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8 FIVE POINTS OLF
9 NEIGHBORHOOD MEETING
10 SUMMIT HIGH SCHOOL
11 MANSFIELD, TEXAS
12 OCTOBER 30, 2002
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ORIGINAL

P R O C E E D I N G S

MR. RUFFENNACH: Good evening. We're going to begin.

Let me first of all apologize about the confusion about the actual start time for the meeting. The letter should have reflected the sign-in for between 6:30 and 7:00 o'clock, the actual meeting starting at 7:00 o'clock. So we'll begin by apologizing for that. I appreciate you all taking the time out of your busy schedule to be here this evening.

My name is Ron Ruffennach. I work for the Army Corps of Engineers in Fort Worth. I'm going to facilitate this evening's meeting, which is going to involve a brief presentation by our project manager, who will discuss the Five Points Site, and kind of update you on where we are and what's going to be happening over the next several weeks. That will be followed by a question and answer period where we would ask that you cue up at point, we're going to have a microphone here in the middle. And you'll notice we have been waiting a few minutes to get the court reporter set up. We're documenting the meeting for purposes of a record of this project. So by coming up to the microphone and stating your name and providing an opportunity for everybody to hear your question, it also provides the court reporter an opportunity to make sure we capture your question and the answer that you'll get.

We have a number of technical people here this evening.

1 I'm going to introduce only a few of them. Bill Sargent, who is
2 out of the Corps of Engineers Huntsville Center. Bill is the
3 program manager for a lot of the formerly-used defense sites we
4 have across the entire country. We run that program out of our
5 office in Huntsville. Also some folks with other regulatory
6 agencies, we've got Gary Miller, who is here from the
7 Environmental Protection Agency. We've got Tim Sewell, who is
8 here with the Texas Commission On Environmental Quality. And
9 that's a new name, it used to be the Texas Natural Resources
10 Conversation Service. They have changed their name recently.
11 And we've got Michael Nelson, who is with the -- also with the
12 Texas Commission On Environmental Quality here this evening. So
13 we've got federal and state environmental regulatory folks here
14 to answer questions that might come up. Also representing
15 Arlington, Arlington City Councilman Ron Wright is here with us
16 this evening as well.

17 At this time I would like to introduce Brian Condiike.
18 Brian is our project manager-program manager for our former
19 defense sites that we have across the State of Texas, a couple
20 of other states actually as well. And Brian is going to give
21 you a brief overview of where we are at the Five Points Site.

22 MR. CONDIKE: Thank you, Ron. This is a brief
23 summary of what we're going to talk about tonight. We'll talk a
24 little bit about the history of the site and the ordinances on
25 the site for the benefit of anyone who is not familiar with the

1 site. We'll talk about the activities we've been pursuing since
2 our meeting exactly one year ago today, result of those
3 activities, the strategy for our soil sampling and testing plan,
4 and summary of our ordinance investigation. We're going to talk
5 about two different primal investigations tonight. One is the
6 soil sampling for any potentially chemical contamination that
7 may have occurred on the site from its use as a practice bombing
8 range back in World War II. And also we'll talk about the
9 investigation for ordinance hazards.

10 Things we won't discuss: We're not going to talk about
11 the value of real estate. We won't discuss any obligations the
12 seller may have had to the buyers and we won't talk about the
13 lawsuits.

14 Brief history of the sites: In 1940 the Navy purchased
15 162 acres and used it as a practice landing strip up until
16 around 1943 when they started using it as a practice bombing
17 target.

18 In 1954, after the Navy was done with it, the Army sent
19 a team in and removed any ordinance that was lying on the
20 surface.

21 In 1956 the General Services Administration transferred
22 the property to private owners. And for quite a few years, up
23 until the early '80s, it was mostly used for agriculture until
24 they developed the mobile home park on the site known as Twin
25 Parks Estate.

1 In the mid 1990s, they started developing the remainder
2 of the land into the development now known as Southridge Hills.

3 The location. Most of you know the location is at the
4 corner of Harris Road and Matlock Road.

5 Types of ordinance that was used on the site. First of
6 all, the M-47 chemical bomb. It's a large bomb about four feet
7 tall. Undoubtedly it was a practice generation. It was
8 probably filled with water. There may have some real kind that
9 was filled with white phosphorous or smoke. The majority of the
10 ordinances on site were the MK-23 practice bomb, little small,
11 three-inch long bomb, had a shotgun shell filled with a small
12 amount of black powder used as what they call a spotting charge,
13 a puff of smoke on the ground. It also had M-33 practice bombs,
14 mostly filled with sand and also had a black power. This is a
15 photo of three of these MK-23s. That's a quarter up there at
16 the top for size. These were found on the site in the 1970s.
17 These are the same items just oriented so you can look down the
18 center of these. You can see the center has been hollowed out,
19 that's where the shotgun shell would have been. These
20 particular items actually had shotgun shells in them. The
21 person that found them, he was a teenager at the time, took the
22 powder out, put it on his garage floor and lit it with match to
23 watch it burn. So as late as the 1970s there was a still
24 ordinance on the site that had the black powder in it and that
25 black powder was still functional.

1 What have we done since last year. Last year at this
2 time we had an archive search report in the process, but it was
3 only in draft form, all the conclusions weren't finalized.
4 Since then we've completed that. We published that in March of
5 this year.

6 We also held a technical project planning workshop in
7 June of this year, in which we invited a lot of community
8 organizations to help us to define goals. The Council on
9 Environmental Quality was there, US Environmental Protection
10 Agency was there, the City of Arlington was there, Tarrant
11 County Health Department was there. KB Home had a
12 representative there. And also we had one of the attorneys in
13 the lawsuits representing about eight families was there, as
14 well as a lot of people from the Corps of Engineers.

15 Since then we've also interviewed various parties that
16 actually witnessed some of the operations on the site back in
17 the '40s, including the individual Major -- or former Major
18 Lynch. This was the fellow who signed all the clearance
19 certificates back in '53 and '54. He's now 84 years young,
20 still alive, still young.

21 Because the archive search report was completed we were
22 able to acquire a million dollars of funding to work on the site
23 So we're devoting some of the money to soil sampling and
24 testing, which is going to start this month. The rest of the
25 money is going to actually cleaning up the site and removing the

1 ordinance that's still there.

2 Completing the sample analysis plan for the chemical
3 investigation, which we'll talk about tonight. We've completed
4 the first draft of the TKOF report, which is talked about in the
5 ordinance investigation. We established a web site, you see we
6 just established that today, not all of it is working right now.
7 We have a better version, which we'll put up there tomorrow.
8 So we did all this stuff.

9 What did we get out of it? By completing the archive
10 search report that elevated the risk assessment code that we use
11 to prioritize these sites from a two to a one. That just means
12 it went from a high priority site to a very high priority. That
13 enabled us to get the one million dollars in funding.

14 At the technical project planning meeting this June,
15 the Corps, in association with the committee representative,
16 developed a project close-out statement, statement that
17 describes the site, how we want it to look when we're all done
18 cleaning it up. We determined that the clearance certificates,
19 there are two of them, refer to a signal site.

