

**Galena Technical Project Team
Meeting # 28
August 29-30, 2007
DEC Fairbanks Offices**

TPT Members

March Runner	Louden Tribe
Harry White	Galena School Academy and the City Of Galena
Todd Fickel	611 th Environmental, Air Force
Colin Craven	Dept. of Environmental Conservation (DEC)
Colette Foster	Dept. of Transportation (DOT) absent
Phil Koontz	Louden Tribe
JoAnn Grady	Grady and Associates

Invited Guests - Support Personnel

Becky Iles	Department Of Transportation
Leone Hatch	Office of the Attorney General-for DOT
Brooks Chandler	Counsel- City of Galena
Mike Kelly	Air Force Real Property (via teleconference)
Steve Ross	Counsel-DEC
Collen Brownlow	Earthtech (via teleconference)
Patrick Haas	Haas and Associates (via teleconference)

Final Summary Comments

The Galena Technical Project team gathered at the Fairbanks offices of the Department of Environmental Conservation to hold a special meeting of the team along with representatives of city, state and federal agencies involved in the Base Realignment and Closure (BRAC) of the Galena Air Base. Discussions centered on the development, implementation, enforcement and long term liability and responsibility of land use controls at the base.

August 29

Update on the TPT

For the benefit of the TPT's invited guests, and as an update for new TPT members, JoAnn Grady began the meeting with a brief overview of the history and the mandate of the Galena Technical Project Team (TPT). She stated that in 2002, Loudon Tribal Council expressed concern with the cleanup progress at the Galena Airport and Campion Air Station. The U.S. Environmental Protection Agency (EPA) was asked to evaluate the Galena Airport for listing on the National Priority List (NPL). The community had significant concern about impacts to their drinking water supply, subsistence resources, and to the Yukon River. In lieu of adding the site

to the NPL, parties involved agreed to create a technical project team which would review and approve both the planning and the implementation of the remediation work.

The Galena Technical Project Team was formed in May 2003. A facilitator was utilized to create and facilitate the team in order to assure active participation in the cleanup process by each group represented. The Technical Project Team includes, but is not necessarily limited to representatives from the United States Air Force, the Alaska Department of Environmental Conservation (ADEC), Loudon Tribal Council, the City of Galena, the Alaska Department of Transportation and the Galena City School District. With the announcement that the base would be closed by September 2008, remediation activities associated with BRAC have been added to the team's purview and are reviewed by the team prior to implementation.

Land Use Control Discussion

The meeting began with a brief overview of the BRAC activity by Todd Fickel, Harry White and Colin Craven. Mr. Craven said the TPT had been trying to understand the implications of current and future land use and how it will be tied to remediation work during and after closure of the base. He stated that the use of the land will determine many details of the remediation work specifically with regards to land use controls. The TPT has been trying for over a year to understand what entities (Air Force, State of Alaska, City of Galena) will own land in the vicinity of contaminated soil or groundwater in Galena, what will be the intended land use for each entity, and if the future land owners will accept the Air Force's responsibilities for implementation and monitoring of LUCs left after closure.

Mike Kelly of AFRPA gave a brief overview of the usual process whereby lands are transferred when bases are closed. He stated that usually the local reuse authority submits a redevelopment plan to the Air Force outlining which lands and building they intend to use after closure of a base. The plan is submitted with a budget outlining how the LRA will use the land with assurances that costs for operating the buildings and owning the land are secure. In Galena, the plan was submitted by the City, but the uncertainty of securing tenants to pay for the building utilities, as well as other operating expenses, left the plan tenuous and still unapproved. Galena is anomalous in the BRAC process as the land owner is the State of Alaska, not the DOD. Although, as Ms. Hatch later clarified, to simply say that the State is the land owner is a common over-simplification. She clarified that underlying fee title or reversionary title is in the State, however much of the property is subject to federal reservation. The State has no control of those properties.

Mr. Kelly confirmed that there are funds to assist the city in keeping the buildings they want to keep "warm", but these funds have to come with some degree of certainty that tenants will be secured in the near future to pay for their use. The Office of Economic Adjustment provides the funds, and is aware of the request from the City for those funds.

