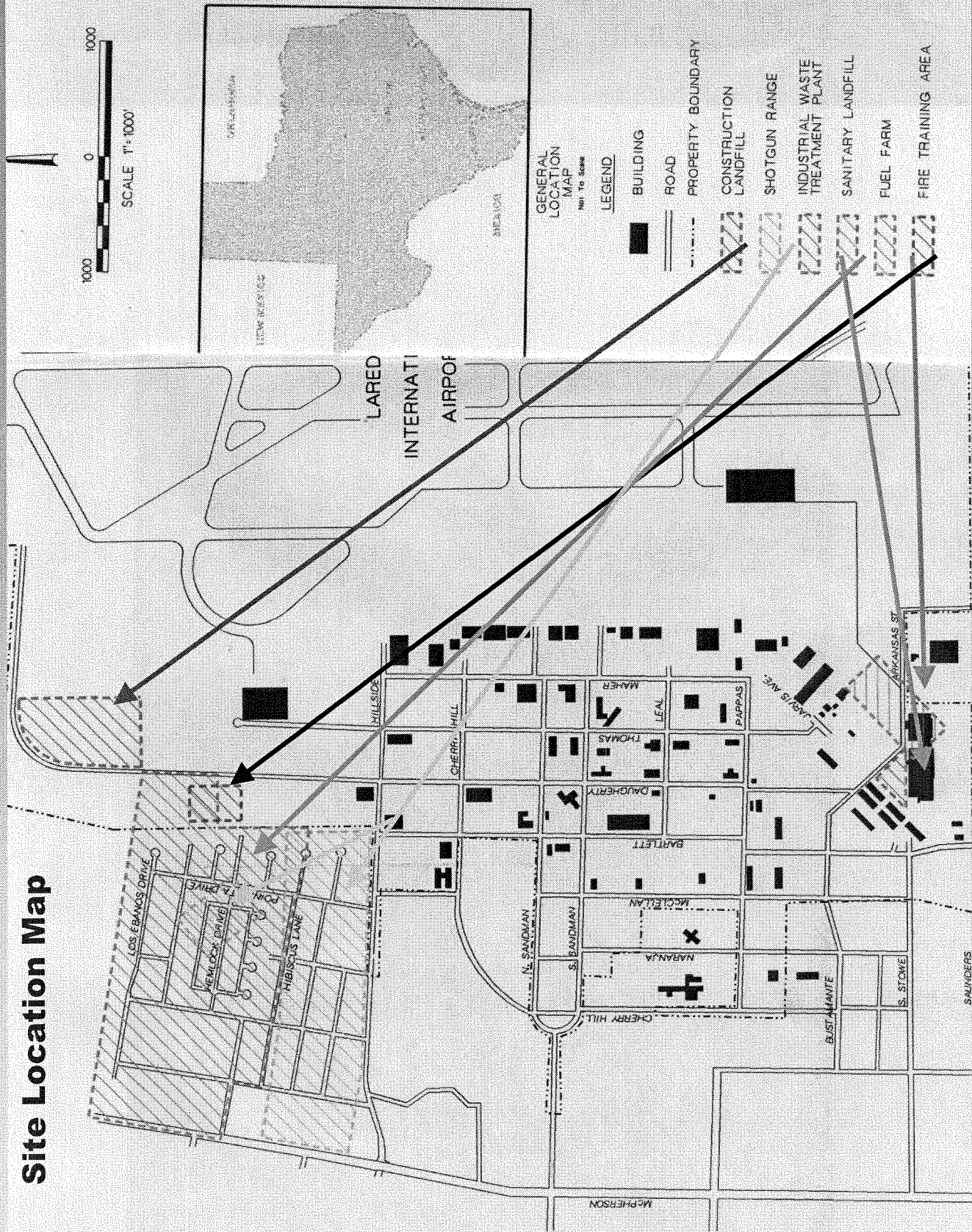
Malcolm Pirnie, Inc. Geologist & Field Manager –

Jorge Flores

Group Solutions RJW Public Affairs Coordinator –

Robena Jackson

Site Location Map





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Laredo FUDS Program History

- Program was authorized by Congress in 1986. Over 9000 FUDS properties were initially identified with 2700 + sites requiring remediation
- Laredo AFB project work began in 1991 with the approval of demolition and removal projects
- The City of Laredo and the Corps of Engineers have been working together on three projects located on the airport property. Environmental studies of these projects began in 1996. These projects are the:

Construction Landfill (no contamination was found)
Fire Training Area (petroleum hydrocarbons)
Fuel Farm (petroleum hydrocarbons)

- US Army Corps of Engineers began environmental studies in 1997 for:

Industrial Waste Treatment Plant (IWTP)
Sanitary Landfill (trench system)
Shotgun Range



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Fort Worth District

Industrial Waste Treatment Plant Site



Industrial Waste Treatment Plant (IWTP)

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Location is near junction of Daugherty and Arkansas north of Highway 59. The site has been partially demolished.

Previous investigation installed four ground water monitoring wells. Soil and ground water were sampled. Some chemicals were detected and further investigation was warranted.

Future Investigations -- more wells will be installed to define the extent of chemicals-of-concern detected on the site

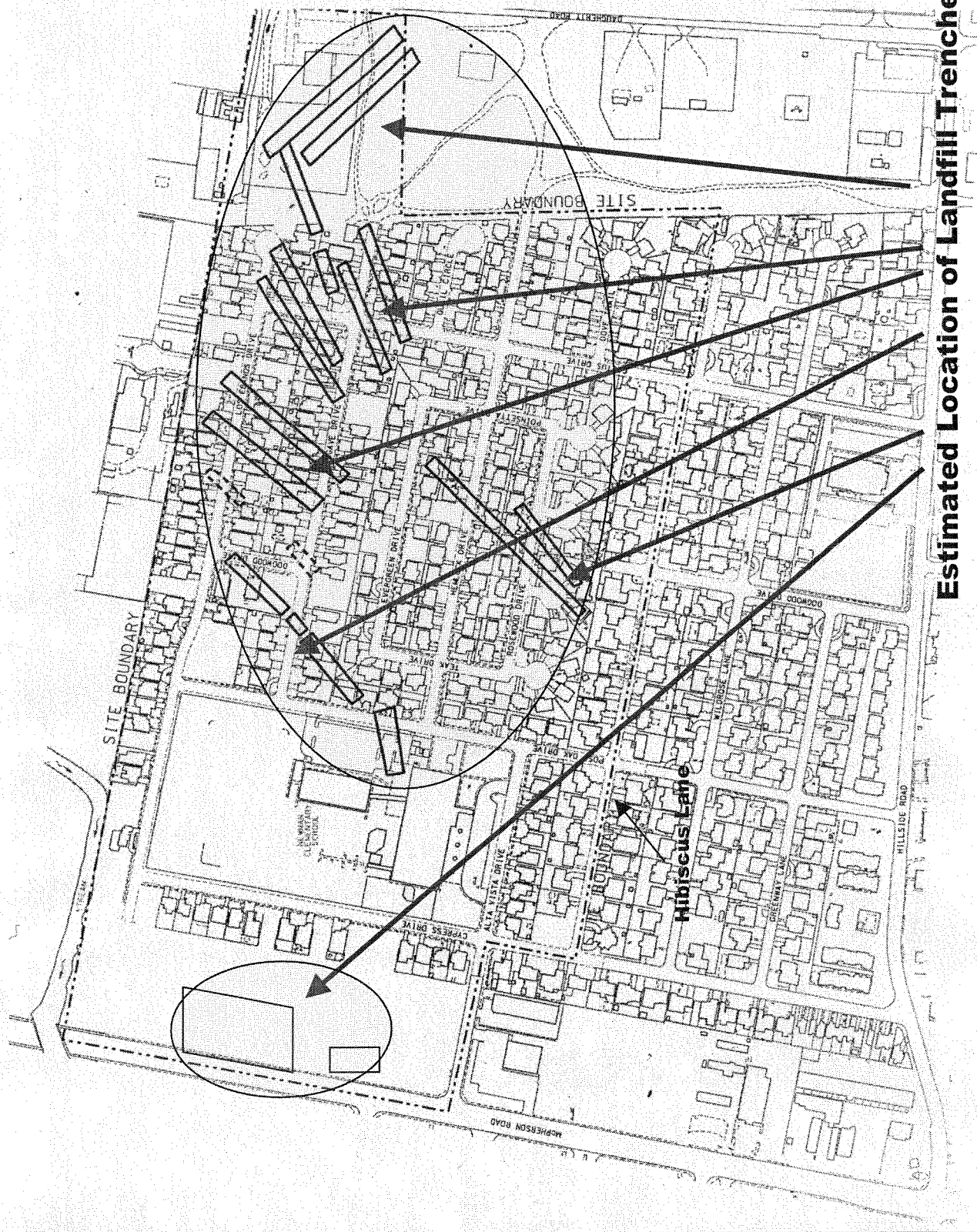


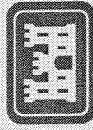
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Sanitary Landfill Trench Site

Los Ebanos to Hibiscus, MacPherson to Daugherty

Estimated Location of Landfill Trenches





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SANITARY LANDFILL

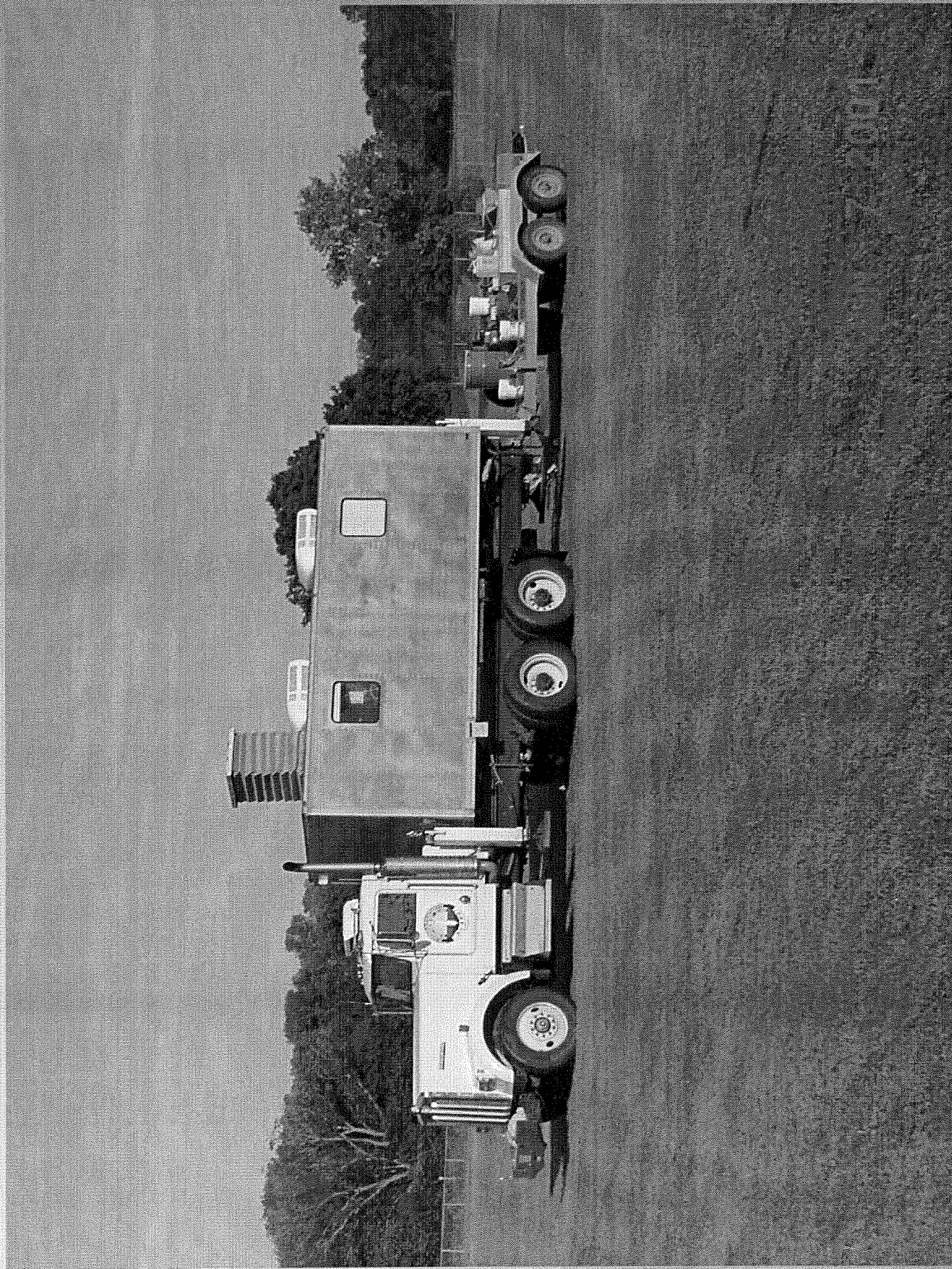
- An electromagnetic survey was conducted to locate where the landfill trenches crossed public streets. Aerial photos were studied to further determine their approximate location.
- Some previous results from this site have been invalidated by legal actions against a laboratory
- Using results from previous studies, we are attempting to target and sample the landfill contents.
- Sampling of soils, ground water, soil gases, and sediments is now underway.

SCAPS – Soil Characterization and Analysis Penetrometer System is being used to collect subsurface soil, gas, and ground water samples. It may be seen working in the residential areas.