20 There was some confusion last year at this time as to
21 whether there was an another site in Arlington or not, and
22 whether one of these certificates applied to that. And after
23 talking to Major Lynch, we determined conclusively that there's
24 only one site involved.

25 This may not seem important to you now. We'll explain

8
1 it later. We determined conclusively that the runways were
2 paved with asphalt. There was some question as to whether they
3 were just dirt runways or not. That has an impact on what we
4 look for in our soil sampling plan.

5 Major Lynch, he's convinced that the chemical bombs
6 were likely practice bombs. He said every single one we found
7 on site was painted blue, that's an indication it's a practice
8 bomb. That does not conclusively say that there weren't bombs
9 on the site that weren't practice of this type. We're still
10 assuming that there may have been some and we are going to look
11 for those. It makes us feel good, we were very lucky most of
12 them were practice.

13 The photo I showed you recently demonstrated there was
14 a live ordinance on the site as late as the 1970s. We did
15 develop a list of contaminants of concern in conjunction with
16 the technical project planning meeting and also in discussion
17 with the state commission on environmental quality and we
18 developed a sample plan we'll talk about tonight. This project
19 planning close-out statement we developed as shown on the
20 screen. It doesn't have a flow to it, it's slug and it's got
21 all the points on it the group wanted to commit to writing. We
22 want to reduce the safety hazardous from ordinance and also
23 health risk from any potential chemical contamination. So the
24 community both felt safe and actual is safe living in that
25 neighborhood. And those are the people that were present at this

9
1 meeting.

2 So what chemicals are we going to look for in our soil
3 sampling plan? The ones we determined that might be there, if
4 anything, there maybe two kinds of metals, of lead or zinc.
5 They would have come from the body of these MK-23 practice
6 bombs. Those bombs came in three styles, either cast iron or
7 lead or some zinc alloy. Cast iron is innocuous. We're not
8 going to look for that. The other substances we might look for
9 would be explosives, specifically TNT or Tetro. And if they're
10 not there, these things aren't in the environment for a long
11 period of time, breakdown into other substances, which also are
12 of concern. So we look for TNT and Tetro. We also look for
13 other degradation products. We're also going to look for
14 phosphorous, which is the substance that may have been present
15 in the chemical bombs.

16 Things we're not going to look for are herbicides.
17 This is where the conclusion about the asphalt runways becomes
18 important. If the runways were dirt, the Navy may have used
19 herbicides while they were flying and landing plans on these
20 runways to keep the brush and grass down. Since the runways
21 were asphalt, there was no need for them to do that. So there
22 is no reason for us to look for herbicides.

23 We're not going to look for fuels of any type, oils or
24 gasoline or petroleum products. The landing strip was used only
25 for what they call touch and go's. This was a satellite field

1 for the Dallas Naval Air Station in Grand Prairie. That's where
2 we get all the fueling information. There was no fueling done
3 on one of these satellite fields or outlying fields. All they
4 did was land the plane, touch it, keep it moving and take off
5 again, just practiced take off and landing.

6 There were no structures onsite. There was no
7 electricity on site. If there's no electricity, there's no
8 power, therefore, there would be no PCBs, which is insulation
9 used in electrical transformers. Since there are no buildings,
10 there was no maintenance activities. They didn't clean up
11 engine parts with solvents and degrease things, so solvents are
12 not an issue.

13 Again, pesticides, where they might be controlling and
14 -- or vermins or other critters. Since there were no
15 structures, there is not need for them to do that. So basically
16 how we look at these sites is we look at the activities that
17 occurred on the site. We think about those things they may have
18 used in terms of chemicals. So we need some kind of activity
19 there that would cause us to believe they were there and that's
20 the essence behind the previous list where we looked at the
21 metals from the bombs and explosives from the bombs, the white
22 phosphorous from the bombs, because we know that was the kind of
23 activity that was used here.

24 In terms of our strategy, where are we going? The
25 state convinced us to look in mostly areas of contamination.

1 Our original plan called for us to examine the whole 162 acres.
2 They said let's's do a reality check. Let's look in the area
3 that you're mostly likely to find contamination where if you do
4 find contamination, it will be the highest contamination. It's
5 the easiest to find. Look in the central target area, that's
6 where the majority of bombs would have been dropped, look in the
7 top two feet of soil. These bombs didn't penetrate. If there
8 was any contamination, it would be in the central target area in
9 the top two feet of soil.

10 The other area that might contain contamination would
11 be the drainage areas. I'll show you some aerial photos to show
12 you where those are. Normally in a site like this the bombs are
13 dropped, if there is contamination, it will sit there until it
14 gets moved. However, if there's water flowing over the site in
15 terms of drainage that contamination might be moved from one
16 spot on the site to another. So we look in those areas where
17 contamination might have moved from one spot to another.

18 We're going to be doing some additional work, which is
19 not required of the ecological examination of the site. One is
20 we have had several residents come to us and say we have had
21 some health issues in our home and they coincide with -- the
22 incident themselves coincide with our moving here. So we're
23 wondering whether there isn't some relationship to our moving
24 here and the health issues. So we agreed to look and took
25 samples of soil from these individual spots. Most of these lots

1 are within the areas I previously talked about, the central
2 target area. And the drainage area, there's a couple you'll see
3 on the map, are a little outside of that.

4 In our archive search report, when they developed the
5 mobile home park, the mobile home park operator hired a private
6 contractor to come in and clear out some of these bombs they
7 kept uncovering. During that report they describe some bombs
8 being discovered six feet in depth. These bombs won't penetrate
9 six feet, so they had to be buried there either intentionally or
10 accidentally. And because we did find some in the past at six
11 feet, we will collect some samples at six feet of depth just to
12 cover that area.

13 This is an aerial photo of the site in 1943. I show
14 this to you so you can see the drainage area here over here at
15 the laser pointer. This is an old creek bed, also here and
16 here. This is some of the areas in addition to the target area
17 in the center where we're going to collect samples. This
18 representation, I think, was a handout everybody should have.
19 There's more on the front table. And this yellow line
20 represents an approximation of where that drainage area is. And
21 the dots, the red and blue dots represent where we selected to
22 collect samples. So we tried to collect a lot of samples in the
23 central target area and we tried to collect samples in the
24 general drainage areas.

25 There's a practical side to placing these dots on the

1 map, and that is that all this property is privately owned and
2 we as the government need permission of the property owners to
3 enter the land and collect the soil samples. So anywhere you
4 see a dot on this map the property owners have given us legal
5 permission, written permission to enter their property and
6 collect samples.

7 All those dots represent the 117 sampling locations.
8 We'll be collecting samples in the top two feet of soil. Nine
9 of them, the red ones, the red dots, those are the dots where
10 residents have voiced some concern about health issues. And
11 those dots where those are located we'll be taking five samples
12 from each lot. And one of them will be a deep sample, that's
13 the sample at six feet. So 126 total slugs and we're doing four
14 tests for each one and so 468 chemical tests.

15 This is a photograph of the equipment that will be
16 using to punch the holes to collect the samples. It's a little
17 hydraulic rig on wheels. It pushes a two-inch pipe into the
18 ground and basically punches a core of soil. I believe we have
19 one -- an example of one outside as you leave. We had the
20 contractor bring one in so you can go up and look at it and
21 touch it. So if you see it on people's property the next few
22 weeks don't be surprised what it is and what they are doing.