There was some confusion regarding the final list of buildings being requested of the AF by the City. Mr. Kelly was under the impression that the list was still with the City and therefore the reuse plan was still in the City's hands and not final. Brooks Chandler, attorney for the City of Galena corrected that misconception, citing an August 24th e-mail from Walt Wilcox that confirmed a May 15, 2007 joint resolution of the City which approved a final list of requested

buildings. Mr. Chandler stated the final reuse plan outlines future development of the base with the Galena Schools as the major tenant. He provided the final list to Mr. Kelly and to the TPT. Mr. Kelly was glad to receive the list as the AF is also preparing its own list for demolition of buildings not wanted by the City or State. He also said that with receipt of the final list, the AF can proceed with their final review of the plan.

Mr. Chandler also stated that the “open-endedness” of LUCs and the liability associated with them was a concern to the City and he felt they could not move forward very readily without detailed questions regarding the LUCs being answered.

Questions regarding LUC liability

A lengthy discussion continued regarding the specifics on how the land is to be returned to the State and how the State and City will be protected from liability for any contamination left in place after closure. The DOT and AFRP had tried to address concerns in an omnibus procedure for the termination of AF interests on the Airport. However, the omnibus effort failed, and the DOT termination will be on a case by case basis.

The technical question of how to impose LUCs in a meaningful manner was addressed if not yet resolved. Mr. Kelly noted that Alaska does not have the same statutory scheme adopted in California which apparently allows for an environmental covenant to be imposed in the chain of title. Mr. Kelly has assembled a draft document which contains provisions that AFRPA has found useful under California Law for the impositions of LUCs in the title. The document is called the DECLARATION OF ENVIRONMENTAL RESTRICTIVE COVENANT and its purpose is for “protecting the public health, safety, and welfare of the people of the State of Alaska, the natural resources, and the State’s environment.”

Although the draft declaration had been sent to the DOT and reviewed by the Office of the Attorney General, many at the table had not received the document and had not had the chance to review it. Mr. Craven forwarded the declaration to the TPT and to the City. While it covered general environmental obligations, Mr. Kelly and Ms. Hatch of the AG’s office agreed there are technical and substantive specifics that are still in need of being worked out. However, she did state that the DOT is unable to accept the responsibility for monitoring and implementing the AFs LUCs unless there is remuneration for the work. She stated that the DOT is anticipating fiscal support from the AF for that purpose.

Mr. Craven stated that from the DEC’s point of view, it is important that any land owner or future use entity should be keenly aware of the LUCs left on their land and “buy off” on exactly why the LUC is in place and what responsibility that might entail. He also stated that it needs to be made clear that anyone accepting the land or buildings knows who will be responsible for the LUCs on that land. Ms. Hatch suggested that a matrix be developed showing:

- each remedial site at Galena
- what the expected land use is at that site
- what contaminant (s) is present at the site and which clean up levels apply.
- what LUC will be placed at the site

Becky Iles, DOT leasing specialist, stated that it would be very useful if the matrix could be cross referenced with the DOT leasing information at each site. This would insure that all entities involved would have all the pertinent information in one place.

Mr. Craven agreed to develop the matrix.

There was lengthy discussion regarding who would take over and be responsible for monitoring and enforcing the LUCs left in place. Mr. Kelly stated that at other BRAC sites, the land owner assumes the LUC monitoring, and the DEC assumes the enforcement. It is agreed at time of transfer that the land owner cannot violate the restriction. He stated that usually the ICs or LUCs are put in place and implemented by the AF, but enforcement is the responsibility of the DEC over the new land owner. Ms. Hatch stated that in Galena that would not or could not be the case at the DOT is an "absent" landowner, and subsequent enforcement would fall on the DEC to enforce against the DOT. As Galena is so remote, it is impossible for DOT to accomplish monitoring of the AF LUCs, unless the AF funded a DOT position for inspections and travel to Galena. Alaska BRAC sites are anomalous. The BRAC sites are remote and both monitoring and enforcement of the LUC usually remains with the military. Mr. Kelly appreciated the clarification and stated that he would investigate the issue further and continue discussions with the AF on the subject.