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Observations and Findings During the Current Field Work



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Sanitary Landfill Trench Site

The top of the landfill cells are found from 2 to 7 feet below the surface

Soil is blackened from ash. It appears most combustible material was burnt before burial

Some glass, brick, wood, and other construction materials are in the trenches

Some methane has been detected



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Soil Core from SLF Trench

Soil Sample from Trench



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Soil Core from SLF Trench

7 to 9 feet below ground surface – below trench



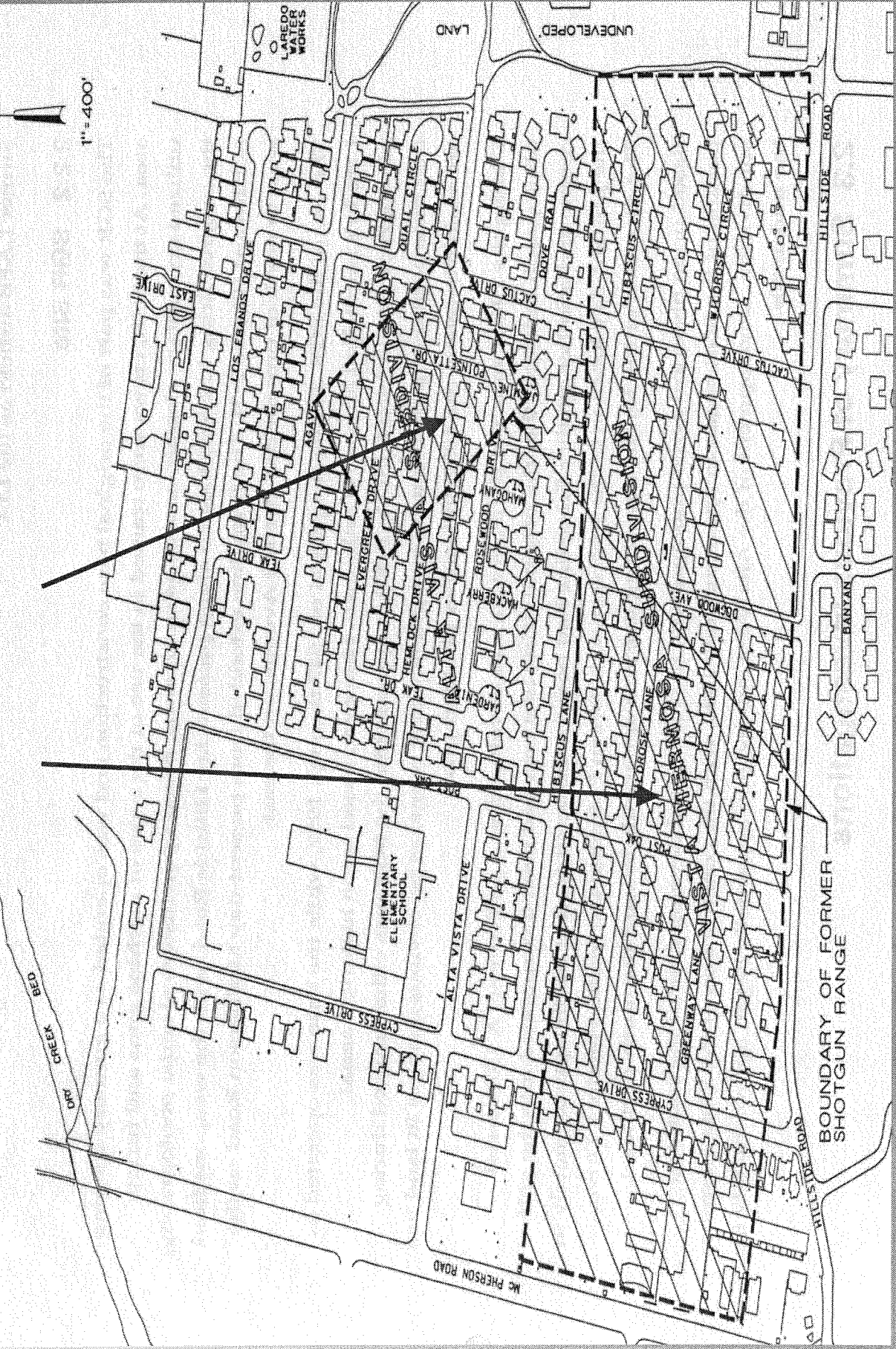


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Shotgun Range Site

Hibiscus to Hillside, MacPherson to Bartlett

Former Shotgun Range Areas



SHOTGUN RANGE

d as a practice firing range for shotguns and other small arms
were taken for Lead analysis

High levels of Lead.

ampled in three locations to confirm this result, and those were
vels.

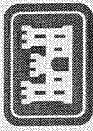
0.5 feet exceed groundwater protection standards

enerally at 8 to 10 feet below ground surface in this area

erals that limit the mobility of lead.

ng is required to further characterize the site to insure the
correct. Sampling of surface soils is planned for later this
with small children are given highest priority in sampling.

ributed to volunteer for the program



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Background Investigation

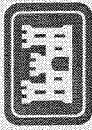
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Fort Worth District

Background Study

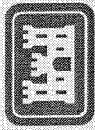
- Ten groundwater monitoring wells were installed in March of 2003 on the airfield and west of the airport.
- Wells were installed in areas not affected by the other sites. The results will establish background concentrations for metals and other chemicals of concern.
- The sampling of the wells is ongoing and may extend till the end of the year.



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Background Study

- Ten groundwater monitoring wells were installed in March of 2003 on the airfield and west of the airport.
- Wells were installed in areas not affected by the other sites. The results will establish background concentrations for metals and other chemicals of concern.
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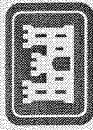
Latest Developments

Malcolm Pirnie, Inc. retained by the USACE to conduct investigations on all three sites to provide continuity and accountability

Propose formation of a **Restoration Advisory Board** (RAB) to advise the government on restoration of the formerly used defense site.

Website under development with complete Administrative record and other relevant information

ITS Laboratory Fraud Settlement



US Army Corps
of Engineers
Fort Worth District

Restoration Advisory Board (RAB)



US Army Corps
of Engineers
Fort Worth District

Restoration Advisory Board (RAB)

Purpose:

To provide an opportunity for the community affected by the environmental project to participate in the decision-making process

To provide a direct line of communication between the government, the community and the regulators involved in the environmental investigation

To create a communication process between the government and the local community that will promote awareness of local environmental issues and inform community members on the issues that affect them.



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Restoration Advisory Board (RAB)

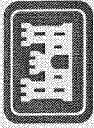
- Community-based group
- About 20 members
- Holds regular meetings
- Government and Community co-chairs
- Community members are unpaid volunteers
- Partnership with the Government



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Restoration Advisory Board (RAB)

- Two-way communication tool
- Encourages community participation
- Fosters understanding of environmental issues
- Eligible for funding
- Makes recommendations to Government
- Government makes final decisions



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ITS Fraud Settlement



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ITS Laboratory Fraud Settlement

- Former Intertek Testing Services ("ITS") Laboratory, Richardson, TX
- Contract laboratory for Corps of Engineers and others (Air Force, etc.)
- 1996 - Voluntarily disclosed data problems
- Hundreds of projects affected
- Only Some of the results from the Sanitary Landfill Trench Site affected



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ITS Laboratory Fraud Settlement

- Criminal and civil court cases
- 2001 - Corporation pled guilty
- 2001 - Five individuals pled guilty
- 2001 - Eight individuals acquitted
- 2002- Civil fraud case settled out of court
for \$9M



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ITS Laboratory Fraud Settlement

- Biggest problem is poor calibration of test equipment
- EPA calls data 'inaccurate' and 'unreliable'
- \$2.8M in payments to Government in 2003
- \$421K devoted to re-sampling and re-testing at Laredo AFB



US Army Corps
of Engineers
Fort Worth District

Contacts

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USACE – Ft. Worth District

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Dan Davis, Technical Manager

USACE -- Tulsa District

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Dan.T.Davis@usace.army.mil

Jon Greene, Project Manager

Malcolm Pirnie, Inc.

(713) 960-7408

Jgreene@Pirnie.com

Jorge Flores, Field Manager

Malcolm Pirnie, Inc.

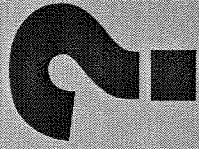
(713) 960-7443 Cell: 713-906-3514

JFlores@PIRNIE.COM



**US Army Corps
of Engineers**
Fort Worth District

QUESTIONS



— *One Corps Serving The Army and The Nation* —

US Army Corps of Engineers
Public Meeting (Former Laredo AFB)
5512 Thomas Ave

Thursday, May 1, 2003
5:30 p.m.

Attendance

Please PRINT name and Organization	Mailing Address	Zip Code	E-mail address	Phone
VICTOR and PATRICIA RUIZ	1441 LOS EBANOS DR	78041		(956) 726-62-73
Eduardo + PATRICIA CANTO	1507 Hibiscus Ln	78041		956 763-3634
Ernest TRIVERO	3039 MEYER SW	78041		224324
VICTOR SALINAS III	1504 LOS EBANOS DR	78041		(956) 791-8274
Armando Maldonado	1422 Hemlock Dr.	78041		956-753-7604
Rosa ELA-TERRAZAS	1309 Greenway	78041		956 7273907
OMAR TERRAZAS	710 2nd St	78041		956-727-3907
Macaria Ojeda	715 Post St	78041		956-727-1860
Guadalupe Ojeda	715 Post St	78041		956 727-1860
Diana L. Garcia	1502 Los Ebanos	78041		956-727-1520
Terry & Juan F. Alvarado	1416 Hemlock Dr.	78041	juvierhinoja@stx.com	956 791-3038
Josmar Hinojosa			juvierhinoja@stx.com	work-791-7338

Thursday, May 1, 2003
5:30 p.m.

**US Army Corps of Engineers
Public Meeting (Former Laredo AFB)
5512 Thomas Ave**

Attendance

Please PRINT name and Organization	Mailing Address	Zip Code	E-mail address	Phone
Cordelia C. Flores	1530 Palmer	78041		
Carol Wies	Tulsa OK			
Jorge Gonzalez	5618 Cactus Dr	78041		
Valerie M. Harte	1510 Quail Court	78041		237-14-39
Rosa Delavina	1309 Wilcox	78041		7910823
Valeria McNewedo	1110 Houston St.		vacevedo@jci.laredo.tx.us	791-7318
Ma Elena Rendone	1411 AGAC	78041		
Blond Meriario	1304 GREENWAY	78041		744-1833
Victor Garcia	5705 Post Oak	78041		724-1543
Elizabeth Degollado				728 0732
Claudia Martinez	1406 La Echara	78041		723-7489
Alfonso F. Herrera				

Thursday, May 1, 2003
5:30 p.m.

US Army Corps of Engineers
Public Meeting (Former Laredo AFB)
5512 Thomas Ave

Attendance

Please PRINT name and Organization	Mailing Address	Zip Code	E-mail address	Phone
Bert P. Castellanos Jr M&S RAMOS H. ROBLES	219 W 53rd Ave 1401 E. EVERETT ST 78041-3359	78041		724-2719
Guillermo A. Martinez Guillermo A. Martinez	1409 Bandera Dr 1401 W. KROX	78041		724-2742
Ramiro Solis RAMIRO SOLIS	1401 W. KROX	78041		727-5665
Carlos P. Villanueva CARLOS P. VILLANUEVA	1507 LOS EBANOS DR	78041		727-8818
Raul Ramirez Sr Raul Ramirez Sr	1507 LOS EBANOS DR	78041		727-8818
Reinaldo Ortega REINALDO ORTEGA	1602 WILSON CIR 1602 WILSON CIR	78041		722-8754
Norma Ortega NORMA ORTEGA	1602 WILSON CIR	78041		724-2424 (w)
Jose Avila JOSE AVILA	1319 ACTA VISTA DR	78041		722-0685
Guillermo Avila GUILLERMO AVILA	1319 ACTA VISTA DR	78041		722-0685
				722-2040
				722-2040

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Please PRINT name and Organization	Mailing Address	Zip Code	E-mail address	Phone
Roberto & Diana Martinez	1415 Hackberry St.	78041		(956) 727 7874
Mike Ghezawi	1601 Eagle Trace	78045		(956) 729-1100
Jake & Ludilina Espinoza	1457 Mohogany St	78041		(956) 791-8190
Isela Elda Ramirez	1507 Dove Trail Ct	78041		(956) 720598
Julio Soto	106 O'Hara Circle Rt 677 Cottonwood Dr	78041		(956) 725-7624
Melissa Hernandez	1412 Hemlock	78041	mmendez@usdo.net	(956) 725-9988
Guillermo A. Duran	4411 Hemlock	78041		(956) 723 28-89
Rick Plasencia	432 Los Hornos	78041		725-9588
Martha Hernandez	404 Rosewood Dr	78041	kgonzalez@webbcounty.com	723-4876
Guadalupe Barreras	5804 Cypress Dr	78041		(956) 723-1868
Rosa-M. Fawcett	1608 East Hillside	78041		956 723-4626

219

225

23

152

132

US Army Corps of Engineers
Public Meeting (Former Laredo AFB)
5512 Thomas Ave

Thursday, May 1, 2003
5:30 p.m.

Attendance

Please PRINT name and Organization	Mailing Address	Zip Code	E-mail address	Phone
RL Pentic	TCE	78041	ALUMAD@TCEC.SOUTH.TX.US	783-4259
Karey Dominguez	1110 Houston Laredo	78042		771-7303
ARNIE GUERRERO	P.O. Box 239 Laredo	78041		112
RIAZUL MLLA	619 REYNOLDS ST	78040		794-1650
Maribel Mendoza	1413 Evergreen	78041		7275665
Heitor/Veronica Medina	5619 Post Oak	78041	hectorm15@hotmail.com	724-6633
Mrs Roberto Cruz	5619 Post Oak	78041		727-4539
Mrs Juan Lopez	5619 Post Oak	78041		727-4539
Josue Espindola	5707 Pamela pr.	78041	Esperanza Espindola @ 4150 net	7230314

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Please PRINT name and Organization	Mailing Address	Zip Code	E-mail address	Phone
Maria I. Gonzalez	1408 Hemlock Dr.	78041	MI.Gonzalez@Laredo.Navy.Mil	724-7557
Samuel Mendoza	1413 Evergreen Dr.	78041	SamuelMendoza@Juno.com	727-5665
Laura Chondaris	11388 Paul Flores	78041	lchondaris@comcast.net	727-2118
Antonio Gutierrez	1610 Alhambra	78041		727-9800 727-9300
San Jacinto Villarreal	1511 Wildrose	78041		723-5251
Margolena Lozano	5712 Cypress Dr	78041		727-4377
ABUNDIO S. MEDINA	1000 Alhambra	78041		727-8773
Patricia Proa	1000 Alhambra	78041		718-1980
Rodolfo y Margarita Castan	1502 Hemlock	78041		724-5282
Hector Rodriguez	1606 Wildrose	78041		723-9376
Tom Clark	915 Victoria	78041		726-1000

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~~Resident Advisory Board Sign-Up/ Request for Soil Testing~~

Please PRINT name and Organization Mailing Address Zip Code E-mail address Phone Soil Testing RAB Sign Up

MARIA PROZCO ROSARIO PROZCO	1444 AGAVE DR	78041		956-5797	
JOSE L FLORES City of Laredo	5210 BOB BULLOCK	78041	JLFLORES@CI. Laredo.Texas	956-795- 2000	
Marta Maria Bustamante	1433 LUSTBANDS	78041		956-757106	
Enrique Bustos Rafael Aguilar	5706 TEAK	78041		725-8132	
Rafael J. Salinas	1101 BARDEN ST	78041	rafael.salinas@hotmail.com	795-2385	
Armandina Ortega	1501 Los Ebanos	78041	Armandinh@Yahoo.com	712-8626	
Maria Elizabeth Garcia	5406 Cypress	78041		725-6609	
Melissa Rubio	1411 Greenway	78041		725-8591	
Regina Rivera	506 E. Burt	78041		725-8301	
Eduardo Salas	1313 Helicon	78041		725-6232	
Wanda Lopez	701 Timber Lane	78045	elopez@ci.laredo.tx.us	795-4950	

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Attendance

Please PRINT name
and Organization

Phone

E-mail address

Zip Code

Mailing Address

Rosalinda G Salcedo	1430 Los Ebanos	78041		(956) 723-1338
FRANK SALCEDO	1430 Los Ebanos	78041		(956) 723-1338
NORA BARRERA	1605 Wildrose	78041		956-723-3744
Homero Escamilla	1417 Hemlock	78041		956 7121354
Celestino Altamirano	1424 Los Ebanos Dr	78041		723-2839
Lythia Lallana-Los	1100 Houston	78042		791-7302
Ramiro Paredes Jr.	5810 DOGWOOD	78041		956 7128207
Adriana G Alvaraz	5617 Post Oak	78041	ag-alvaraz@yahoo.com	723-0480
Juan E Martinez	5720 Cypress Dr	78041		729-1322
Elvira Valley	3116 San Francisco Ave	78040	valdez@westwind111.com	791-7389
Mark Dyke	81609 Wildrose Cir	78041	ptc.laredo@sbcglobal.net	718-2925