23 Once we test the soil, what we are going to do with it?
24 What will that mean to us? The lead and zinc will be compared
25 to state what they call protective concentration levels, which

1 are defined for residential areas, they're average levels. The
2 explosives and white phosphorous will be basically be present or
3 absent. We shouldn't find any. Lead and zinc, on the one hand,
4 are naturally occurring substances. They are in the soil
5 everywhere in Texas at some level. And you would expect to find
6 them at some level. But explosive and white phosphorous are
7 man-made and had to be there through human activity. So if it's
8 there, we've got a problem. So any deviations from these, then
9 we'll be talking about collecting additional samples and doing
10 some more testing. So if any of the lead and zinc values
11 exceeds these PCL levels that the state's defined, we will
12 collect more samples. And if we discovery these explosives or
13 white phosphorous, we'll collect more samples.

14 As I said earlier, we're going to talk about two
15 different environmental aspects. The first one has to do with
16 soil sampling, which I've already talked about. The second one,
17 which I don't want to forget, is the ordinance investigation,
18 which we call the engineering evaluation cost analysis or EECA.
19 We will evaluate the hazards of ordinance, identify the
20 potential responses to these hazards, what to do about it and
21 then make recommendations of what action we will take.

22 We have completed a preliminary draft. It's not open
23 to the public yet. As soon as we finish reviewing it ourselves,
24 we'll release it to the public in early 2003. And probably for
25 a 60-day period it will be available for the public to look at

1 it. And then you can comment on it and we'll respond to those
2 comments.

3 The response action alternative, which I've identified,
4 I know this seems silly, but, trust me, the first alternative
5 always is do nothing. No matter what we look at we always say
6 one alternative is not to do anything. Another alternative is
7 just to do institutional controls. That would be a legal
8 control preventing anyone from building or penetrating the
9 ground. Engineering control, putting up a fence around the site
10 and not letting anybody on it. Educational control would be
11 teaching the children at school if they find one of these things
12 what to do about it. Another alternative, just remove the
13 ordinance just lying on the surface plus some of the
14 institutional controls. And the last alternative is remove it
15 all from the surface and subsurface with the institutional
16 controls. What do you think the recommendation is going to be?
17 We going to do alternative four, very likely, that's the
18 preliminary conclusion that we're going to come in here and
19 we're going to remove all the ordinance, anything lying on the
20 surface, anything on the ground we can find. We estimated it's
21 going to cost \$600,000. We've already have \$500,000 programed
22 for 2003 and we're going to start that next year.

23 This whole program is a safety program. If you really
24 want to talk about this stuff, I'll get on my soapbox and gave
25 you a safety message. If anybody sees any of these items, don't

1 pick it up, don't pick it up, don't take it home, don't show it
2 to your friends, mark the spot, put a rock on it or stick or
3 spray paint, call 911 and they'll take care of it.

4 MR. RUFFENNACH: We're going to bring the lights
5 up. And, again, we're going to start the question and answer
6 portion of the meeting. And if possible, if you could keep your
7 questions to a more general in nature, it's real hard to address
8 specific questions related to your property or whatever. But
9 we'll try to do the best we can maybe after the meeting if you
10 want to meet with some of these folks and talk about some of the
11 things you might have expressed concern about on your particular
12 property. But the questions tonight for the benefit of
13 everybody here probably should be focused on the sampling that's
14 going to start tomorrow and how that's going to take place and
15 also the process of getting this information back out to you and
16 some of those kind of things. Again I'm not putting any
17 restrictions on the type of questions, I'm just trying to field
18 questions that will help benefit the majority of the folks here
19 in the audience this evening. We've got a bunch of different
20 folks that can answer the questions. And, again, if you can cue
21 up, Anita has got a microphone here. Again, cue up behind the
22 person that's currently asking the question. I'm not going to
23 be answering the questions because I'm not technically qualified
24 to answer questions. Again, I'll depend on Brian and the likes
25 of the folks up here in front of the room to do that and

1 hopefully get the right person up here to answer the question.
2 So with that, if you just cue up immediately. Again, we won't
3 be taking questions from people holding their hands. We're
4 really going to need you to come to the mike in order to be
5 heard. So here you go.

6 DOMETRIA WILLIAMS: Dometria Williams. I have two
7 questions. Will there be an opportunity for our soil to be
8 tested if with we have specific health problems on our
9 residence, specifically with children digging in the yard and
10 ending up in the emergency room, number one? And number two, if
11 they do find contamination in the soil like the lead or zinc or
12 something like that, how can that be cleaned up? I can
13 understand removing the ordinance. And I do want to say thank
14 you, guys, because it really seems like you're working hard to
15 help us, so I do appreciate that from the Army Corps of
16 Engineers.

17 MR. CONDIKE: We do have the opportunity to add
18 some properties to collect some more samples. So if you have
19 got a specific concern particularly about health issues with
20 families, we'll entertain adding that to the list. In order to
21 do that, though, you'll have to sign a right of entry if you
22 haven't done that already. We have somebody here. Brian, he's
23 with our real estate folks here today. Brian, stand up so we
24 can see you. After the meeting, Brian will sit in one of these
25 rear tables. You come over to him, he's got to the forms with

1 him and you can sign them. You just have to tell us exactly
2 where your lot is and we'll add it to the list.

3 Okay. The second question was how would we clean up
4 chemical contamination where we find it in the soil. That's a
5 whole different ball game than the ordinance. Ordinance by
6 comparison is easy to clean up. It can be done. It will be an
7 additional effort on our part, but it will be something we'll do
8 if it were shown to be a problem.

9 MR. RUFFENNACH: Let me help with that. One of
10 the options is removing soil and adding in fresh soil. I think
11 that's where she was going.

12 MR. CONDIKE: It depends upon what the contaminant
13 is and how contaminated the soil is. So it's anywhere from
14 taking out all the soil and removing and replacing it with clean
15 to taking the soil out of the yard, treating it and putting it
16 back.

17 CYNTHIA LOCKHART: Cynthia Lockhart. On looking
18 at the map where you have the red outline there are homes that
19 found bones in their yard that are outside this line. Have you
20 considered doing soil samples there? Because you guys are
21 stressing that asphalt was here, but this home was outside of
22 this asphalt line and found a bomb in their backyard.

23 MR. CONDIKE: This site is what we call a
24 disturbed site that we found documentation where the General
25 Service Administration, before they disposed of the site and

1 returned it back to private hands, literally stole the asphalt.
2 Somebody came in and mined it, so to speak, recovered it and
3 returned it into more asphalt. Since then also the developers
4 have been in pushing the dirt around and they can't push the
5 dirt around without pushing some of this ordinance around as
6 well. So it's not surprising that it's within the red line,
7 which is outside of the runways.

8 CYNTHIA LOCKHART: Having said that, why haven't
9 you considered surveying some of the soil outside of this line?

10 MR. CONDIKE: The rationale, as I tried to explain
11 earlier, for collecting the soil samples is principally within
12 the blue target area because that's where the majority of the
13 bombs would have fallen. If there is any contamination, it
14 would be highest there, so it's easiest to find. We look to
15 find it in a place we hope it's easy to find. If we don't find
16 it there, the rationale goes, we're not going to find it
17 anywhere. So if we don't find it in the central target area
18 where the majority of the bombs fell, we're not going to find it
19 anywhere else. That's the rationale the state has proposed.
20 Dr. Nelson is here from the state. Would you like to comment on
21 that, Mike

22 DR. MICHAEL NELSON: Yeah. The rationale is that
23 we're not necessarily saying that if there is contamination
24 there might not be some outside of this particular area. But
25 the state wanted them to do as concentrated a sampling as they

1 could in the most likely area for there to be contamination. So
2 that if there is some, there's a high probability they will get
3 a hit. If that occurs, they will have to go out and sample a
4 wider area.

5 MR. CONDIKE: Did that answer your question,
6 ma'am?

7 CYNTHIA LOCKHART: Yes. Thank you.

8 AUDIENCE MEMBER: Are the original drainage lines,
9 do they still exist and how deep are they in the ground?

10 MR. CONDIKE: The original drainage lines are
11 approximately reflected by these yellow lines here. The biggest
12 one is right here and here and here. And I don't think it's any
13 mistake that this roadway here follows approximately the
14 original drainage. The builders aren't crazy, they exert as
15 little effort as possible to develop these sites. They have to
16 develop some natural drainage when it rains, they just can't
17 make it all flat. I think you'll find as you go down this road
18 in the mobile home park, you'll find that that's probably
19 slightly lower than the rest of the other property. The same is
20 true of the other road in there, that they basically took a
21 little soil from the road and pushed it upon the house lots,
22 elevated it a little bit. When it did rain, the water hit the
23 soil next to the houses and flow down into the streets and then
24 into the drainage system. So the original drainage line was
25 like this and some of that has been changed it's been disturbed.

1 And I know that's true, but some of the soil is probably still
2 there. We're fortunate that in this area down here, which is
3 now a city park, is undisturbed, they haven't touched that. So
4 this, if anything, is the end of the drainage system, so that's
5 a good place to look.

6 AUDIENCE MEMBER: You said that they probably
7 pushed some dirt, probably added some dirt, on your tests you
8 saying you're going two foot. Well, I planted some plants at my
9 house and I dug a foot and I would see the stuff that they used
10 on my house a foot deep. So why two foot? Why not just do all
11 of them at five foot, all the testing?

12 MR. CONDIKE: As far as we understand from talking
13 to the developer and the builder, they didn't bring in any soil
14 on this site from anywhere else. The soil that's there was on
15 the site originally.

16 AUDIENCE MEMBER: I know for a fact that they did
17 bring some red dirt and put on my yard.

18 MR. CONDIKE: Is there somebody here from the KB
19 Homes to comment on that?

20 MR. TOLEDO: During the development phase the land
21 balanced. In other words, we, as you described, would take it
22 from the streets, build up parts. Now, after the houses are
23 built, you'll bring in a different type of soil, a sandier soil
24 for planting and landscaping. So that soil would be and is to
25 this day brought in.

1 MR. CONDIKE: I was not aware that they brought in
2 soil. Was there -- Mr. Toledo, was there much soil brought in
3 for the landscaping? It varied at each house?

4 AUDIENCE MEMBER: I'm right there off of
5 Allencrest. I'm at that house where all the drainage flows
6 into. I'm still draining. It rained last week and I constantly
7 -- my foundations is cracking. They did put topsoil on the
8 property before they built they home and they brought it in. Do
9 I need to then request and ask because I'm already seeing damage
10 happening to the property? Also that were you aware that on
11 number seventeen, the homeowner there, there was live ordinance
12 found, too, but at that time he was not aware of what it was and
13 it was given back to the builder? Number seventeen. I see you
14 don't have dots on that area. Do we need to request that and
15 ask you to check that, too, for us?

16 MR. CONDIKE: As far as, you know, erosion damage
17 or damage from the water drainage, that's not something we're
18 looking at. That's a physically thing, it's not due to
19 ordinance. As far as there being ordinance found, is this the
20 lot you're referring right there?

21 AUDIENCE MEMBER: Right.

22 MR. CONDIKE: We're not -- we haven't gotten right
23 of entry nor have we asked for right of entry in every single
24 lot that this yellow line crosses.

25 AUDIENCE MEMBER: So they would have to ask then?

1 MR. CONDIKE: If they wanted to ask us, we would
2 have to take it.

3 DON OSBORNE: On the draining part, when you guys
4 come out to do the soil testing, are you going to let us know
5 when we're you're going to be there so you can unlock the gates?

6 MR. RUFFENNACH: Yeah. I wanted someone to
7 address that of just how much notification we're going to give.
8 First of all, you need to understand, too, the people that are
9 going to actually be on your property are going to be on there
10 as contract workers working for the Army Corps of Engineers.
11 These are not Corps employees, these are contractors that have
12 been hired by the Army Corps of Engineers and are using the
13 document that you all signed giving us permission to be on your
14 property. In essence, you're giving us permission for our
15 contractor to be on your property. So the contractor, when
16 asked to be invited to the address, just exactly how that will
17 work in terms of notification and things like that.

18 MR. CONDIKE: This is Mr. Shannon Rives. He works
19 for Malcolm Pirnie out of Houston.

20 MR. RIVES: Let me describe kind of the sequence
21 of events you're going to see over the next few weeks. First
22 you're going to see that we're going to be putting wooden stakes
23 out to try to locate the drilling locations. Okay. Then to
24 follow that, you'll see some utility workers from the different
25 utility companies to come in and we'll have to check to make

1 sure we're out of the easement off of electrical lines and such.
2 So you'll see utility worker's, but we will always have people
3 there with them. Okay. And then behind that, we will have a
4 government Corps employee certified to operate technology type
5 equipment. And he's going to stand there where our stake is
6 before we punch a hole to make sure that we have clearance
7 there. Because you have to remember we're here to check soil
8 for chemicals, we're not here this month to be looking for or
9 digging up bombs. This is just a soil sampling event to check
10 for chemicals, so we're not here to look for ordinance or get it
11 out. So we're doing all of these steps before we punch a
12 two-inch hole to make sure that there is nothing where we're
13 drilling, punching the two-inch hole. So if a piece of rebar is
14 there, we'll detect it and we're going to move it and treat it
15 like it could be a problem. So we're only going to drill for
16 soil where we know there is nothing underground that we can
17 detect. Okay. So we'll only be on the properties that we have
18 the access agreements. And we'll be out there and we're going
19 do plan on letting people know a day or two ahead of time when
20 we're going to physically be bringing the equipment, which
21 you'll see outside when you leave, to do that, but not
22 necessarily knocking on everybody's door and giving them two or
23 three days notice just to come in and knock a wooden stake in
24 the ground.

25 DON OSBORNE: On the drainage area where you have

1 got that big drainage area where you've got that big yellow line
2 coming down through the property, comes through mine, too, are
3 they going to check for chemicals in that area for the drainage
4 and what kind of health problems are they going to find?