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Denise Ramirez	1403 Wildrose	78041		956-722-8754
18 Magdalena Garcia	1430 Ogava	78041		956 712-1925
244 Melinda Rodriguez	1403 Edgemoor	78041		956 727-8798
243 Gilbert Edda Perea	1603 Zuhichosa	"		725-2477
272 Margarita Norma Vasquez	1308 Greenway Laredo north, Prop	78041		727-1587
23 Tricia Coffey	111 Esperanza Dr.	78041	participaciononline.com	728-2568
122 Jose Serva y Familia	1509 West Thomas	78041		(956) 725-9678
223 Eddie Hernandez	1509 West Thomas	78041		(956) 726-0559
Armenio Gomez Lopez	2619 Santa Cecilia	78041		
Dora E Villaverde	1510 Los Cabanos	78041		727-4409
60 MR+ MRS OSCAR PEREZ	1408 GREENWAY	78041		724-2743
270 MR+ MRS CARLOS SANCHEZ	1404 EVERGREEN DR.	78041		728-8727

Anabel

US Army Corps of Engineers
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Please PRINT name and Organization	Mailing Address	Zip Code	E-mail address	Phone
265 Miguel Angel Vela Jr	1318 Los Ebanos Dr	78041	miguel-v9@fredocasso.com	(956) 791-4451
264 Ricardo J. Treviño	106 E. Indiana	78041	rtrevi106@yahoo.com	(956) 795-4900 ext 4542
Alfredo Camero	1505 Dove Trail	78041	Camero@hastings.com	(956) 724-5161
260 Diana Soliz	1311 Alta Vista Dr	78041	hisoliz@surfus.com	(956) 725-9965
258 Norma E. Juan Quinonez	1406 Evergreen	78041		(956) 725-5938
252 Blanca E. Morales	1408 Evergreen Dr	78041		956 726 3559
Jose A SANCHEZ	1408 AGAVE	78041		756 791 1148
219 Oscar E. Medina Jr	1507 Dove Tail	78041		956 712 0398
219 Ramon Nier	" " "	" "		" "
Oscar E. Medina Jr	1446 AGAVE DR	78041		(956) 726 8046
84 Roberto Lopez	1421 Agave Dr	78041		956 725 5876

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Please PRINT name and Organization	Mailing Address	Zip Code	E-mail address	Phone
Zulema Solis	1401 Wilgro Se	— 01	Kkramzco@snygvaas.net	7278878
82 Anna M. Espinoza	5818 Dogwood	78041	—	7274427
32 Javier Cosio	5716 Cypress Dr	78041	—	7272647
Jose L. Virjan	5711 Rainsett Dr	78041	—	7273322
4M, Rendon	5704 Cypress	78041	—	2102684840
200 Maria G. Lascari	689 Juniper	78041	—	724-8990
229 Blanca Ramirez	3 World	78041	—	7228754
Heidi Angell	2001	78041	—	795-4920
Martha v. Gonzalez	308 Hibiscus	78041	—	720-1970
Ernesto Gonzalez	1308 Hibiscus	78041	—	724-7454
203 Mr. & Mrs. Bernardino Sandoval Jr.	1407 Agave	78041	—	727-7257

Thursday, May 1, 2003
5:30 p.m.

US Army Corps of Engineers
Public Meeting (Former Laredo AFB)
5512 Thomas Ave

Attendance

Please PRINT name
and Organization

Mailing Address

Zip Code

E-mail address

Phone

Jose Fonseca	1304 Wildege	78041		523-0194
<i>Sanchez</i> <i>Jandra</i>	5705 Paisetta			
Lucio A. Garcia	1506 Wild Rose Ln	78041		724-5234
Earl Gnanado	1410 Hibiscus Ln	78041		707-2471
Zolanderbander	1501 Cegave	78041		724-5534
Cebelino Lander	1501 Cegave	7804		724-5534
Adriana M. Cruz	1743 Agave Dr	78041		728-7151
Florentino Martinez	1501 Cegave	78041		725-8028
Alberto P. P. P.	24 Evergreen			725-0335

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5512 Thomas Ave

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Phone

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Luis Soto	1412 Hibiscus Ln	78041		724-3556
Benito Bando Sr	1604 Hibiscus Cir	78041	fbando@yq600.com	724-3556
Leonel Vazquez	1405 EVERGREEN	78041		724-3556
ALFREDO & DIANA PINZON	1402 AGAVE	78041	spin@demondz.com	7255446
Roberto Elizondo	1604 Hollaide	78041		712-2076
Elizabeth Leng	1419 Hackberry Ct	78041	EALDRINKER@SBCglobal.com	729905
LIZETTE HALLSIVE	1405 EVERGREEN	78041		(956) 727-4564

266

152

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226

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Guadalupe Solis	1415 Henlock Dr	78041		722 2413
Gabriel Doyu	14110 Los Ebanos	78041		725 44-65
Ed S. Oval	1403 Los Ebanos	78041		
Leticia C Munoz	1407 Gardenia Ct	78041		727-5748
Ramon Munoz	1407 Gardenia Ct	78041		727-5748
Anna Rubio	1410 Wildrose	78041	Arbico Carb. Hwy. net	796 1679
Irma Liendo	1410 Wildrose	78041		723-4876
Angelica S. Viljan	5711 INS La Brea	78041		726-3322
Jose Angel Flores, III	2909 Muesse	78041	@ ins. md. tx 235 1692	
Diana G. Hinojosa	1437 Los Ebanos	78041		724-8832

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U.S. CORPS OF ENGINEERS PUBLIC MEETING
REGARDING: ENVIRONMENTAL INVESTIGATION OF THE
FORMER LAREDO AIR FORCE BASE

MAY 1, 2003

THE U.S. CORPS OF ENGINEERS PUBLIC MEETING,
came to be heard on the 1st day of May, 2003,
from 6:35 p.m. to 8:35 p.m. before Sarai Moore
Meurer, CSR in and for the State of Texas, reported
by computerized machine shorthand at the Public
Works Building, 4312 Daughterty Street, Laredo,
Texas.

COPY

A P P E A R A N C E S

MR. BRIAN CONDIKE
USACE Ft. Worth District Project Manager

MR. DAN DAVIS
USACE Tulsa District Technical Manager

MS. CAROL WIES
Former Tulsa District Technical Manager

MR. JON GREENE
Malcolm Pirnie, Inc. Project Manager

MR. JORGE FLORES
Malcolm Pirnie, Inc. Geologist & Field Manager

MS. ROBENA JACKSON
Group Solutions RJW Public Affairs Coordinator

1 MR. CONDIKE: Good evening ladies and
2 gentlemen. There's still more seats in the -- down
3 in front here for the people who are standing in the
4 back if you'd like to come down and sit.

5 My name is Brian Condlike. I'm with the
6 Army Corps of Engineers in Fort Worth. The first
7 part of the presentation, the -- the slide
8 presentation will be in English and the question and
9 answer session afterwards will be in both English
10 and Spanish.

11 (Ms. Flores interprets.)

12 MR. CONDIKE: Most of you signed in
13 when you walked in. If you -- if you didn't sign
14 in, we have sign-in sheets on the other side of the
15 partition, if you'd like to do that. We will be
16 having refreshments after the slide presentation is
17 complete during the question and answer session.
18 I'd like to request that all of you that have cell
19 phones and pagers to turn them to silent running or
20 turn them off or whatever. Thank you.

21 After the meeting we will have a -- the
22 Corps of Engineers direct push sampling vehicle
23 outside for inspection. Many of you may have seen
24 that in the neighborhood over the past several days,
25 if you want to get a close inspection of that. I'd

1 like to recognize several of our public dignitaries
2 that are here tonight. Councilman Valdez is here
3 this evening. Thank you, sir. City Manager
4 Dovalina. Is he here? No. Assistant City Manager,
5 Corazo. Thank you. Mr. Flores from the airport.
6 Is he here? And Dr. Gonzalez from the Department of
7 Health. Thank you.

8 We'd like to say a few words tonight about
9 the continuing environmental investigation of the
10 former Laredo Air Force base. And then I would like
11 to introduce the folks that are here tonight and
12 then turn it over to Mr. Dan Davis.

13 Like I said, my name is Brian Condike.
14 I'm the project manager for the Corps of Engineers
15 in Fort Worth. I'm replacing David Scotto who had
16 this position prior to me. Also with me tonight is
17 Dan Davis the Corps of Engineers in Tulsa. He is
18 the technical manager. He's replacing Carol Wies
19 who is also here tonight. Many of you may know
20 Carol. We have the -- Malcolm Pirnie. Our
21 contractor and project manager, Jon Greene. I don't
22 know. Where did he go? He's in the back. That's
23 Jon in the blue shirt and red collar in the back.
24 And the geologist -- the geologist and field manager
25 is Jorge Flores. Jorge. And the -- our public

1 relations consultant is Robena Jackson. Robena.
2 Thank you. And then I'll turn the technical
3 presentation over to Dan.

4 MR. DAVIS: Good evening. We're
5 working in the area mostly to the -- to the west of
6 the airport. The main areas and the main
7 neighborhoods we'll been working in are bordered by
8 Hillside Drive on the south, Bartlett on the east
9 side, McPherson on the west and the area just north
10 of Los Ebanos on the north side. The two areas up
11 there on the immediate north are known as the
12 Sanitary Landfill trench area. If you come south,
13 it's the Shotgun Range Site and all the way to the
14 south side of the airport is the former Industrial
15 Waste Treatment Plant. Next slide, please.

16 We're working here as part of the FUDS
17 Program. FUDS is our government acronym which
18 stands for Formerly Used Defense Site. The Program
19 was authorized by Congress in 1986. Here in Laredo
20 we started working in 1991. We have some sites
21 that -- that we're working on with the City and
22 those are -- are three sites of construction
23 landfill, the fire training area and the fuel farm.
24 Those are three sites that the Corps of Engineers is
25 addressing are the three I just outlined on the map

1 before, the Industrial Waste Treatment Plant, the
2 Sanitary Landfill Trench System and the Shotgun
3 Range. Next slide, please.

4 The first investigation I'm going to talk
5 about is about the Industrial Waste Treatment Plant.
6 It's down near the junction of Daugherty and
7 Arkansas just north of Highway 59. It's been
8 partially demolished. There's a control building
9 north you might have seen it just north of the H-E-B
10 on Highway 59. A previous investigation installed
11 four ground water wells in a circle around the -- in
12 a circle around the site. Soil and ground water
13 samples were taken at that time and -- and analyzed.
14 Some chemicals were detected and we're going back to
15 address this this summer. What we're going to do is
16 install more wells in the area and try and -- and
17 determine how far the canvas have stretched, the
18 ones we've found. Next slide, please.

19 The next side I'm going to address is the
20 Sanitary Landfill slide. It's the area of the north
21 residential area between Los Ebanos and Hibiscus.
22 There was a series of landfill trenches dug during
23 the operation of the Air Force base. Those trenches
24 were filled with domestic trash that was burned
25 and -- and when a trench was -- was filled with ash

1 they would cover it up with existing soil in the
2 area and dig a new one. We have basically two sites
3 here, one east of the elementary school and one west
4 of the elementary school by McPherson Road. Next
5 slide, please.

6 The first thing the Corps of Engineers did
7 was do an electromagnetic survey. We had a fancy
8 piece of equipment that would do -- would detect
9 things under ground. We determined whether those
10 trenches crossed the roads in the area. Later on we
11 looked at all the aerial photographs that were taken
12 in the Air Force base during this operation and with
13 those aerial photographs we determined other
14 approximate locations for these landfill trenches.
15 We came into the area in 1997 and collected samples
16 using the -- the SCAPS rig, the direct push
17 sampling -- sampling truck we're using now. We
18 collected samples. Some of those samples went to a
19 laboratory and because of a -- a legal action
20 against the laboratory, those results have been
21 deemed invalid. Using the results of some of those
22 studies and -- and some of the other studies we've
23 done on a site, we're using the results to target
24 the landfill content. So the sampling we're doing
25 in the area now, we're trying to hit where those --

1 those landfills existed in the past.

2 We're sampling the soil, the ground water.
3 There's also gas samples that are going to be
4 collected and sediments of any creeks in the area.
5 The -- the truck we're using now you may have seen
6 some pictures in the paper or an article or two
7 about it. It's known as a SCAPS rig. It's another
8 government acronym and it's Soil Characterization
9 and Analysis Penetrometer System. Basically it's a
10 truck that pushes the pipe into the ground. And
11 it's used to collect all the samples with. Next
12 slide.

13 We don't have the results from the sample.
14 We've just had some observations since we've
15 collected those samples and sent them off for
16 analysis. And I'll discuss some of those. There's
17 a picture of the SCAPS rig. It's probably been
18 parked in front of your house in the -- in the area
19 and blocked traffic at least once. We're going to
20 have that parked next to the building here after the
21 presentation. If you want go look at it and go
22 inside and see the computer systems, determine what
23 kind of soil we're pushing through and how the
24 samples are actually extracted. Next slide.

25 One thing we've noticed so far is we

1 pushed through clean soil and hit the top of the --
2 the landfill cell from about 2 feet under the ground
3 to about 7 feet. That's the very top of the
4 landfill cell. Some of these are -- are really
5 thin. Some are -- are rather thick. I guess the --
6 the typical one is about five feet thick. And
7 generally speaking to the east of the site it's a
8 very thin layer and on the west side of the site
9 it's very thick. And it has that tendency to get
10 thicker as it goes towards the west. We've found
11 very little trash in the cells. The way we know
12 found one is -- is the normal clay is kind of
13 yellowish in color. You may have seen some of the
14 pictures we have on the wall here. When we start
15 getting black clay, that's the landfill contents.
16 That's mainly because most of the trash back here is
17 paper, maybe some wood, it was burned and kind of
18 mixed with the soil. That layer also tends to
19 accumulate water. So you may have seen the pictures
20 on the wall as you came in. The -- the black soil
21 seems to be kind of liquid. That's because it's
22 wet.

23 There's some glass break, wood, little
24 bits of tin cans and things like that in there. But
25 basically it's -- it's black dirt with ash and --

1 and other solids materials mixed in. With the soil
2 gas sampling, we've seen a little bit of methane.
3 You may have heard of it referred to as landfill
4 gas. The levels we've seen aren't -- aren't
5 dangerous or remarkable but we've collected lab
6 samples and we're going to get that quantified as
7 soon as possible. Next slide.

8 There's a sample of the -- the dirt that
9 came out of the landfill cell. When you pick it up
10 and look at it, it looks like dirt. You'll come
11 across a little bit of glass and things like that.
12 And like I said before, it's -- it's a little wet.
13 We do have samples in jars back there if you'd like
14 to take a look at it after the presentation. Next
15 slide.

16 Here you can see that as we penetrate
17 through the landfill, we finally hit the background
18 soil and the yellowish kind of gets to a -- a plain
19 yellow color. And this is under the landfill cell.
20 Next slide.

21 The next area is the shotgun range.
22 That's basically from -- from Hibiscus to Hillside.
23 That area -- next slide, please.

24 That's -- that area was used as a shotgun
25 range and small arms range. Basically, you -- you

1 stood at the south and you fired toward the north.
2 There was one area off farther to the north that was
3 used as a -- a shooting area at -- at a later date
4 when they -- when they developed a golf course in
5 the area. Next slide.

6 The -- the first sampling that took place
7 there, we're mainly looking for lead in that area.
8 So in the other areas we analyzed for a full sweep
9 of chemicals just about everything you can think of.
10 In the shotgun range, we're specifically looking for
11 lead. They took 33 soil samples. They took it
12 pretty far below the surface, all the way down. One
13 sample had a really high level of lead. We went
14 back to -- to validate that, collected three more
15 surrounding it and couldn't find lead in those.

16 So the conjecture was that one sample had
17 a little pellet of lead in it. Five samples at --
18 in -- in six depth see (inaudible). We don't have a
19 lot of ground water in this area. And the ground
20 water is real salty so you couldn't use it for
21 consumption but we did have five samples, the reg --
22 the regulatory limits on it. Ground water is about
23 eight to ten feet above the surface. One thing
24 we've done is that the soil is -- is full of clay.
25 It -- it is not very acidic so it's seems

1 (inaudible) in place. It's not really mobile to the
2 ground water. Additional sampling is required to
3 address the surface soil in the area in the well.
4 We're planning on conducting that later this summer.

5 And tonight we're going to have forms that
6 you can fill out. What we're trying to find out
7 is -- is anybody that would be willing to let us
8 come on their property and sample the surface soil.
9 We're specially interested if you have small
10 children in the household because we're going to
11 specifically target those houses. They'll get the
12 highest priority and sampling. And we'll have --
13 there's forms in English and Spanish available in
14 the tables in the back. Next slide.

15 We've also done another investigation here
16 and the purpose of that investigation is to
17 determine the -- the background level of some
18 chemicals. So when we detect those chemicals in the
19 target site, we can compare it to the background and
20 see how high it's elevated because of government
21 activities. Next slide.

22 We've installed ten monitoring wells.
23 Those appear to be just like a hole in the ground.
24 A little two by two cement pad with a small metal
25 cap in the middle. You may have seen one in the

1 softball fields out here or within about a -- a half
2 mile of the airport. There were four or five
3 installed on the airport property. We just
4 installed those last month. We've taken the first
5 samples and they've been submitted for analysis.
6 We're also going to go back and sample those three
7 additional items so we get a good average. Next
8 slide.

9 Now the latest things that have happened
10 on the site is, and we think it's a real positive
11 development, is we've hired Malcolm Pirnie. In the
12 past, we've had several contractors working on a
13 site that's changed quite often. Now we have
14 Malcolm Pirnie doing all the work on the work plans.
15 And hopefully by keeping everything in one group
16 we'll get a little more consistent performance that
17 way. Another idea that we've come up with is to
18 form a restoration advisory board. I didn't intend
19 for this to be a course in government acronyms but
20 that's known as a RAB.

21 What we'll do is try and get some
22 community leaders, interested people in the area,
23 people in influential positions to serve as
24 volunteers on this board that will help review some
25 of the data we generate from the -- the site and

1 help advise us on how to proceed with the site
2 investigations and -- and any further work that's
3 necessary. Another thing we've done is we have
4 Malcolm Pirnie preparing a web site for the -- the
5 environmental clean up. There's been a lot of
6 interest in the administrative record that's at the
7 library now. They've taken that administrative
8 record and scanned it and within a few months, it'll
9 be available in the internet. We'll also put any
10 scheduling information or -- or current information
11 we generate on that website. One big development we
12 have to report on tonight is the ITS Laboratory
13 Fraud Settlement and Brian will address that.
14 That's provided some of the monies for us to come
15 back to the sanitary Landfill area. Next slide,
16 please. And I will let Brian address that later on.
17 He'll be talking more about the restoration advisory
18 board and then go on to the ITS settlement. So at
19 this point, I'll pass it on to him.

20 MR. CONDIKE: Thank you, Dan. Next
21 slide. The restoration advisory board is a -- a
22 group of community members typically up to twenty
23 people who are interested in -- in providing input
24 to the government and -- and helping to advise us
25 how to proceed with clean up of -- of a hazardous

1 waste site. They hold regular meetings. It has
2 a -- a -- a co-chair structure and then there's a --
3 a co-chairman, one person from the government, and a
4 co-chairman, one person from the community. The
5 community members are all unpaid volunteers that --
6 that commit themselves to -- to come into the
7 meetings and participating and talking with your --
8 your fellow community members so we can get a sense
9 of what people are thinking and feeling and what
10 they would like us to do. It is a partnership with
11 the government. Dan.

12 It's -- it's a two-way communication tool.
13 It helps the government communicate with the
14 community but it also helps us understand what
15 you-all are thinking. We can have public meetings
16 like this and we can have question and answer
17 session but these have happen regularly once every
18 three or four months or six months or a year. And
19 often times that's not enough for most people. So
20 the restoration advisory board meetings are held on
21 a more frequent basis and they're open to the
22 public. Other people can attend. And we talk about
23 the site and it gets a better understanding of --
24 from the community of what the problems are and --
25 and how we want to approach it. And it helps us

1 understand what your issues are.

2 This restoration advisory -- advisory
3 board is eligible for government funding. We can
4 get thousands of dollars for the board to spend to
5 hire their own consultant to understand the data
6 that we're generating. So to -- to -- to help you
7 engender some trust that we're telling you is --
8 is -- is the truth. And so that you don't think
9 we're trying to pull the wool over your eyes with --
10 with a lot of fancy words and -- and scientific data
11 and things that you might not understand, we -- the
12 government will provide you money so you can go and
13 hire your own consultant. But the board -- the
14 restoration advisory board can hire its own
15 consultant to look over our shoulder and interpret
16 the reports for you and explain it to you in -- in
17 ways that you can understand and maybe ask us some
18 tough questions and maybe we missed something.
19 Maybe we need to do more than what we're doing. The
20 restoration advisory board does make recommendations
21 to the government on what to do. But the government
22 does make the final decisions on -- on what happens.
23 Now understand through all of this that
24 the Army Corps of Engineers doesn't work in a
25 vacuum. It -- it has -- does work in conjunction

1 with the State, Texas Commission on Environmental
2 Quality and with the U.S. Environmental Protection
3 Agency. So we're not working unilaterally here but
4 we need to make this a -- a approved effort, more of
5 a community effort. Now I -- we've got some forms
6 in the back -- on -- in the back table to -- for
7 people to fill out and basically it's just your name
8 and address and an indication of who you represent,
9 whether you live on the former Laredo Airport
10 property, whether you live in Laredo but don't live
11 on the property, whether you're a member of a local
12 government or whether you're a community leader of
13 some other way or you represent some special
14 interest group. This sort of tells us who you
15 represent. And we want to gage the interest of the
16 community in establishing a restoration advisory
17 board. If we only get five or six forms back, we're
18 not going to -- we probably won't form one because
19 it's not enough interest. I think that the
20 continued high attendance we get at these public
21 meetings indicates that we do have a great interest
22 of the community. And I think you would be
23 interested in doing this. So we're going to gage
24 the interest from -- fill out these forms and then
25 we'll come back and contact you and we'll -- we'll

1 try to form this and we have an organization meeting
2 and see -- see if we can't come up with a form for
3 you-all to -- to help us do this job better.

4 The ITS fraud settlement -- hit it again.
5 This -- this is a relatively new topic to -- to a
6 lot of people. And that's our fault, the Corps of
7 Engineers. The -- the Corps of Engineers and the
8 Air Force and a lot of private companies and the
9 U.S. Attorneys Office has been dealing with this
10 issue for seven years now. Let me give you a little
11 bit of history and -- and we'll tell you how it
12 affects the Laredo site. ITS stands for Inter
13 Test -- Testing Services. It was an environmental
14 testing laboratory in Richardson, Texas -- Texas
15 just a few miles north of Dallas. It was a contract
16 laboratory for the Corps of Engineers and also for
17 the Air Force and for hundreds of other clients. It
18 was one of largest laboratories in the United States
19 that tested samples from all over the country. In
20 1996 it approached the government and it voluntarily
21 disclosed that it had some problems in its
22 laboratory that it wasn't performing the tests on
23 soil and water samples as it was supposed to.

24 Hundreds of projects were affected all
25 throughout the country. Only some of the results

1 from the Sanitary Landfill Trash site here in Laredo
2 were affected. We had a lot of other samples in
3 other areas in different kind of samples. I think
4 it was the soil samples from the sanitary landfill
5 that were affected. We had soil gas samples that
6 were not affected or had other data that we
7 generated in the location of the trenches which were
8 not affected. Because of their disclosure there
9 resulted criminal court cases. I think there were
10 13 people that weren't indicted. And civil court
11 cases where the government and others sued ITS for
12 fraud meaning that ITS represented the data that
13 generated was of a certain quality when in fact it
14 wasn't. The government paid for -- for a -- a
15 product or a service that it did not receive.

16 In 2001 the corporation plead guilty to
17 the fraud charges. In 2001 five individuals plead
18 guilty to the criminal charges and they received
19 heavy fines and suspended jail sentences. And eight
20 individuals were acquitted. They did go to trial.
21 In 2002 the civil fraud was settled out of court for
22 \$9 million. This was -- this was one case with the
23 Corps of Engineers. There are -- there were several
24 other cases with -- with the Air Force and other --
25 and other people.

1 The biggest problem with their data was --
2 was they took shortcuts when they calibrated their
3 equipment in the laboratory and so some of the data
4 although it -- it in general it told us what was
5 in -- in the soil it wasn't as accurate or precise
6 as it should have been. The -- the EPA -- the EPA
7 characterized all their or called unreliable and
8 inaccurate. Now the -- we did not take these
9 samples alone. Every tenth sample we took from the
10 sanitary landfill we split it in two and we sent one
11 half of the sample to ITS and the other to another
12 half of the sample to another independent
13 laboratory. So we checked their data with another
14 lab and we didn't find the data to be that bad. In
15 fact we demonstrated this to the state TCEQ,
16 Commission on Environmental Quality and they sent us
17 a letter back saying since you have this additional
18 data this corroborative, backup data, what we call
19 quality SHUNTS (ph), we'll accept the data from the
20 sanitary landfill and you can use that. But because
21 there's a question about whether it's reliable or
22 not, we are repeating much of the sampling that we
23 did on the sanitary landfill. So we'll have better
24 data and more data.

25 And this year the government received \$2.8

1 million out of the \$9 million settlement. And out
2 of that, \$421,000 was devoted to retesting samples
3 in Laredo at the sanitary landfill. Now we spent
4 more money than that this year. We've spent over a
5 million dollars this year on testing in Laredo. So
6 we're -- we're not just repeating the ITS
7 investigation. We're also doing additional
8 investigations in concert with -- with our
9 discussions with -- with the state agency. Now it's
10 true that the Corps of Engineers has -- should
11 apologize both to the City of Laredo and also to
12 you, the residents for not telling you about this
13 beforehand that some of the data we were presenting
14 to you as characterizing the landfill and -- and we
15 were making some of our decisions on was of --
16 somewhat questionable ancestry. That was not the
17 right thing to do and we weren't intentionally
18 trying to hide anything from you. We had over a
19 hundred sites in the Fort Worth area that were
20 affected by this. And we were trying to deal with
21 this problem globally. And we did receive the
22 funding this year and this is the first site we
23 spent -- spent money on. And out of the \$2.8
24 million quite a chunk of it came to Laredo. So
25 we -- we apologize for not telling people about

1 this. It was not because we were trying to hide
2 this fact from you. We -- we did tell the State and
3 the State did say that it was okay. But we felt
4 strongly enough about the uncertainty about the data
5 that we need to repeat it. So we are spending the
6 money and we are repeating the -- the testing. Next
7 slide.

8 So this is a list of contacts that you can
9 call, myself and Mr. Davis who was speaking earlier,
10 John Greene, the project manager from our contractor
11 and the field manager who -- who's now on site the
12 past several weeks collecting samples. I think
13 that's the end of the formal presentation. And now
14 we will do the question and answer session. We --
15 we have two ways to -- to do questions. One is for
16 people -- if you go up to the microphone and speak
17 into the microphone. We do have a (inaudible)
18 regarding the session for history purposes. We will
19 be publishing the transcript of the session on
20 our -- on our website for everyone to see it. So if
21 you didn't get to the meeting, they can -- they can
22 see what was said. If you don't feel comfortable
23 standing in front of the microphone, we do have some
24 little forms where you can fill out the question and
25 we will try to answer it. Here it was. Are you

1 ready? Yes, ma'am.

2 UNIDENTIFIED AUDIENCE MEMBER: My
3 question to you is: How come if you were the
4 government sending these people and these people
5 were fraud or whatever you say -- I was late to the
6 meeting. How come the government didn't check these
7 people coming to Laredo to check our properties, to
8 check our soil?

9 MR. CONDIKE: The question is, if --
10 if I understand it right, how come we didn't -- we
11 didn't check them --

12 UNIDENTIFIED AUDIENCE MEMBER: Yes.

13 MR. CONDIKE: -- to see -- to -- to
14 make sure that they were doing it right in the first
15 place?

16 UNIDENTIFIED AUDIENCE MEMBER:

17 Uh-huh.

18 MR. CONDIKE: Actually, we did.
19 We -- we inspected their laboratory, our -- our
20 center of expertise from Omaha, Nebraska inspected
21 their laboratory to make sure they were doing things
22 properly. But they -- and -- and not only us but
23 the Air Force and -- and the State and a lot of
24 people inspected the lab. But because it was fraud,
25 there was some intentional -- it was -- they

1 intended on their part to hide the fact from us that
2 they weren't doing it right. So although we went in
3 there in good faith and tried to inspect to make
4 sure they were doing things right, they basically
5 lied to us about what they were doing.

6 UNIDENTIFIED AUDIENCE MEMBER: When
7 are we going to have the results, you know? What's
8 going to happen when we have the results?

9 (Ms. Flores interpreted.)

10 MR. DAVIS: The question was asked
11 when we're going to have the results ready from
12 the -- the current studies. We're going to be
13 obtaining samples over the next few months. Those
14 will be submitted to a laboratory and we'll get the
15 results from the laboratory in another month or so.
16 Those will be interpreted and put into a report
17 format which should be ready toward the end of this
18 year.

19 UNIDENTIFIED AUDIENCE MEMBER: Each
20 and one of us property owners in this area are --
21 we're going to -- you're going to send us a letter
22 letting us know? Are you going to tell the City?
23 Where are you going to -- how are you going to
24 communicate, by the media or how?