5 MR. CONDIKE: We're going to be checking for the
6 list of chemicals that I have displayed, the leads, zinc,
7 explosives and white phosphorous. That's because we're looking
8 for chemicals that might be present as a result of the
9 Department of Defense operating on this land back in the '40s.
10 So if there are some other chemicals on this land for some other
11 reason, we're not going to look for them. And I don't know why
12 there would be.

13 As far as other health problems that have been
14 reported, I haven't had any specific list given to me, but I've
15 heard various description of anything from rashes to allergies
16 to cancer and everything in between. There is no particular
17 patent, not one thing that's at all the houses. As far as if
18 you wanted someone to let you know beforehand when they were
19 going to be on your property, talk to Brian Dusek after the
20 meeting and we'll amend your right of entry to make sure that
21 they notify you with a phone call.

22 As far as our looking for chemical contamination, we're
23 not necessarily going to be collecting samples. We're going to
24 look at the most likely spot, the most highly concentrated spot
25 where it may have been.

1 PATRICK SIMMS: I actually live within the blue
2 area there and I had a question of the ordinance. I haven't
3 done a lot of research on white phosphorous. Is that the way
4 you pronounce it? Can you give more definition of what type of
5 chemical that is?

6 GREG WILLIAMS: I'm Greg Williams from Tulsa and a
7 chemist. White phosphorous is a material that readily oxides
8 when it hits the air. It forms like a smoke. I don't know if
9 you've seen some of the grenades and things like that. When
10 they explode, they give off certain smoke, white smoke or red in
11 color. So that's primarily what white phosphorous does. And
12 that separates it from, say, a regular phosphorous, which is a
13 naturally occurring material. That material, white phosphorous,
14 again, in the presence of air is pretty much going to decompose
15 and eliminate itself. So what you might have -- what you have
16 remaining will probably be some other type phosphate material.
17 I don't know if that helps.

18 PATRICK SIMMS: So would that be something that
19 would stay saturated in the ground over time?

20 MS. WILLIAMS: Again, with white phosphorous,
21 unless it was protected from air, in that case it might stay
22 around a while. But you really wouldn't expect -- it might be
23 on the surface, at which it'll easily come in contact with the
24 air, to be around, especially from the '40s.

25 MR. CONDIKE: White phosphorous has a peculiar

1 characteristic in that, as Greg said, it does oxidize when it
2 hits the air. It actually burns. It will form a skin, it will
3 bubble up and form this bubble of skin around it. And sometimes
4 it can do that and form this bubble that actually protects some
5 white phosphorous inside the bubble from oxidizing. So although
6 the majority of it will burn, there will be little pebbles or
7 nuggets of the white phosphorous on the ground. If you break
8 that skin, all of a sudden it starts burning again and get a
9 burn. Now, Bill Sargent, he has a story about somewhere in
10 Alaska.

11 BILL SARGENT: White phosphorous -- we've run into
12 a number of areas where there is white phosphorous. And it
13 develops that skin, like Brian was talking about, it looks just
14 like a rock. When you break it open, it ignites. Now, very
15 small pieces don't get into a big place and start giving off
16 little puffs of smoke. So you get a lot of areas where maybe
17 there's some water or something and it starts to dry out. In
18 some of our sites I see these little puffs of smoke that come up
19 and just dries itself out and ignites in the air. But generally
20 you have to have a large concentration around. From what we've
21 seen on this site, if they dropped a bomb, it should have been
22 burned itself out. And if the ground surface went over
23 construction, it would have turned the ground over and exposed
24 anything. We have no reports of anything igniting or smoke
25 coming up out of the ground or something like that. Again,

1 we're going to be looking just to verify that there's not
2 anything here. We don't think there is, but we're going to look
3 anyway.

4 MR. CONDIKE: Did that answer your question?

5 AUDIENCE MEMBER: Yes. Thank you. Because I live
6 in the blue area I'm glad you guys are coming, so if you need
7 any extra gloves, you can just stop by my house.

8 MR. RUFFENNACH: Thank you. We appreciate that.
9 I guess also from your presentation we're not even clear whether
10 or not white phosphorous was used here, right? So that's what
11 we're going to find out, if there is anything there, we'll know.

12 MS. JONES: My name is Karen Jones. In your
13 close-out statement you said that one of your goals was to
14 assure us so that we would feel safe in our neighborhood. If
15 one of these areas where you're going to be searching for this,
16 find this, how are we going to feel safe after our houses have
17 been built, after the sidewalk and street pavements have been
18 laid, what plans do you have to go under there? Even if you
19 clean up the outer portion where there is no foundation, there
20 is no payment, there is no assurance of what is under the
21 payment, what is under our houses.

22 MR. RUFFENNACH: If I recall Bill answered that
23 question last year. You want to take that one, Bill?

24 MR. SARGENT: I don't remember what my answer was
25 last year. But normally on a project like this when you build a

1 slab on grade, there's really no way to get underneath the house
2 either. The ordinances, though, has just a spotting charge on
3 it, we're going to go out there and find everything we can
4 possibly find. That doesn't mean that when we get done cleaning
5 there maybe something buried under your house somewhere. But if
6 there's no way to get to it, it's not going to do anything. The
7 problem with ordinance is ordinance will lay out there for the
8 next hundred years and it won't do anything until somebody
9 interacts with it and does something to it. And that's the
10 problem we have across the country. The stuff has been lying
11 out in these World War II sites since the '40s and it's been
12 there, it's just layed out there and nothing's happened. It's
13 when people start to come around and start to handle it and do
14 things is when you have a problem. So if the stuff is under the
15 pavement, under the slab of the house, under the asphalt.
16 Again, we're going to let people know that we cleaned up there
17 as part of the institutional control and knowledge and the
18 education of people. But in the future if anything is ever
19 done, if they have to open the sidewalk, then we'll have to come
20 in and take a look at it to make sure there's nothing under
21 there. If something is done under your house, then the Corps is
22 going to have to be notified that something is fixing to happen,
23 that we're cracking the slab on a house or something that we're
24 doing so that we get the right people out there to make sure
25 there is not anything there. But the thing is if you can't get

1 to it and you can't touch it, it's not going to bother anything.
2 Especially these rounds that you've seen, which are practice,
3 just the spotting charges, they are not a lethal round. If we
4 had high explosive rounds, it may be a different issue that we
5 would have some other concerns about that if they detonate and
6 maybe take a house part, these that we know of will not do that.

7 MR. RUFFENNACH: That was last year's answer.

8 Thank you.

9 AUDIENCE MEMBER: I have two questions back to
10 Brian. One is why -- the fact you didn't know soil was brought
11 in, are you going to change how deep you're going to go? And
12 also I think that you said -- you asked all the homeowners that
13 drainage line runs through for soil samples; is that correct?

14 MR. CONDIKE: Oh, no.

15 AUDIENCE MEMBER: Okay. I thought you said that.

16 MR. RUFFENNACH: I'm looking at Dr. Nelson with
17 the state since we came up with this jointly, this plan
18 apparently. And prior to this my information was that no soil
19 had been brought in, but apparently there has been some soil
20 brought in for landscaping purposes around the houses and it
21 doesn't vary from one home to another. I'm not sure how to
22 approach that.