25 MR. DAVIS: When those reports are --

1 are ready for submittal to the public, we'll have
2 another public meeting and discuss them and -- and
3 put them on our website and make them available to
4 anyone who wants them. What we will -- what have
5 done in other sites and what we will do and I think
6 we've done it here already on some people's
7 property on whom we have selected samples from
8 individual's properties and we will send each
9 property owner where we've collected samples a
10 letter telling them exactly what the results were
11 that we found on your property. And we'll also
12 include the -- the results from the whole site to
13 put it in perspective. Now the last time we also
14 went back and talked individually to each property
15 owner. I think there will be so many property
16 owners involved here at this time what we'll
17 probably do is have a little open house. I'm doing
18 this at another site where we'll -- we'll have a
19 room and we'll -- we'll be there for a day or two
20 days and at your convenience you come in and talk to
21 us if you have questions about results from your
22 property and we can talk to you one on one. Okay.
23 That -- that'll be the -- the lab results from the
24 shotgun range.

25 THE INTERPRETER: Thank you.

1 (Ms. Flores interpreted.)

2 MS. M. MENDEZ: Yes. Excuse me. My
3 name is Melissa Mendez and I live on Hemlock Drive.
4 My question is: I -- you previously stated that you
5 wanted to give highest priorities to those families
6 with young children, with small children. I'm a -- a
7 parent of a three-year old and a one-year old. And
8 my question is: Why would you like to give, you
9 know, preference -- preference to those families
10 first? Is it because children run a higher risk of
11 the contaminants, of being affected by that? I know
12 that our City Health Department did go door to door
13 asking people if they wanted to have their blood,
14 you know, tested and checked. I myself was one of
15 these people and though I came out normal in a lot
16 of the readings, lead was kind of high even though
17 it was still within the normal range. Now as an
18 educator I do know that lead does have very adverse
19 affects on children.

20 So my question is: Is that one of the
21 reasons why you want to give highest priorities to
22 families with young children?

23 MR. DAVIS: There are two reasons.
24 One is a child is more likely to go out in a
25 backyard or the front yard and play in the dirt --

1 MS. M. MENDEZ: Yes.

2 MR. DAVIS: -- and get exposed. And
3 the other is relative to an adult, a child is more
4 likely to suffer an affect from exposure because
5 they have a smaller body weight.

6 MS. M. MENDEZ: Okay. Thank you for
7 answering the question.

8 MR. DAVIS: Yes. You live on Hemlock
9 drive?

10 MS. M. MENDEZ: Right on Hemlock
11 Drive and my area was one of the famous ones.

12 MR. DAVIS: That's in the Sanitary
13 Landfill area.

14 MS. M. MENDEZ: I think -- I -- I --
15 it's a little bit on that area and a little bit of
16 the shotgun range area too. I think I'm right smack
17 in the middle. Your truck has already been pretty
18 much right in front of my house.

19 MR. DAVIS: The only results that
20 are -- the samples that will be taken that we're
21 giving priority to families with small children are
22 the shotgun range samples --

23 MS. M. MENDEZ: Okay.

24 MR. DAVIS: -- the ones analyzed for
25 lead.

1 MS. M. MENDEZ: Okay.

2 MR. DAVIS: The ones we're doing in
3 the sanitary area --

4 MS. M. MENDEZ: I think I'm right on
5 the edge of both.

6 MR. DAVIS: Okay. You may have both
7 samples taken from your --

8 MR. L. DOVALINA: My name is Larry
9 Dovalina --

10 (Ms. Flores interpreted.)

11 MR. L. DOVALINA: My name is Larry
12 Dovalina. I'm the city manager for the City of
13 Laredo. There was a newspaper article this morning
14 that advised the public about the general meeting
15 and -- and one of the instances in the paper it
16 attributes a -- a discussion to myself and other
17 city staff and lays an innuendo out that somehow
18 today we may have known because it qualifies the
19 knowledge that may have been possessed by the City.

20 I noticed in your presentation that you
21 indicated that since 1996 you had the data that in
22 the year 2000, 2001, 2002 you were actively
23 discussing the fraud settlement in the case. I
24 wrote a letter today before this meeting to the
25 director of the Corps of Engineers for this reason

1 indicating in no uncertain terms that we, the City,
2 did not possess any knowledge that you were having
3 this discussion, that you had hearings here in the
4 city and did not at any point in time advise us that
5 this was going on.

6 I -- I and my staff hold the public trust
7 in this community and we guard it very dearly and I
8 don't want to be painted with a brush that takes
9 into account the fallacies of others. I respond for
10 what I do. My staff responds for what they do. And
11 at no point in time or at any point in time did we
12 have any knowledge that you were having this issue
13 going on. And I think you have an uphill battle in
14 trying to convince the people of the veracity and
15 the truthfulness that you have presented in the
16 past. And I think it's a -- a climb that you're
17 going to have to reach as you present your future
18 results.

19 We have been inundated with open records
20 requests based on what you laid out. We have been
21 sued by different parties at different points in
22 time. Although we, the City, never had control of
23 this property, never knew what was in the property,
24 although individuals from your organization or from
25 the government may have known at different points in

1 time. And I think it's important to clear the air.
2 I noticed that the reporter was on the phone when
3 you mentioned specifically and I wanted to reiterate
4 it again that you apologize to the general public
5 and you also apologize to the City of Laredo the
6 government entity for not having given the
7 information that you knew in '96, 2000, 2001 and
8 2002. Thank you.

9 MR. CONDIKE: Thank you, sir. I do
10 recognize and I said before and I'll repeat myself
11 that we were at fault for not divulging this
12 information to the public and to the City. And I
13 understand that we may have damaged the trust we've
14 tried to develop between us and the Corps of
15 Engineers and you the residents and your
16 representatives and the city government. And other
17 than to stay I'm sorry and we didn't mean to hide
18 anything, I would like to go forward from here
19 and -- and try to convince you that we have your
20 best interest at heart, in mind and we're doing
21 everything we can to insure that you have a safe
22 place to live and to work and to play.

23 MR. E. VALDEZ: Good evening,
24 gentlemen. I'm Eliseo Valdez. I'm the councilman
25 for Precinct 5.

1 MR. CONDIKE: Can we get a
2 translation, just a -- briefly translate it.

3 (Ms. Flores interpreted.)

4 MR. CONDIKE: Yes, sir.

5 MR. E. VALDEZ: Okay. I just want to
6 reiterate and echo what -- Larry's feelings. You
7 know, I -- I was quoted in the newspaper as having
8 been aware of -- of the fraud committed by the
9 testing company. And I had been made aware as of
10 last week. So that's why -- you know that's why
11 we're having this meeting. You know, I appreciate
12 the commitment the Army Corps of Engineers has made
13 to the residents of this area. I appreciate the
14 intensive testing that's taking place. But I just
15 want to reassure the -- my constituents that the
16 City of Laredo is also involved in the testing.
17 That's why we're doing the -- the blood testing.
18 Our environmental department is involved in the
19 testing. Our engineering department is involved in
20 some of the verifications. So we've committed our
21 resources as you well know. U.I.S.D. did their own
22 testing. So there's going to be a lot more data
23 available, a lot more notes to compare. And the
24 only thing that I ask is that we bring closure to
25 this as soon and as fast as possible. And then when

1 you do the testing at the shotgun range, I ask that
2 it ben done around a broader area 'cause of the
3 storm water runoff that we've had in the area.

4 And I'd also like to make sure that in
5 that committee that's going to be put together that
6 Jorge Cedillo be involved as a citizen in the -- of
7 this area and as a banker. 'Cause one of the
8 concerns that the citizens in this area have had has
9 been the negative publicity that's been generated by
10 all of this. And their lives have come to a
11 standstill. You know, they haven't been able to
12 wheel and deal and negotiate, ask for loans against
13 their property or anything like that. So when it's
14 all said and done, we ask that the state regulatory
15 agencies be involved in this committee.

16 But when it's all said and done and as
17 soon as possible that we get a clean bill of health
18 indicating and saying that there's nothing wrong
19 with their property and that there is concerns or
20 are some concerns, we'd like to know what kind of
21 commitment we're going to get from the -- for the
22 federal government in the way of remediation or
23 anything that might need to take place.

24 And another question -- a question that I
25 have is we're still waiting and pending some of the

1 test results but I'd like to know if just eyeballing
2 what you've seen out there whether you've seen any
3 soil conditions that might indicate any high levels
4 of chemical or lead?

5 MR. CONDIKE: Well let -- let me
6 respond first to you -- your -- your -- your
7 earlier comments. The -- the individual you made
8 reference to that's a banker, and the state agencies
9 are exactly those type of people that we want to
10 participate on our restoration advisory board so
11 we're anxious to get them to participate. It's --
12 it's unfortunate that the press in -- in their
13 understanding of this complicated issue might draw
14 inferences that you say paint with a broad brush and
15 guilt by association. We the Corps of Engineers
16 made a mistake and you get partially blamed for it.
17 I -- I don't think we ever said anything to the
18 press or tried to infer to the public that you may
19 have known something in an earlier time that you
20 didn't. And if that happened, I apologize for that.

21 MR. E. VALDEZ: Well, you know, the
22 thing is we're the direct governmental body -- local
23 governmental body at the grass roots level so we're
24 the first group of people that they come for answers
25 and --

1 MR. CONDIKE: And we're hoping that
2 this restoration advisory board will -- will help
3 facilitate this communication and we'll have --
4 we'll have a better understanding, all of us, of
5 where we are and where we're going and where you
6 would like to us.

7 MR. E. VALDEZ: Thank you very much.

8 MR. CONDIKE: As far as your -- your
9 last question on initial impressions, I'll let Dan
10 answer that.

11 MR. DAVIS: You -- you really can't
12 tell if the soil is contaminated by looking at it.
13 We found some soil that smells like landfill. But
14 whether that's toxic or not it's up to the
15 laboratory to determine. We just really can't
16 express an opinion on if there's any contamination
17 at this point. But we'll let you know as soon as we
18 know.

19 MR. E. VALDEZ: Now in testing that
20 shotgun range, I would like a broader area tested
21 than just the immediate area where just the shotgun
22 range was situated because of the water runoff and
23 things like that that we do have in the area with
24 the -- that we've had over the years.

25 MR. CONDIKE: We can talk about that.

1 MR. E. VALDEZ: All right. Thank
2 you.

3 MR. CONDIKE: Let me get the
4 translator to try to capture that.

5 THE INTERPRETER: Yes, sir.

6 (Ms. Flores interpreted.)

7 MR. S. MENDOZA: Yes, my name -- my
8 name is Samuel Mendoza and I live on Evergreen Drive
9 and I'm going to ask my question in English and in
10 Spanish. For those of us that might have lost
11 interest in owning our properties here in this area,
12 are there any plans by the government in simply
13 buying or purchasing our property and use our
14 property as an extension to the present air base?
15 Now in Spanish.

16 (Mr. Mendoza asks same question in
17 Spanish.)

18 MR. CONDIKE: The -- the legislation,
19 the federal legislation, the public law which
20 authorizes the department of defense to clean up
21 these old Army, Navy and Air Force sites has no
22 provisions in it for the government to purchase this
23 land back. If we were to buy the land back, we
24 would still have to clean it up. So rather than pay
25 twice, the government made a commitment in the law

1 to have us come back and clean up the land and --
2 and make it suitable for living again. So the --
3 there is no -- there should be no anticipation of us
4 coming back and make -- having -- make an offer to
5 you to purchase your land back. It's -- it's not
6 going to happen. The law does not allow it.

7 (Ms. Flores interprets.)

8 MR. S. MENDOZA: Okay. Sometime
9 back, I don't remember exactly where, but in some
10 other area in the United States there was a similar
11 situation where there was contamination on the
12 ground and people were living on the -- on the -- on
13 the (inaudible) level, naturally. The government
14 had -- made a clean up and I understand that the --
15 the only way they had -- they were able to clean up
16 is simply remove all the ground and they had to --
17 to -- to dig all the way down and remove all the
18 ground. I don't know how -- how deep and simply put
19 clean land on -- over again. Would that be the way
20 that the government is going to plan on cleaning?

21 (Mr. Mendoza asks same question in
22 Spanish.)

23 MR. CONDIKE: If we do find
24 contamination that needs some sort of remedial
25 action or clean up, the exact situation will have to

1 be examined by us and by the state agency to
2 determine exactly what we'd do. One of the options
3 is indeed to come and remove the -- the -- the
4 contaminated material. I know at least one site, a
5 resident -- I think we settled a residential area
6 where they actually took each house and raised it up
7 in the hair, took out the foundation, removed all
8 the contaminated, put clean material in, put a new
9 foundation and dropped the house back down on it.
10 Believe me, it would have been -- it was a lot more
11 expensive than just buying these homes and -- and
12 painting it over with concrete. But that's not what
13 they did. These people wanted their neighborhood
14 and that's what the government did. This was in New
15 Jersey.

16 (Ms. Flores interprets.)

17 THE INTERPRETER: What if we don't
18 want to stay in the neighborhood if contaminates are
19 found?

20 (Ms. Flores interprets.)

21 MR. CONDIKE: And what -- what the
22 individual residents decide to do after we clean up
23 the property is -- is up to them but we have to come
24 in and clean up the property first.

25 MS. T. CORTEZ: Yes. Hi. My name

1 Trisha Cortez. I'm a reporter with the Laredo
2 Morning Times. And typically reporters just don't
3 comment back in a -- but this is a public meeting
4 and I felt that if there were -- as it happens very,
5 very often where we get blamed for a lot of things
6 or innuendos or whatever -- and I just felt that I
7 had the obligation -- I felt compelled to respond to
8 that. Like city officials like you in -- in
9 government office, we as in -- we newspapers also
10 have a public trust. And I just wanted to tell the
11 people here and the officials that are here, my job
12 is to report the news as well. And often times
13 reporters -- it's very difficult when there's little
14 or no information or disclosure provided by
15 government officials or agencies in particular. And
16 so it makes a job doubly hard and you have to go out
17 and find other means of getting information.

18 And so I just wanted to make that very
19 clear. But, you know, if -- if that was an innuendo
20 that they perceived, you know, it's -- it's about
21 perception like that.

22 One of the city employees that I did quote
23 in the story or not quote but referenced him, he
24 didn't want to comment as to whether he knew or not
25 about the Intertect lab fraud settlement. He just

1 said I don't want to comment until tomorrow before
2 throwing in at the end, I have no knowledge. So,
3 you know, I -- it's just good to have, like you say,
4 good two-way communication. And with that, I would
5 like to make a comment and a recommendation that in
6 your RAB meeting, if one is formed, that you do
7 include the media so that we are aware and can
8 inform the public and report and not wait on reports
9 that maybe we do in an interview or something. That
10 would be my recommendation and -- and my suggestion
11 to you, Mr. Condiike and Mr. Davis.

12 MR. CONDIKE: Okay. And I -- I hope
13 I didn't imply that you were intentionally, you
14 know, casting an aspersion on anyone in government.
15 What -- what I was trying to say was that this is an
16 extremely difficult situation for anybody to
17 understand whether they're on the inside or the
18 outside. And -- and in your attempt to explain it,
19 to first of all to understand it and second of all
20 to, you know, regurgitate it back to the public, the
21 story can, you know, change a little bit.

22 Certainly these -- these restoration
23 advisory board meetings are public meetings. They
24 will be open to the public. Although the membership
25 will be limited to twenty people or so just so that

1 a -- a relatively small group can -- can act but the
2 press can come to the meeting. And it will be a
3 public meeting.

4 (Ms. Flores interprets.)

5 MR. M. VELA: (Asked question in
6 Spanish)

7 THE INTERPRETER: (Interprets)
8 There's certain areas where there's a lot of
9 methane -- in the Ebanos there's a lot of methane
10 gas and they want to know what is going to be done
11 about it because he feels that these are very toxic
12 gases.

13 MR. CONDIKE: If -- if -- it's --
14 it's our understanding that yes we are detecting
15 some methane which is a naturally occurring gas.
16 But the levels are -- are very low and they're not
17 of a concern of -- of a toxic nature. We will
18 continue to study this in our -- in our sampling but
19 at this point, we have no indication that -- that
20 methane is -- is -- is a health concern.

21 MR. DAVIS: Let me add to that. The
22 only way we're detecting methane is by poring into
23 the landfill cell. We actually put a hole down into
24 the landfill cell and then we detect it at that
25 level. It isn't just -- just permeating up through

1 the soil.

2 (Ms. Flores interprets.)

3 MR. J. GONZALEZ: (Asked question in
4 Spanish.)

5 THE INTERPRETER: What is the name of
6 the --

7 MR. J. GONZALEZ: Cactus Drive.

8 (Ms. Flores began interpreting in English
9 instead of Spanish.)

10 THE INTERPRETER: Oh, I'm sorry. The
11 gentleman is -- I'm sorry. Lives on Cactus Drive.
12 He has three children. And he wants to know if it's
13 safe for them to continue living there at the
14 moment. That is -- that's the question, for his
15 children specially.

16 MR. DAVIS: What part of Cactus
17 Drive? Is it toward the north or on the west?

18 THE INTERPRETER: On the west.

19 MR. DAVIS: The reason I'm asking the
20 question is -- is Cactus Drive, part of it is in the
21 shotgun range that was affected by lead and then
22 parts are in the sanitary landfill area. Okay.

23 MR. J. GONZALEZ: Let's say that I
24 represent all people that is living on the shotgun
25 area.

1 MR. DAVIS: At this point we have not
2 seen high levels of lead. And -- and I have seen no
3 reason to be worried about your health due to lead
4 problems or your children. The health department is
5 approaching it from a health-based point of view and
6 I think maybe Dr. Gonzalez could speak to that. Is
7 Dr. Gonzalez or Waldo Lopez still in -- in
8 attendance? Would you like to address that,
9 Dr. Gonzalez?

10 DR. GONZALEZ: Pardon, I can't hear
11 you?

12 MR. DAVIS: Would you like to address
13 that, the health studies that were done or --

14 DR. GONZALEZ: (Addressed audience in
15 Spanish first.)

16 Let me say it now in -- in English that
17 the health department on behalf of the City did --
18 did some testing because we wanted to make sure that
19 there was no health impact immediately, specifically
20 in lead that that was one -- one of the main
21 concerns as well as we tested for metals and on the
22 test that we did which was a small sample.
23 Everything was normal so there is no acute health
24 risk. But we are anxiously waiting the results of
25 these new environmental tests that will get us a

1 better picture of what's out there and to determine
2 if there are any health risks. But at the moment,
3 based on what we've done, no there are no health
4 risks.

5 MR. DAVIS: I have a written
6 question.

7 DR. GONZALEZ: (Addressed the
8 audience in Spanish.)

9 We did have a question from the public
10 that said that they weren't asked to be tested and
11 if they can be -- still be tested and that they're
12 willing to pay for the testing. What we did when
13 we -- when we started our small sample is we
14 surveyed the whole area and divided it so we could
15 get some testing in each area to include in -- in
16 the Y section. And so we didn't include everybody
17 'cause we couldn't but we did get samples from
18 everybody. We wanted to make sure that the entire
19 area -- we had a picture. And so we went door to
20 door to try about get fifty families and -- and we
21 did.

22 Some people that we asked didn't want to
23 get tested, some did until we reached the fifty. Of
24 all the tests that we did, as I said there -- there
25 were normal. However, the health department under

1 normal conditions for anything that people think
2 there are at risk, we normally get calls for
3 anything, anywhere in Laredo and we will investigate
4 it and -- and make an assessment as to what we need
5 to do. And that's normal on anyone.

6 If someone thinks that there is an issue
7 and they want to get tested, please call us to the
8 health department and we will make every effort to
9 do an assessment and see what needs to be done.

10 (Addressed audience in Spanish.)

11 MR. DAVIS: You have a question.
12 What about senior citizens?

13 (Dr. Gonzalez addressed audience in
14 Spanish.)

15 DR. GONZALEZ: If -- if there is a
16 true risk for anything, any contaminant, it will
17 affect both children and adults. And our sampling
18 that we did included both children and adults.

19 (Audience member asked questions in
20 Spanish and Dr. Gonzalez answered them in
21 Spanish. Additionally, the same audience
22 member made several additional comments in
23 Spanish.)

24 THE INTERPRETER: That was a very
25 long question, but basically the lady wanted to find

1 out if the -- if the government is going to be
2 giving or will they be willing to give the -- the
3 land holders or the owners of the properties a
4 written guarantee of their results and -- and if
5 they will get a -- if their houses are not
6 contaminated that they will receive a -- a written
7 guarantee.

8 Also she wants to know how it's going to
9 be possible if there's contamination to lift up a
10 house. Are they going to use an Apache helicopter
11 or what?

12 And she wants to know -- she wants a --
13 more logical answers than the ones that she has
14 gotten. And it was a quite a long answer --
15 question. I didn't keep it all in my memory, but
16 generally that was pretty much what it was.

17 (The same audience member as above made an
18 additional comment.)

19 THE INTERPRETER: Every time it
20 rains, there is a liquid that runs off on my
21 driveway and when it -- and when it dries it's
22 the -- there's a white --

23 UNIDENTIFIED AUDIENCE MEMBER: Film.

24 THE INTERPRETER: -- film left or
25 residue after the -- the rain water dries up.

1 MR. E. VALDEZ: Let me ask you,
2 before they answer the question, can I just respond
3 to her first question?

4 THE INTERPRETER: Yes, sir.

5 MR. E. VALDEZ: This is in response
6 to your first question. You asked Dr. Gonzalez how
7 come -- why or how come he or how you went about
8 taking it upon -- upon himself to do the blood
9 testing. And the reason he did that, that was a
10 commitment on behalf of the City Council to do our
11 independent testing, our own verification. We
12 committed our resources. We committed our health
13 department. We committed our environmental
14 department. We committed the -- the, you know, the
15 airport administration and the City's Manager's
16 office and our engineer department. So we're doing
17 our own testing, our own verification, you know. We
18 did this and -- and at -- it's I guess in the -- to
19 earn the public's trust and to make sure that we're
20 doing our due diligence to make sure that we can
21 give you more of a com -- comfort level to address
22 some of your health concerns.

23 And another thing here, as your
24 councilman, I also demand some document when it's
25 all said and done as a clean bill of health that you

1 MR. GREEN: -- as an engineer I would
2 take my team, we would study what was here and we
3 would make a report that was -- was true and --
4 and -- and report it on the conditions that were.
5 I also said that in the end of the day the people
6 who would approve or disapprove the report would be
7 the State of Texas. And we are operating under the
8 laws of the State of Texas. And they will take our
9 report that has been reviewed by the government of
10 the United States and then give it to the state.
11 And the state will decide if they can agree or not
12 agree according to the laws of the state.

13 I also said that if -- if remediation was
14 necessary that would also be the -- on the basis of
15 an engineering study that it -- that it would be
16 difficult in some ways to lift houses in this part
17 of the world. That would be expensive but that if
18 remediation was necessary there would be a thorough
19 study of the various ways that it could be done and
20 the best one would be selected.

21 UNIDENTIFIED AUDIENCE MEMBER: (Asked
22 question in Spanish.)

23 MR. GREEN: Where did we -- where did
24 we put holes in the ground for to look for -- for
25 problems in -- in the area? You want me to answer

1 it or do you want to answer?

2 MR. DAVIS: We collected subsurface
3 samples for SCAPS rig all through the area. We
4 selected locations based on where we thought the
5 landfill cells were and took samples in the public
6 right-of-way all the way from -- from Bartlett, a
7 little bit to the east of Bartlett all the way to
8 the elementary school and then came down. There's
9 even -- there's some that had been collected in the
10 shotgun range area. So all through this area up
11 through here and then a few are obtained right along
12 here where we thought there was another landfill
13 cell.

14 (Ms. Flores interprets.)

15 UNIDENTIFIED AUDIENCE MEMBER: (Asked
16 several questions in Spanish.)

17 THE INTERPRETER: Why -- why did they
18 make --

19 (People spoke over one another.

20 Interpreter clarified questions with
21 audience member asking the questions.)

22 THE INTERPRETER: -- on the west
23 side --

24 UNIDENTIFIED SPEAKER: (Assists
25 interpreter.) Where the school is at.

1 THE INTERPRETER: -- where the school
2 is at. Why didn't you take samples from that area?

3 MR. DAVIS: To the best of our
4 knowledge, the last landfill cell is just on the
5 east side of the school. And then there isn't
6 another one until you get all the way to McPherson
7 Road. We have a landfill cell here. We took a
8 sample there. And then we have two or more up here
9 and we took samples from those. But we have no
10 evidence that there's a landfill cell anywhere
11 through here. The school also performed their own
12 environmental study. And I believe it's -- it's
13 been completed and the results were reported on
14 that. They found no evidence.

15 (Ms. Flores interprets.)

16 UNIDENTIFIED AUDIENCE MEMBER: (Asked
17 question in Spanish.)

18 THE INTERPRETER: The question was
19 who is going to help us because our houses have
20 lost -- have gone down in value because of this
21 situation.

22 MR. CONDIKE: Unfortunately, that's
23 not something I can help you with. The best -- the
24 best I can do -- the best we can do and the
25 government is trying to do is to restore the lands

1 to a clean condition so that the houses will retain
2 their original value and we're doing everything we
3 can in spending as much money as we can and we're
4 going as fast as we can to do that so that -- that
5 this does not have an affect on property value.

6 UNIDENTIFIED AUDIENCE MEMBER: (Asked
7 question in Spanish)

8 THE INTERPRETER: I do not live there
9 any more.

10 UNIDENTIFIED AUDIENCE MEMBER: (Asked
11 question in Spanish.)

12 THE INTERPRETER: Please ask everyone
13 here do they -- do -- who wants to live there.

14 UNIDENTIFIED SPEAKER: Nobody.

15 UNIDENTIFIED AUDIENCE MEMBER: (Asked
16 question in Spanish)

17 THE INTERPRETER: Would you as a
18 human being place your children in that area so that
19 they would live there?

20 MR. CONDIKE: If I had two different
21 properties, one that had this problem and one that
22 didn't I think the obvious answer would be I would
23 choose to live somewhere else. And I empathize
24 with the situation that -- that you're in but I
25 can't solve your problems by buying your homes and

1 giving you enough money to go move away somewhere
2 else. I'm not allowed by law to do that nor do I
3 have the money to do that. The best I can do is
4 what we are doing is to study the situation and
5 determine if there is contamination and if there is
6 any, to try to fix it and move it somehow.

7 (Ms. Flores interpreted.)

8 MR. DAVIS: I have four small
9 children. If I was working in this area for any
10 length of time, I would stay right in the area and
11 put my children in -- in Newman Elementary. I -- I
12 haven't seen anything that would create a health
13 problem.

14 (Ms. Flores interpreted.)

15 MR. CONDIKE: But we don't have all
16 the answers right now. We don't thoroughly
17 understand everything there is to know and that's
18 why we're collecting additional samples and that's
19 why we're gathering more information so that we can
20 say to you truthfully and honestly sometime, yes,
21 it's safe to live here or no, it's not. Right now
22 we don't know the answer to that question.

23 (Ms. Flores interpreted.)

24 MR. RODRIGUEZ: (Inaudible) Rodriguez
25 for the record. I'm a resident of this community.

1 I live on Wildrose Circle. First of all, I have a
2 concern and let me ask you this question: Will
3 there be any more surprises that the U.S. Corps of
4 Engineers will come up later on and say well we
5 forgot to tell you this and we didn't tell you? Now
6 the reason I'm bringing this out is I -- I've been
7 keeping informed of what's been happening.
8 According to the report in the newspaper, it was
9 stated that there was a settlement made in this
10 fraudulent lawsuit for \$9 million. These community
11 leaders and a lot of community people met in May and
12 there was three months later and there was very few
13 I would say information given out to the public. So
14 very few people attended that meeting. And then
15 there was a bigger concern and then of course in
16 August there was another meeting and at that meeting
17 we were never informed that there was a settlement.

18 Now you're saying the government was not
19 trying to hide anything from us. Then all of this
20 time, you know, it took us -- it took us -- you-all,
21 a year later to inform the city that there was a
22 fraud out there. So how do you expect the community
23 and these people here to believe in what you're
24 saying? How do you expect, sir, for us, for me to
25 believe you and say I would have my children living

1 in this area when we've already been lied to before?
2 How do you expect us to believe that? Now how are
3 we supposed to know that when you come back that
4 you're going to give us the truthful information and
5 then again I'd like to also state that on the report
6 you indicated that you-all had received so much
7 money to do some study and yet we were told back in
8 August that there was no funds available. So, you
9 know, what -- what's going on? I mean the people
10 here are tired. And one of the main issues that has
11 been one of my main issues is the safety and the
12 well being of every individual that lives in this --
13 in this area. We're concern about the health. Yes,
14 the City has taken the proper action but we keep --
15 we keep hearing that there's the possibility of no
16 contamination, there's contamination. So in the
17 long run, a lot of the people in this area have
18 suffered because of the -- of the loss of property
19 values, of the -- of the loss of, you know, we don't
20 know for a fact whether this contamination has
21 affected a lot of the residents that -- that are no
22 longer with us. And if -- and if there's illnesses
23 that are presently in individuals that are ill at
24 this time whether this contamination has anything to
25 do with the illness.

1 So I stand here before you and ask you
2 gentleman, what other surprises are you going to
3 have for us later on and say well we didn't want to
4 keep everything from you but we're sorry and we
5 apologize what we did but yet it took more than a
6 year for -- for us to get informed of this
7 fraudulent when we could have been informed before.
8 I just can't -- can't understand that. And how do
9 you he expect all of these people here to believe
10 you when you come back with a report and say it's
11 safe? How can we place that trust? And I ask every
12 individual in here, will you believe the report when
13 it comes back say that it's clear?

14 (Numerous audience members said no.)

15 MR. RODRIGUEZ: No. So then that
16 answers my question.

17 UNIDENTIFIED SPEAKER: That's why we
18 want to move.

19 MR. RODRIGUEZ: So, you know, I don't
20 know what the solution is but I do know that a lot
21 of the residents in our community have been
22 affected. I don't know who is responsible for this
23 and the thing is that we need some answers and we
24 need honest answers. We don't -- we -- we -- we
25 weren't born yesterday. We need to find out exactly

1 what's going on, what's going to be the solution to
2 these problems and who -- and who was responsible
3 for all of this. And we're tired of lies. We're
4 tired of it and we expect something to be done.