23 DR. MICHAEL NELSON: I think we need to go below.

24 MR. CONDIKE: So we will have to look at the fill
25 and take the samples?

1 DR. MICHAEL NELSON: I was just out there, I just
2 went through there looking and there substantially weren't any
3 fills that I understand were brought in. I believe there could
4 be a modification to the sampling plan in that because the two
5 feet of native is the logical place to look just to insure that
6 when they go down they go two feet below what should be an
7 obvious difference in the soil type on the surface if there is
8 this fill.

9 MR. CONDIKE: We'll have to make an adjustment to
10 our sampling plan for that. I'm not sure we can do that right
11 now. I don't want to try to make that decision on how we're
12 going to do that right now, but I'm sure we can do that.

13 MR. RUFFENNACH: Did that address your concern?

14 AUDIENCE MEMBER: Yes.

15 LIONEL RENCON: My name is Lionel Rencon. And
16 what I wanted to say, if you would bring the map back up, that
17 zone that you guys have in the blue area, which I guess from the
18 military standpoint you got that from or as being or
19 representing the drop zone. I was in the military, I was in the
20 military six years, I'm just now getting home. And I was
21 attached or assigned to an artillery unit in, we're now in 2000,
22 late '90s, with the technology we have today, we were roughly 60
23 to 65 percent accurate. So I believe that the information that
24 you got from the artillery or the military period, it should be
25 the opposite of what you're doing. As far as going into the

1 drop zone, it should be the very outside because I don't think
2 they were that accurate back in the '40s, I really don't.

3 MR. CONDIKE: That was the -- that was our
4 original thought, we originally were going to look at the entire
5 site. The diagram you see there, the red and blue lines, that
6 comes from a hand-drawn document. There's another source also.
7 But there's a hand-drawn document that Major Lynch did when he
8 cleared the site. And he drew out that central target area and
9 said this is where most of the bombs were. So there is more
10 than just the central area, the target area, and that's what
11 should have been on that map.

12 MR. RENCON: That information came from that's
13 where it should have fell or that's where the drop zone was
14 suppose to be?

15 MR. CONDIKE: That's where the man who led the
16 ordinance clearance team back in '53 and '54, that's where he
17 found the majority of the ordinance back in that central area.
18 So it's more than just the central target and that's where they
19 should have been. We know they were practicing, they were using
20 biplanes, they were flying low. It was like Snoopy dropping
21 these bombs and they were practicing. If they were experts,
22 they wouldn't need to practice. Yeah, they missed it a lot.
23 But eventually they hit the target, the majority of them. I'm
24 sure that there are bombs all over that site. In fact, I have
25 had some reports from the police department that they have found

1 some outside the site. Is that right, Lieutenant?

2 MR. RENCON: So there's going to be bombs all over
3 that area, all over that area?

4 MR. CONDIKE: That's right. When we come back to
5 clear the site -- let's not confuse the ordinance transaction
6 with looking for chemicals. When we come back to clear the
7 site, we will clear every square inch that we can get to in that
8 162 acres. Right now as far as collecting soil samples looking
9 for chemical contamination, we're going to collect those samples
10 from where a majority of the bombs fell. If there is any
11 contamination, we'll find it there first.

12 MR. RENCON: That's the highest concentration is
13 what we're looking at?

14 MR. RUFFENNACH: Potential soil contamination, not
15 bombs. Okay. Is everybody clear on that? We're talking about
16 two separate things here. Okay. Just want to make sure we're
17 clear on that. Okay.

18 TAMMY RODERICK: My name is Tammy Roderick and I
19 live on Masonville and I have three questions. The first
20 question I want to know what happened with all the digging and
21 stuff, if our house shifts with y'all digging and stuff, what is
22 going to happen?

23 MR. RUFFENNACH: With the activity that's going to
24 take place?

25 TAMMY RODERICK: Yes.

1 MR. RUFFENNACH: We're not talking about that
2 level of activity that would cause any damage to your property.
3 Is that the good answer?

4 MR. CONDIKE: Yes, sir.

5 TOMMY RODERICK: And another thing, how much is
6 this going to inconvenience us?

7 MR. RUFFENNACH: What is the estimated time, say
8 you're going to be on somebody's property punching five holes,
9 how long are you going to be on their property?

10 MR. RIVES: We expect about ten to twelve a day.

11 MR. RUFFENNACH: Residence or holes?

12 MR. RIVES: Both.

13 MR. RUFFENNACH: You're potentially going to be
14 punching more than one hole --

15 MR. RIVES: Four or five houses per day.

16 MR. RUFFENNACH: Four or five houses per day, so
17 you maybe on an individual property for a couple of hours at the
18 most?

19 MR. RIVES: Couple of hours at the most.

20 MR. RUFFENNACH: You don't have to be there
21 actually. You don't have to be there. They are going to come
22 to a specific point on your property. You'll see a piece of
23 equipment, it's not like it a big truck or anything like that.
24 It's going to be basically a person walking behind the piece of
25 equipment, they'll punch the holes, restore the area and then

1 leave and that's it.

2 TAMMY RODERICK: That was two questions, one more.

3 Mr. RUFFENNACH: Yeah, you got one more.

4 TAMMY RODERICK: Never mind.

5 RICHARD GIMBEL: My name is Richard Gimbel, I live
6 in the blue area. I have two questions. My first question is
7 regarding your slide number 13 where it says you're looking for
8 metal with lead and zinc from the bodies of MK-23 bombs. Yes,
9 that one. I assume that the MK-23, the composition of those
10 bombs are made out of partially lead and zinc, right? Is that
11 correct?

12 MR. CONDIKE: There were three versions of these
13 bombs made. One version, the ones we found that we've actually
14 seen on the site, the bodies were made out of cast iron. A
15 second version, they were made out of lead. And the third
16 version, the description in the literature was a zinc alloy,
17 that's what they were made out of.

18 RICHARD GIMBEL: So as of today you have only
19 found the ones with cast iron?

20 MR. CONDIKE: We've only found the ones with cast
21 iron, the ones I have seen.

22 MR. GIMBEL: My second question is I'm sure we're
23 not the unique case here, there are other communities that have
24 this situation. Can you tell us if there are other communities
25 and what happened to their residents?

1 MR. CONDIKE: Mr. Sergeant is the ordinance
2 expert, he works these sites all the of the country.

3 BILL SARGENT: Yeah. I think one of the sites
4 that initially started this whole program was TR Sathouse out of
5 San Diego where three kids with killed when they found some
6 ordinance back in, I believe, the '70s. And so there's been a
7 big cleanup, they did a lot of clean-up work out there, they
8 worked with the community and they worked to cleanup as much as
9 they possibly can. Everybody understands that they can't ever
10 get it all because of the nature of the ordinance. So there's a
11 lot of education programs that go on and there has been some
12 very positive training things to interface with the community to
13 help them understand and recognize what to do if they find
14 something and how to deal with in teaching their kids.