5 And I -- I'm not saying it's you-all's
6 fault because you guys don't live here, we do. And
7 it's so easy to say yes I'd put my kids in school
8 and I'll send them to school but, sir, you don't
9 live here. We do. Thank you very much.

10 MR. CONDIKE: I would -- I hope that
11 people don't think that we are actively lying to
12 you. That's not the case. When the statement was
13 made in August that there were -- that there were no
14 funds, it was true. It was at the end of the fiscal
15 year there was no money at the end of the fiscal
16 year. The new fiscal year started October 1st and
17 we allocated over \$700,000 to study this site.

18 After that came the court settlement with
19 ITS and this happened in Washington at the national
20 level. This court settlement was not just about
21 Laredo. It was about all the sites that the
22 government studied. It was only after that that we
23 got the money for that which we devoted to Laredo.

24 MS. M. GONZALEZ: My name is Martha
25 Gonzalez and I have five questions.

1 MR. CONDIKE: The -- the -- the
2 future information that -- that we presented to you,
3 in fact, all of the information that we presented to
4 you is -- is reviewed by the State of Texas, the
5 Texas Commissioner of Environmental Quality and the
6 U.S. Environmental Protection Agency also has the
7 opportunity to look at this information. So it's
8 not just the Department of Defense. And I know you
9 look at us all like we're big government and it's --
10 it's us versus them but we are separate agencies and
11 we are independent and the state agency is the
12 watchdog over the federal government in cleaning up
13 these sites and we are not allowed to just do things
14 on our own. And -- and that's one of the reasons
15 why we want to form this Restoration Advisory Board,
16 so that we can restore some of the trust which we
17 apparently have lost with -- with the public and the
18 residents here.

19 (Ms. Flores interpreted.)

20 MR. CONDIKE: I also want to say
21 that -- that -- that the data that ITS did generate
22 from us that the State of Texas did say it was okay
23 to use that. So although we never told anybody that
24 there was -- there was doubts about it, but the
25 State did say it was okay to use that. Because as I

1 said earlier, it didn't stand alone that we took
2 some of these split samples and we had some of the
3 same samples tested by another lab and that verified
4 those results. Ma'am.

5 UNIDENTIFIED AUDIENCE MEMBER: Yes.
6 One of the questions that I have is that you said
7 that the responses are going to be sent to the State
8 of Texas. They are the ones that are going to
9 inform us of the results. But what is going to
10 happen if there is something -- what are we going to
11 do? Who are we going to go see, the State of Texas
12 or the federal government?

13 MR. CONDIKE: The federal government
14 is responsible. If there is any contamination found
15 and it's associated with the past activities of the
16 Air Force on the former Laredo Air Force base, it's
17 the federal government's responsibility to -- to
18 clean it up.

19 UNIDENTIFIED AUDIENCE MEMBER: But I
20 think there will be more sad then because the
21 results are going to be sent to us by the State of
22 Texas.

23 MR. CONDIKE: No we'll -- we will --
24 we will present them to you. We send them to the
25 State of Texas for their approval. But before --

1 before our report is finalized, the State has to
2 approve it. So they review and approve it to make
3 sure that how we generate the data and how we
4 represent the data is -- is a factual account to --
5 to represent the situation.

6 (Ms. Flores interpreted.)

7 UNIDENTIFIED AUDIENCE MEMBER:

8 Another question that I have is you said that you
9 already checked the surroundings of the elementary
10 school and that means that you're not going to make
11 any more tests on that area because I'm really
12 concerned for the children. If you find something
13 there, what is going to happen? Mean while, what
14 are you going to do or the local officials with
15 those children because they told us that there was
16 no -- any contamination over there but we really --
17 I don't trust them. I don't trust nobody right now.
18 And mean while, what is going to happen? If you're
19 not going to do any more testing over there, what if
20 you find something later on? What about those
21 children?

22 MR. DAVIS: The school has addressed
23 the school property with their own sampling and
24 their own consultant who had a report based on those
25 results. They're pleased with the results and --

1 and they think that no further testing is required.

2 UNIDENTIFIED AUDIENCE MEMBER: They
3 are pleased but we are the constituents. We are the
4 public. We cannot pleased with that. Really we
5 feel that we have been abused. We have been cheated
6 by the federal, by the local government. Can you do
7 more testings over there?

8 MR. DAVIS: Not unless they allow us
9 access to the property and right now they -- they
10 have refused us access to the property. They don't
11 want us to collect any more samples.

12 UNIDENTIFIED AUDIENCE MEMBER: Who?
13 Who won't allow you --

14 MR. DAVIS: The -- the school.

15 UNIDENTIFIED AUDIENCE MEMBER: The
16 school? So you mean the school district? Why? So
17 then to do more testing we are supposed to go with
18 the school district because nobody let us know about
19 it?

20 MR. DAVIS: That needs a little more
21 qualification. We asked the school if we could get
22 on the property to collect more samples and we had a
23 certain time frame in mind. We were told that --
24 that that sampling had already been done by the --
25 by the school board. They had results and in that

1 time frame they could not allow us on the property.
2 But if we wanted further access to the property we
3 could approach the school board in a public meeting
4 and ask for it.

5 UNIDENTIFIED AUDIENCE MEMBER: I --
6 I -- I cannot understand you really. I don't
7 understand nor the school. I don't understand you
8 how coming you say that the children are the first
9 ones and so easy you say they don't allow us and
10 that's it. Tell us what we're suppose to do so they
11 allow you and I think we -- we will do something if
12 that is for our welfare, for our children. What are
13 we supposed to do? We need your advices too,
14 someone to advise us on what we are supposed to do
15 because just by telling us wait until we get the
16 test, what about right? Now mean while, what about
17 those children? We need advices just -- not just
18 words. We need your advices like you told us that
19 you need their recommendations. Well we need your
20 recommendations. What are we supposed to do so we
21 can -- when you can get the -- the authority or the
22 permission to do?

23 MR. CONDIKE: If the school will let
24 us on the property then now -- and -- and the
25 parents and the residents feel like they want

1 additional testing beyond what the school has done
2 or if you don't trust what the school is telling
3 you, then you have to go to the school board and --
4 and talk to them and -- and convince them to allow
5 us access to the property so we can correct samples.
6 And we will do additional testing.

7 UNIDENTIFIED AUDIENCE MEMBER: Okay.

8 MR. CONDIKE: But all of these -- all
9 of these old Army, Navy, Air Force sites have a
10 peculiar characteristic in them that the federal no
11 longer owns the land and we can't go on somebody's
12 private property and take and collect a soil sample
13 or a water sample unless they give us written
14 permission.

15 UNIDENTIFIED AUDIENCE MEMBER: Well I
16 don't know if Mr. Dovalina is still here or
17 Mr. Valdez. Are they here?

18 UNIDENTIFIED SPEAKER: No, we have a
19 representative from U.I.S.D. Mr. Rodriguez.

20 UNIDENTIFIED AUDIENCE MEMBER: No,
21 but I'm -- I --

22 UNIDENTIFIED SPEAKER: Hector.

23 UNIDENTIFIED AUDIENCE MEMBER: He can
24 answer the question. Mr. Rodriguez, you're on the
25 board.

1 MR. H. RODRIGUEZ: Pardon me?

2 UNIDENTIFIED SPEAKER: You're on the
3 U.I.S.D. board --

4 (People spoke over one another.)

5 MR. H. RODRIGUEZ: I stepped outside.
6 Ma'am, I'm sorry. What was the question?

7 UNIDENTIFIED SPEAKER: She has a
8 question about the school.

9 UNIDENTIFIED AUDIENCE MEMBER: I was
10 asking if they were going to do more tests because
11 the -- he says that the surrounds of elementary
12 school right now there were no intentions to do any
13 more testing over there. And I asked why and the
14 answer that they gave us is that the school the
15 school -- that the school district didn't let them
16 to do it.

17 MR. H. RODRIGUEZ: Well the only
18 thing I can tell you is that the reports that was
19 given to the board is that -- as far as what it was
20 the results and what we were told and if you want a
21 copy of that report you can --

22 UNIDENTIFIED AUDIENCE MEMBER: No, I
23 don't want a copy. What I want is another testing
24 but from them. What --

25 MR. H. RODRIGUEZ: I -- I don't know

1 what the process would be on that.

2 UNIDENTIFIED AUDIENCE MEMBER: Well
3 can you check that for us and let us know?

4 MR. H. RODRIGUEZ: Well I can check
5 but I think the best thing to do is to approach the
6 superintendent and -- and ask him if it's feasible
7 or not.

8 UNIDENTIFIED AUDIENCE MEMBER: Well
9 what -- we are --

10 (People spoke over one another.)

11 UNIDENTIFIED AUDIENCE MEMBER: -- we
12 are relying on you because you are --

13 MR. H. RODRIGUEZ: Oh, yeah. I
14 understand but what I'm trying to say is -- what I'm
15 trying to say is I -- I need to have a -- exactly
16 what is it that you want done?

17 UNIDENTIFIED AUDIENCE MEMBER:
18 Another testing.

19 MR. H. RODRIGUEZ: No --

20 UNIDENTIFIED AUDIENCE MEMBER:
21 Additional testing.

22 (People spoke over one another.)

23 MR. H. RODRIGUEZ: By -- by the
24 government?

25 UNIDENTIFIED AUDIENCE MEMBER: Yes.

1 UNIDENTIFIED AUDIENCE MEMBER: No.

2 Yes, by them.

3 (People spoke over one another.)

4 MR. H. RODRIGUEZ: Oh, they need
5 permission? Oh, I didn't -- I didn't understand the
6 question. The question is that you want us to see
7 if the district can give them permission?

8 (People spoke over one another.)

9 UNIDENTIFIED AUDIENCE MEMBER: Yes,
10 that's what we want.

11 MR. H. RODRIGUEZ: Okay. I can find
12 that out for you and I'll get --

13 UNIDENTIFIED AUDIENCE MEMBER:
14 Because they're saying that the -- the -- the
15 district is not letting them go in. To --

16 MR. H. RODRIGUEZ: Well --

17 UNIDENTIFIED AUDIENCE MEMBER: -- to
18 do some more testing.

19 MR. H. RODRIGUEZ: The only thing
20 that I'd like to say is that when we first found
21 out, we were the first ones to take action and run
22 the study on the school.

23 UNIDENTIFIED AUDIENCE MEMBER: Yes.

24 And I know that you-all -- that the district hired
25 somebody and went in there and had it test. But

1 they're here back again. We want to see what the
2 district did and the results and that -- and -- and
3 let the district too the -- the Army --

4 (People spoke over one another.)

5 MR. H. RODRIGUEZ: Ma'am, the only
6 thing I can tell you is that I -- I -- I'm not an
7 attorney. We have a legal staff. We would have to
8 find out through legal to find out what is the
9 necessary steps that -- that it can be addressed.
10 It can be addressed to legally and we can find out
11 and I can have an answer.

12 UNIDENTIFIED AUDIENCE MEMBER: And if
13 not we can go directly to the superintendent and ask
14 him.

15 MR. H. RODRIGUEZ: No, but what I'm
16 saying is we --

17 UNIDENTIFIED AUDIENCE MEMBER: Any --
18 any parent can go.

19 MR. H. RODRIGUEZ: -- we -- we can --
20 we can find -- I can find out from legal -- from the
21 le -- from our legal attorney and find out what
22 would be the steps to do it and then I'll be glad to
23 do that for you.

24 UNIDENTIFIED AUDIENCE MEMBER: Okay.

25 UNIDENTIFIED AUDIENCE MEMBER: Could

1 you introduce it as an agenda item on the board
2 meeting?

3 MR. H. RODRIGUEZ: Yes. But I -- I
4 need to get another board member --

5 UNIDENTIFIED AUDIENCE MEMBER: It
6 takes two to get agenda item?

7 MR. H. RODRIGUEZ: The see the thing
8 is -- the thing is that I -- I'm not in a -- in
9 the -- in the -- in position and I hate to be put in
10 this position to discuss it because I don't want to
11 be in violation of Texas Open Meetings Act because
12 to begin with I can't -- I'm here as a resident. I
13 want to clarify that. I'm not here as a board
14 member. I'm here as a resident and -- and -- and
15 basically it's not that I'm -- I'm ignoring your
16 question. The proper place to address this question
17 would be to the board and -- and sad to say that
18 time and time again I've invited the public to go to
19 the board but nobody shows up to the meetings.
20 So --

21 (Parties spoke over one another.)

22 UNIDENTIFIED AUDIENCE MEMBER:
23 Because it has to be on the agenda to be --

24 MR. H. RODRIGUEZ: No. No. It's
25 open comments. Anybody can go to the -- to the --

1 to the -- to the board and raise these concerns up.
2 You don't -- it doesn't have to be on the agenda.

3 (People were speaking over one another.)

4 MR. H. RODRIGUEZ: -- and bring these
5 concerns just like you're bring -- all these people
6 here can show us, the board, and bring these
7 concerns and -- and something will be done about it.
8 But that's -- that's what -- what I'm trying to say
9 is you need to go to the board and bring your
10 concerns so that we can take the proper action and
11 it can be an agenda item -- agenda item.

12 MR. CONDIKE: Okay. Thank you. I --
13 I want to tell everybody that there are some
14 refreshments out in the little lobby there. We're
15 going to stay here and continue answering questions
16 for as long as it takes. I have several written
17 questions here that people have submitted and I'd
18 like to try to go through some of these. If you
19 want to be patient with us so we can read them
20 out --

21 UNIDENTIFIED AUDIENCE MEMBER: I -- I
22 just have another question and that's why it was
23 asked if Mr. Dovalina or Mr. Valdez were still here
24 because this is for the local -- local government.
25 Mr. Dovalina said that the City didn't know on '96

1 about this problem. But the City didn't know about
2 this problem since at least since last year.
3 Regarding the -- the value of the property, how come
4 if the City knew of these problems the -- the value
5 of the properties went up? So we have to pay more
6 taxes. So this is ridiculous. That's why I was
7 asking what -- if they're -- if they were here if
8 they could give us an answer because well they say
9 they were concerned for our welfare but where are?

10 UNIDENTIFIED AUDIENCE MEMBER:

11 They're gone.

12 UNIDENTIFIED AUDIENCE MEMBER: So
13 we're alone again.

14 UNIDENTIFIED AUDIENCE MEMBER: Yep.

15 MR. CONDIKE: Is there anyone here
16 from the City?

17 UNIDENTIFIED AUDIENCE MEMBER: Just
18 throwing the ball one to each other. They just
19 clean their hands and they left.

20 UNIDENTIFIED SPEAKER: Hello. I --
21 I'm going to go ahead and -- and respond to your
22 question. And we still have a lot of City staff
23 left here. I wanted to let you know that the one
24 that reduces or makes adjustments to anything, any
25 property is the Webb County Appraisal District.

1 It's not the City of Laredo or the County of Webb,
2 or U.I.S.D., or -- or L.C.C. The only thing is
3 though that adjustments have been made. To my
4 knowledge, the reason for that is because the tests
5 have not been completed. Once the tests are
6 completed and if it should show something then at
7 that point you would need to approach the -- the
8 Webb County Appraisal District. That's Mr. Sergio
9 Delgado and he will go ahead and listen to your
10 concerns. But at this point there's no conclusion
11 reports yet. So until we receive them then at that
12 point it could be evaluated.