15 But there are a number of these sites across the
16 country that we're working simultaneously. I have a site that I
17 just finished in a whaling village up in Alaska on St. Lawrence
18 Island, I've got them in the Illusions, I've got a project site
19 in Cape Cod, on beaches. So there are numerous communities in
20 the country that are basically the same kind of thing. Some of
21 them have more than just practice, they have high explosive
22 rounds. Brian is working on a site in Gainesville, Texas where
23 we dig huge artillery shells out of people's front yards. They
24 live in an impact area from World War II. It's not a unique
25 problem, but we understand it's very personal to people that

1 live here. We're trying to deal with that and trying to work
2 with you and help educate you, but also try to deal with the
3 problem and clean it up as best as we possibly can with our
4 technology, so that, again, you feel safe there. But there are
5 a number of communities across the country that are dealing with
6 this same issue.

7 AUDIENCE MEMBER: Yes. I'm sitting here listening
8 to you talk about contamination. I was wondering do you have an
9 in M.D. on your team because I want to know how long do I let my
10 child continue to suffer health-related illnesses being here at
11 this house.

12 MR. RUFFENNACH: I think last year we had a
13 medical doctor from the Army Environmental Center here basically
14 went over some of the concerns and addressed some of the
15 questions that we're addressed last year.

16 AUDIENCE MEMBER: Is there ever a time when you
17 would tell us to evacuate? Because right now I have to carry an
18 epi-pen because I don't know if my son is going to swell up
19 again. I mean, it's been pretty serious for a five-year old
20 child to have to go through what he's gone through just from
21 playing in the back yard. I want to know when do I need to
22 leave my house.

23 And this is highly documented with my doctors. At the
24 time my son went to live with my parents for three weeks, he had
25 no problems. He comes back, plays in the yard and they all

1 start again. He's on chronic medication, which has serious side
2 affects, which affects his health. So I want to know. I mean,
3 if I had the money, I would leave now because it's that bad.

4 So did you guys establish a threshold as far as if
5 you're really having some continuing problems how much should we
6 tolerate? I mean, some of these things are life-threatening. I
7 don't know for everybody else, but for my child I have to carry
8 Epinephrin and something happens that's life-threatening if he
9 doesn't get that medication.

10 MR. RUFFENNACH: I think that's the phase we're in
11 right now is to do this sample to determine whether or not there
12 is in fact anything there. And, as Brian indicated during the
13 presentation, it's going to take a while to lab test all those
14 different samples that we're going to be taking over the next
15 several weeks.

16 MR. CONDIKE: I don't think I actually talked about
17 that.

18 MR. RUFFENNACH: Maybe you didn't, maybe I'm just
19 assuming that. We plan on having a report shortly after the
20 first of the year, which would give us a clear indication as to
21 whether or not there is in fact anything out there. So, once
22 again, we're on that edge of trying to find out more information
23 and actually the clock is ticking now to having that information
24 available here within the next three or four months. To answer
25 your early question, there have been medical experts associated

1 with the Army Environmental Center and I'm sure Bill has talked
2 with different folks over the course of other projects that he
3 worked on. Again, we've got other experts, chemists, things
4 like that, county health department worked with us as well on
5 this thing. So, yeah, absolutely, it's not being done in a
6 vacuum.

7 OSIE JOHNSON: I'm really empathic with families
8 that have young kinds. I have a grandson that I wouldn't bring
9 over to the house and let him play outside. I do sympathize
10 with you. My question is as far as the bombs, do we know
11 exactly what we have out here? How accurate is the information?
12 When we initially had gotten -- had a meeting for this
13 situation, the information seemed like it was so inadequate.
14 What's really out there? And it's sad to say that I don't
15 believe we really know. I'm not saying that y'all are not
16 trying to find out. I think those years ago that how accurate
17 was the documentation? What was really dropped in this area?
18 And that's what kind of, you know, making me a little bit
19 fearful. Are these the only ordinance that we know of that's
20 here? And are we just looking for this or are we looking for a
21 larger range? If we're looking for just this, what if something
22 else is out there?

23 MR. RUFFENNACH: I think you've hit it right on
24 the head about the difficulty associated with trying to go back
25 50 and 60 years and reconstruct what happened then given the

1 fact that even technology didn't allow the record keeping to be
2 as thorough as it is now. The fact that this did go from
3 federal hands to private, a lot of things -- it's like putting
4 together a big jigsaw puzzle. And there's a team that we have
5 at the Corps of Engineers that's got some pretty doggone good
6 research experience because they do this nationwide. We
7 developed teams that know what questions to ask, know where to
8 try to go to get that information. But you're exactly right,
9 it's only good as you can possibly find at that time the records
10 were kept. Brian had a major coo when he found this Major that
11 he mentioned that was still alive and he could actually go and
12 interview this guy and talk to him. That's a rarity in this
13 business when you are talking about folks that are in their 80s
14 and we hope that their memory serves them well, so that they
15 help us piece together that puzzle. Brian wants to talk a
16 little bit more about any evidence that's been raised.

17 MR. CONDIKE: As far as what ordinance was used on
18 this site, we're going principally based upon what Major Lynch
19 found when he cleared the site. There are no written records as
20 to what the planes actually dropped there. We're going
21 principally based upon the evidence he found when he cleared it
22 the first time.

23 The second question was are we looking only for items
24 or are we looking for everything else. The method we use is
25 pretty generic. It's a magnetometer survey. It's basically a

1 metal detector, it's a little bit more fancy than that. If we
 2 look for one particular kind of ordinance, we'll find all kinds
 3 of ordinance. We'll be digging probably, and I'm not
 4 exaggerating, a thousand holes for every piece of ordinance that
 5 we find because we're going to be picking up every nail, bolt,
 6 nut, washer. These homes are freshly built, so there's also
 7 going to construction debris, rebar, pipes, staples, everything.
 8 So we're going to get to every piece of metal there and assume
 9 each one of them is a piece of ordinance. If it's there, we'll
 10 find it.

11 OSIE JOHNSON: Thank you. By the way, my name is
 12 Osie Johnson.

13 MR. RUFFENNACH: Thank you, sir. Appreciate it.

14 JOSHUA: My name is Joshua. What I want to find
 15 out is the ordinance that you are talking about, I want to
 16 really refer to the '40s, '50s and all that. Most of those
 17 times we had predominantly used megawatt switches for activation
 18 devices and all that. Why is it that the test here does not
 19 include Mercury as a contaminant?

20 MR. CONDIKE: I'm sorry, sir, I'm not sure what
 21 your presumption that Mercury was used, where.

22 JOSHUA: I'm asking with respect to any of these
 23 bombs and things like that you have to have activation devices.

24 MR. CONDIKE: You're talking about switches?

25 JOSHUA: Yes. Most switches in those eras were

1 megawatt switches.

2 MR. CONDIKE: Let me hand it over to the ordinance
3 expert, Tim Bohannon, to address your question about the
4 triggering devices.

5 MR. BOHANNON: For the air drop munitions they had
6 a fusing device, which basically was a spinning clock-work type
7 mechanism. When it drop from the plane, it pulled a lanyard out
8 of the fuse. And as it was falling it, would spin and arm the
9 fuse. Once it was armed, it hit the ground, the firing pin
10 started the firing train and it exploded. There was no Mercury
11 or anything like that. Other types such as Mark 23, it was
12 simply they dropped it, it hit the ground, which pushed the
13 firing pin up into the fire mechanism and went off. Either some
14 sort of clock-work mechanism or straight point detonated fuse.
15 As simple as that.