13 (Ms. Flores interpreted.)

14 UNIDENTIFIED AUDIENCE MEMBER: My
15 question may be referred to you and to maybe the
16 City as well. But there's a question that's been
17 echoed throughout the community for some of us here
18 that live here that may go back even beyond your
19 studies and the question that has been brought up to
20 us in several conversations Mr. Rodriguez is very
21 much a part of it, the discussions we have had is
22 that when the federal government deeded back the
23 property to the City of Laredo back many, many years
24 ago, what type of disclosures, provisions or any
25 type of information was -- how was that property

1 transferred over? Was there any type of disclosure,
2 i.e. that we knew that there had been a landfill
3 there? Because when I bought the property there on
4 my deed absolutely has no reflection. Forget about
5 the contamination.

6 I mean I'm not, you know, that's -- that's
7 over. I mean that's another issue but to me that --
8 that my deed never set any type of provisions or any
9 type of disclosures that that neighborhood had been
10 used as a landfill. I thought I was buying a piece
11 of property in an area where it wasn't. And some of
12 these deeds you have attachments that provides you
13 with provisions and disclosures when you buy a piece
14 of property that it's an irregular transaction will
15 be disclosed. I'd like to know when the City got
16 this property. Was those disclosures given to the
17 City so that it goes back to the original deed and
18 we will find out basically when this particular
19 disclosures were actually --

20 MR. JOSE FLORES: Good evening, my
21 name is Jose Flores and I'm the airport director for
22 the City of Laredo. Mr. Cedillo, this property
23 never came back to the city. It was never deeded to
24 the City. It wasn't released to the City. Simply
25 what happened here is that the federal government

1 disposed of the former Laredo Air Force base a -- a
2 section for the airport was given to the City. This
3 area here at that time was a golf course and this
4 property was simply sold to a developer who then
5 partitioned the property and sold it to other
6 developers and that's how this property got
7 developed. But it never came back to the City of
8 Laredo.

9 UNIDENTIFIED AUDIENCE MEMBER: So
10 would -- I guess we need to go back to the original
11 deed when whoever that developer was bought it from
12 the federal government.

13 MR. JOSE FLORES: That's correct.

14 UNIDENTIFIED AUDIENCE MEMBER: 'Cause
15 it was -- it was a direct transaction then?

16 (Parties spoke over one another.)

17 MR. JOSE FLORES: It was a direct
18 transaction to the federal government to an
19 individual.

20 UNIDENTIFIED AUDIENCE MEMBER: Okay.
21 Well I'm glad that you've brought that issue 'cause
22 all my understanding was in the contrary but I'm
23 glad you brought that issue up.

24 MR. JOSE FLORES: Yes, sir.

25 UNIDENTIFIED AUDIENCE MEMBER: So we

1 need to go back that original deed. I also have --
2 I'm sorry.

3 MR. JOSE FLORES: That's -- that's
4 all right. One further thing, the best information
5 is that when the deed was transferred to whoever
6 the -- the next owner that as far as we can
7 understand, there was no disclosure that the
8 property was a landfill or if it was, it was a -- an
9 obscure footnote in a very complicated document. So
10 as far as we know, the federal government didn't do
11 a good job there.

12 UNIDENTIFIED AUDIENCE MEMBER: So it
13 goes back to the federal government. Can I have one
14 more question? During the -- in the preliminary
15 studies there were about maybe eight chemicals or
16 six, or seven, or eight chemicals that were listed
17 in there the possible findings or could be evidence
18 that might exist there. Could you have the federal
19 government, or the county or the city provide us
20 with a listing of each possible contaminant and what
21 are the health causes or health effects for each one
22 and mail them out to the residents of the
23 neighborhood?

24 You know, it would give us a little bit
25 more understanding of what health issues are, you

1 know, are -- are possible with these kinds of --
2 of -- of contaminants?

3 MR. DAVIS: There are public data
4 bases with -- with that sort of health risk
5 information and it's highly complex. Some of it is
6 ten or twelve pages long and it's all organic
7 chemistry and medicine. We have no provision to do
8 that and that might be something for the RAB to
9 address. And you can possibly talk to the health
10 departments about that sort of thing. With our
11 testing -- what we're looking for is something left
12 over from the Air Force. And I -- the best example
13 I can think of is in the shotgun range, we're
14 specifically looking for lead because the way we
15 used the property, the result of it would have been
16 lead contamination. If there's something else on
17 that property that -- that is contaminating it and
18 it's not lead, we're not looking for it. If you had
19 some other problem from somebody dumping something
20 in their backyard, we wouldn't see it. Probably the
21 hardest thing is to determine that something is
22 clean. You can take a million samples and if one
23 comes back bad, you can say it's -- it's dangerous.
24 But if a million come back clean well why didn't you
25 take two million. And it -- it reaches a point of

1 diminishing returns. You can't test all the soil
2 but you can -- you can take a screening approach.

3 There were -- there were other chemicals
4 detected in the previous sanitary landfill study.
5 And I'm -- I'm -- I'm not fresh on what all those
6 were but if -- if you would like, when we produce a
7 report, we'll identify all the chemicals that were
8 detected. And there are public data bases you could
9 go to to get the risk information. Yes. It's an
10 EPA website. It's called IRIS. And it has all --
11 it's Integrated Risk Information System. And what
12 we can do is -- is -- and -- and I know this is --
13 this isn't information that's always available to
14 everybody but when we produce this information we
15 put it on our website. We'll try to put the links
16 in there on the website so you can just click on it
17 and get that information from -- from another data
18 base.

19 UNIDENTIFIED AUDIENCE MEMBER: Thank
20 you.

21 (Ms. Flores interpreted.)

22 MR. CONDIKE: I wanted to let
23 everybody know that if you're interested, the truck
24 that we used to collect the sample is out in the
25 parking lot here if you want to go out and look at

1 it. I -- I've got these written questions. And I
2 want to try and go over these. I know we may -- may
3 have -- may have answered some of them already in
4 some of the previous discussions but I'll go over
5 them anyway so some people don't feel left out.

6 This person says what about the taxes, are
7 we supposed to pay them now or later on? As far as
8 I understand the -- the real estate taxes that
9 you're obligated to pay them normally regardless
10 of -- of whatever the situation is.

11 (Ms. Flores interpreted.)

12 MR. CONDIKE: This question says
13 Dr. Gonzalez stated that the exams were limited.
14 May that be why all the test results are normal? Is
15 Dr. Gonzalez still here?

16 DR. GONZALEZ: (Addressed audience in
17 Spanish.)

18 When we said limited it was because we
19 wanted to do a sample, a representative sample of
20 the area. So we took families from each part of the
21 area because we wanted to quickly know if there was
22 any risk depending on the contaminants that -- that
23 we were told. This is why now we -- we want to know
24 what other contaminants are out there so we can
25 continue to do any test if we think there's --

1 there's a -- a health issue. So that's what we
2 meant by -- by limited.

3 And -- and to the answer of the gentleman
4 before, certainly if any one of you want to know
5 about health affects on any of the contaminants, you
6 can call the health department and we'll be glad to
7 tell you what -- what the health -- what the
8 health -- health affects are to any of the
9 contaminants, the metals, the solvents, the -- the
10 lead.

11 (Addressed audience in Spanish.)

12 MR. DAVIS: I have a question here
13 that it's -- the question is what is the name of the
14 lab company which is now being used and what kind of
15 reputation do they have?

16 UNIDENTIFIED SPEAKER: How about the
17 two labs?

18 MR. DAVIS: Right now we're sending
19 our primary samples to General Engineering
20 Laboratory. GEL is the abbreviation. I don't
21 know --

22 UNIDENTIFIED SPEAKER: Charleston.

23 MR. DAVIS: In Charleston, South
24 Carolina. That's our primary lab. We take
25 ten percent of the samples and split them up on the

1 site and submit them to the laboratory blind. Those
2 results have to match the real results they turn
3 out. We know where the sample comes from. They
4 don't. So we're checking them that way. Ten
5 percent of those samples are also sent to Sierra Sea
6 Laboratories. And do you know where that one is
7 Shawn? I believe it's in Memphis but I can get that
8 for you, as a -- an extra quality check. So we have
9 split samples being done by the same laboratory GEL
10 and quality lab done in -- and quality samples done
11 in Sierra Sea.

12 (Ms. Flores interpreted.)

13 THE INTERPRETER: How long -- how
14 much longer are they going to take to give us the
15 information of the results, the real results, of the
16 investigation and the -- and this process and where
17 are we going to be -- where are they going to give
18 us the information?

19 MR. CONDIKE: I think as Dan said
20 earlier, we hope to have the results from this round
21 of testing by the end of this calendar year and we
22 will provide it to you at a public meeting. We will
23 put it on the website and we'll put it in the local
24 public library.

25 (Ms. Flores interpreted.)

1 MR. CONDIKE: This question says on
2 Ebanos Drive in the 1400 several houses have had
3 their foundations reinforced. Is it because the
4 houses are built on landfill site? Next door to
5 1433 Los Ebanos over \$15,000 was spent for repairs
6 due to settling.

7 MR. DAVIS: As an engineer I -- I
8 couldn't answer that unless I did the engineering
9 on the house. It -- I would just refer you to the
10 people that did the work on the house and they could
11 probably give you some explanation as to why the
12 foundation settled.

13 MR. CONDIKE: I -- I think that --
14 don't we have the map available of where the
15 landfills cells are? If someone wants to look at
16 the map and see their house and see if they can pick
17 out where their house is they might get a better
18 idea as to whether their house is affected by the
19 presence of the landfill. The houses immediately on
20 top of one of these trenches, there's more of a
21 chance that it might be affected than if they
22 weren't.

23 (Ms. Flores interpreted.)

24 THE INTERPRETER: I think we've
25 already answered this question but I'll read it

1 anyway. In reference to the fraud of the
2 laboratory, the City claims that they did not have
3 knowledge of the fraud yet the City did know that
4 there was a sanitary landfill and continued to allow
5 properties to be sold and issued permits to allow
6 the houses to be built. Did the City ever question
7 those studies over the five-year period in 1996 to
8 2002? I think that the city manager answered that
9 earlier.

10 Years down the road if or when a clean up
11 has already been completed, people naturally do not
12 take risks so why would anyone purchase property in
13 this area when they buy somewhere else without any
14 historical environmental issue?

15 I've seen it happen on other similar sites
16 that peoples memories generally are short and once
17 an area is cleaned up -- cleaned up, typically the
18 property values are restored to their original
19 levels. And I've seen -- I have one particular site
20 in Arlington, Texas which is a bedroom town for
21 Dallas and Fort Worth where there are literally
22 bombs in peoples' backyards and the houses are
23 bought and sold every day. In fact, they're
24 building new houses there every day with no apparent
25 im -- impact upon the property values. So there's

1 no -- no guarantee that that's going to happen here
2 but in other areas it -- it doesn't seem to bother
3 it down the road.

4 (Ms. Flores interpreted.)

5 MR. CONDIKE: This question is why
6 should property owners who have put all their
7 incomes into these properties have to pay
8 lucratively for someone else's mistake? Would you
9 be satisfied with this deal? I don't know how to
10 answer that question. I'm not exactly sure what the
11 question is. I guess it's more of a -- more of a --
12 an expression of -- of (inaudible) than anything
13 else.

14 With all the information that has been
15 kept from us and conflicting information that has
16 been given, how can we trust that the clean up will
17 be true and done correctly? You are doing the
18 testing and clean up. And that's true and we talked
19 about this earlier that it's a little bit like the
20 fox guarding the hen house. Yes, the government is
21 responsible for the contamination and now the
22 government is in and it's cleaning it up and we are
23 testifying to that -- what contamination is and
24 that -- and what the correct clean up is and that we
25 are done or not done.

1 But as I said earlier, we aren't working
2 alone. The State of Texas looks over our shoulders
3 and they have to approve what we do and approve the
4 test results and what we say. So if -- it's not
5 just us. The State is looking at us too. And they
6 are the -- the regulating agencies.

7 (Ms. Flores interprets.)

8 MR. CONDIKE: I'll read both of these
9 questions 'cause they're very similar and take about
10 the same topic. First one says: For city
11 officials, my house is sitting on a landfill. I
12 want to know what the City is planning to do as for
13 the property appraisal. We contributed -- we
14 contacted the appraisal office but we're told that
15 the City has not given instructions as for how
16 appraisals go.

17 The other question is very similar. The
18 bank will not give a home equity loan due to all
19 this publicity. Will the City appraise our property
20 lower? I do not mind living in my home but I do
21 mind paying taxes at a very high appraised value
22 when the bank says my property is not worth the
23 appraised value.

24 First as a point of information, I think
25 the -- the assistant city manager said earlier that

1 the properties are appraised by the Webb County
2 Appraisal District. And second of all, apparently
3 the -- the appraisals are not being affected until
4 the -- the studies are done so we know exactly what
5 the situations is. Right now we don't know which
6 areas may be clean and which areas -- areas may be
7 contaminated or whatever.

8 THE INTERPRETER: Your answer. Okay.
9 If the bank will not give an appraisal?

10 (Ms. Flores interprets.)

11 MR. CONDIKE: It says we have been
12 living here for seven years. When we built we have
13 to remove dirt from the back of the -- the -- in the
14 garden because there was an incline and every
15 time -- and it was damaging the foundation when it
16 rained. It was approximately three feet. Would
17 this affect us even more in case of contamination,
18 they had the removal of that three feet of dirt in
19 the yard?

20 MR. DAVIS: Without specifics on the
21 soil that was removed, we -- we couldn't really
22 address that. And we don't know if there's
23 contamination in the area. But certainly there
24 would be a tendency to uncover a landfill cell if
25 one was beneath here. You're getting closer to the

1 landfill cell. So I have to qualify this. If there
2 are contaminants in the landfill cell and you were
3 located near that landfill cell and you dug down
4 closer to it, you might have more of a health risk
5 than if you had not done that. But without knowing
6 all the specifics as it applies to that property, we
7 couldn't really address it.

8 (Ms. Flores interprets.)

9 MR. CONDIKE: Are there any more
10 questions? The truck is still outside if you want
11 to look at it on your way out on this side of the
12 building, if you want to see what -- what equipment
13 they're using when they're collecting these soil
14 samples. People who haven't signed in or they want
15 to fill out one of the interests forms for the
16 restoration advisory board, please do so.

17 Thank you all for coming tonight. I have
18 business -- business cards up here for anybody who
19 wants them if they want to contact me later. I'll
20 be happy to share that with you. Thank you.

21 (Meeting official over.)

22 *****
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25

1 THE STATE OF TEXAS)
2 COUNTY OF WEBB)

3 I, Sarai Moore Meurer, Certified Shorthand
4 Reporter in and for the State of Texas, do hereby
5 certify the above and foregoing contains a true and
6 correct transcription of all proceedings, all of
7 which occurred and were reported by me.

8 WITNESS MY HAND AND SEAL, this 18th day of
9 January, 2003.

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