16 MR. CONDIKE: So the simple answer is the
17 triggering mechanisms were physical and not electrical. And
18 Mercury is used in an electrical device.

19 ROSE: My name is Rose and I have a couple of
20 questions. You guys said when we were at our last meeting that
21 we were at a level two. And supposedly from understanding you
22 guys, it's not a big issue that the bombs are there and you
23 don't feel that it's harmful for us to live there. Why was it
24 moved up to a level one?

25 MR. CONDIKE: The difference is that the scoring

1 that goes from five, four, three, two, one, is base upon a
2 scoring sheet where points are given for certain items, whether
3 the ordinance is on the surface, what type of ordinance it is,
4 how close it is to housing. Two was almost as high as it goes.
5 The difference was at that time we discovered the possible
6 presence of white phosphorous, which is considered a chemical
7 munition, and that gave it enough points to raise it up from the
8 two to a one. That's what made the difference. The reason it
9 was at a two in the first place is because you people were
10 living right on top of it. The ordinance itself isn't all that
11 dangerous because it's small and it's practice and it's just
12 like powder and it's nothing that will explode and throw out a
13 lot of shrapnel. But the fact that there was a chemical there
14 that would pose a different hazard had enough points in our
15 scoring system to raise it from a two to a one, that's the
16 difference.

17 ROSE: And you said that most likely in most lands
18 we do have lead and zinc. What is the maximum that you're
19 looking for where it could be harmful to us?

20 MR. CONDIKE: Michael, do you know those levels
21 offhand?

22 DR. MICHAEL NELSON: I couldn't tell you what the
23 concentrations off the top of my head.

24 GREG WILLIAMS: I believe tier one PCL for lead in
25 residential soil is about 500 milligrams per kilogram or 500

1 parts per million.

2 MR. CONDIKE: Do you know what it is for zinc?

3 GREG WILLIAMS: Zinc is much higher. I think it's
4 9,000 milligrams per kilogram, something like that. It's fairly
5 high for the zinc, much higher than the lead.

6 MR. RUFFENNACH: Let me ask, am I correct in saying
7 that report will reflect what the standards are, so you'll have
8 a better sensing of what we found versus what the general
9 standards would be for residential areas, as he mentioned, once
10 the report is finished.

11 DR. MICHAEL NELSON: I just -- the comment I
12 believe, and this I guess is to Brian, since he's been picking
13 on me, that in addition the report should indicate, I believe,
14 they are going to do some background sampling.

15 MR. CONDIKE: We're going to compare the results
16 and against the PCL standards first. And if there's any
17 deviation from that, then we'll do background.

18 DR. MICHAEL NELSON: But there should be some --
19 if they are elevated levels, there should also be some
20 reflection of what the natural background is in the report.

21 AUDIENCE MEMBER: I have a couple of questions. I
22 wanted to go back to the sampling and number of samples that
23 you're going to be taking. It's slide number 18. Now that we
24 know that the developer added soil to the property, are you
25 going to revise the number of homes that you'll sample at six

1 feet from nine to 117? I think you should or at least from nine
2 to at least 76.

3 MR. RUFFENNACH: I don't think we heard that the
4 develop added two feet of soil. Did we hear that? We didn't
5 hear that, did we?

6 MR. CONDIKE: They added various amounts for
7 landscaping purposes, so I wouldn't escape --

8 AUDIENCE MEMBER: They filled in mine and I know
9 it was at least two feet. So I really do think that you need to
10 really look at changing that number from nine -- from nine soil
11 samples at five to six feet, you need to increase that number
12 because I do believe that a number of properties had at least
13 two feet of soil added to it.

14 MR. CONDIKE: We'll take that under advisement and
15 talk to the state and see what we come up with.

16 AUDIENCE MEMBER: When will you know if you're
17 going to change it?

18 MR. CONDIKE: We've established the web site and
19 once we finalize this plan, you'll find it on the web site, if
20 have access to that either personally or through the library.
21 We also have a depository at the Arlington Public Library.

22 AUDIENCE MEMBER: And my second question, you may
23 have already answered it and I didn't hear it. But exactly when
24 in 2003 can we expect the results to be communicated to us?

25 MR. CONDIKE: Exactly I don't know. I'm sorry.

1 We expect the sampling to take four to five weeks. I'm going to
2 say four to six weeks. That's going to put us right at
3 Thanksgiving. The lab is going to be working on the analysis.
4 I expect the analysis to be done hopefully in January sometime,
5 so February-ish is about as close as I can say that.

6 MR. RUFFENNACH: Is the sampling also driven by
7 decent weather?

8 MR. CONDIKE: Weather is not unless we have
9 frosts.

10 MR. RUFFENNACH: But hopefully shortly after the
11 first of the year. You said February-ish. There was a
12 gentleman over here had a question and he changed his mind.
13 Sir, did you want to ask a question?

14 AUDIENCE MEMBER: No.

15 ROBERT MORROW: Actually it's not a question, I
16 just have a comment here. My name is Robert Morrow. Off of
17 Allencrest coming off of Matlock Road between Calgary and
18 Edmondton Road, that should actually be Saltan Lane. Just
19 wanted to point that out.

20 MR. CONDIKE: We've changed these street names
21 several times. Where is that now?

22 ROBERT MORROW: It's going to be between Edmund to
23 and Allencrest right here, that should actually be Saltan Lane.

24 MR. CONDIKE: Saltan?

25 ROBERT MORROW: S-A-L-T-A-N.

1 MR. RUFFENNACH: Apparently it has been changed in
2 a different version of this one.

3 ROBERT MORROW: And London Drive should be Hill
4 Drive.

5 MR. CONDIKE: I guess we changed them. I have an
6 old version of the street names.

7 MR. RUFFENNACH: Apparently the street names have
8 been changed. Any more questions anyone has? Again, if you
9 want to -- we're going to be around for a while as things wind
10 down here. Again, there are a number of different people here,
11 not all of them got introduced to you. You heard from some of
12 them. They'll be more than happy to address more specifics for
13 you. We're looking at, again, coming up with a format for how
14 we get that information out to you. I don't think it has really
15 been determined. It may be that we have another meeting or some
16 post on the web site or send everybody a notice that it's
17 available on the web site. We'll make sure that this
18 communication process continues.

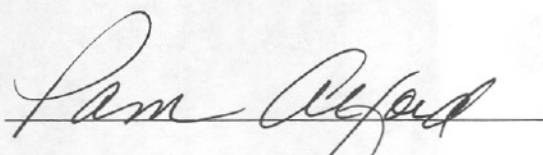
19 And, again, be expecting a contractor to notify you
20 when they are going to be on your property. And they are going
21 to have access back to Brian and they can talk to Brian if
22 there's any questions. I think we've got some rights of entry
23 that we're going to discuss with real estate folks here, so
24 we'll do that for the remainder of the evening. Again, thank
25 you all very much for coming. We appreciate that.

1 THE STATE OF TEXAS

2 COUNTY OF TARRANT

3
4 I, Pam Alford, Certified Shorthand Reporter in and for the
5 State of Texas, do hereby certify that the above and foregoing
6 is a true and correct transcription of the proceedings had at
7 the above stated time and place.

8 Certified on this the 4th day of December, 2002.

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