Question Regarding the Future Use of the Fuel Pipeline and Pipeline Facilities

There was a lengthy discussion regarding the future use of the fuel pipeline and related facilities by the City. Mr. Chandler inquired if there were any existing easement or need to obtain an easement if the City was to use the pipeline. Ms. Hatch stated that procedurally the DOT does not issue utility permits for pipelines on airports, they do it through leases. For instance, if an entity wants to route a pipeline through an airport, the DOT will not issue a utility permit, but they will consider a lease application.

If there was no current lease with a legal description of the pipeline, then Ms. Hatch felt it was the AFs responsibility to survey it. Mr. Fickel stated that the AF is currently working on funding for the survey to convey the environmental condition of the soil which surrounds the pipeline. He said the AF could include a survey of the actual pipeline position should funding and scope of work be approved, both of which, he clarified, are pending. If funding is approved, the AF would provide the pipeline position information to the City. Mr. Chandler also relayed that Randy Barker told him that reuse would not be feasible without the pipeline.

There was some question regarding whether or not the pipeline ran under any buildings. If the pipeline does in fact run under buildings, it would create a unique liability and would need to be addressed in the lease. Mr. Fickel will let us know if indeed it does run under any building.

Mr. Chandler also inquired about the ASTs at Million Gallon Hill (MGH) and stated the City is having the tanks inspected and is interested in using them for fuel storage. Mr. Kelly stated that if the City wanted to use the tank for storage, they would have to have the pipeline, one overflow tank, and the pump house on MGH. Mr. Chandler inquired if the AF would be interested in leasing the parcel R and N to the City. Mr. Kelly stated that they would not take ownership and therefore could not lease the land as it is a highly contaminated area, but they could possibly retain their lease from the DOT until the environmental remediation is complete. He also

mentioned that he would be able to entertain some discussion on this site and how they can assist the City with their plans.

Mr. Kelly had questions regarding the history of the close out of two of the UST at MGH. Mr. Craven stated there had been some questions regarding the documentation or lack thereof of the USTs. Mr. Craven agreed to take it upon himself to find out further information on the closure of the tanks and provide the information to the AF.

LUC Components

The afternoon discussion began with a review of the general LUCs which will be put in place at Galena and include:

- Restriction on the use of groundwater
- “Dig permitting” or restrictions
- Restriction of building construction in areas where vapor intrusion is possible
- Recording on GIS for documenting areas where LUCs apply
- Inspections for verifying LUC effectiveness

Colin Craven asked for clarification on DOTs view of LUCs. Ms. Hatch reiterated that the DOT is asking for funds for a position to monitor the LUCs that are left on their land. They are asking that directly to the DOD. She stated that the DOT would feel more confident about the LUCs that were left in place if the position was funded. She stated that assuming funding, the DOT would most likely agree to the LUCs.

LUC Timeline

Harry White asked about the timeline for having the LUCs in place. He said that the Ptarmigan Building and the Dining Hall had already been transferred and asked how the LUCs were handled at those sites. It was noted that while there were no LUCs necessary for the two parcels that were already transferred, Mr. Kelly stated that the language for any liability with parcels that will contain LUCs will be set in the deed. He further clarified that the ROD is an important decision document on the sites with regards to the LUCs and it should contain all of the specifics on the LUCs. Colin stated that in general, the DEC agreed to the LUCs listed in the FS portion of the RI/FS document. He stated however, that the TPT would have to somehow reconcile the new information and data contained in the August tech memo.

Ms. Hatch stated that if the AF gets to the point of articulating specific LUCs and there is funding for their monitoring and enforcement, the DOT and the other attorneys involved will work out a way to make the LUCs “stick.”

Mr. Craven asked about the remediation process, clean up time lines and the closure date of Sept. '08. Mr. Kelly stated that the remediation work should and could continue as planned, even after that date. It is an internal AF process at that point whereby oversight is moved from the 611th to AFRPA. It should not disturb any remediation plans. In general terms, he stated, the active AF steps out and AFRPA steps in.

Ms. Grady thanked the invited guests for attending the TPT meeting and consulting with the team regarding the specifics of LUCs and the base closure. Many questions were addressed and

everyone felt it quite helpful to be in contact with each other regarding the specifics of the base closure.

August 30

Galena Compliance Site Investigation and Tech Memo Update

The TPT began its second day with a review of each compliance site and the field work conducted at the sites. Mr. Fickel stated the ‘on the ground work’ on the prioritized compliance sites sampling was completed earlier in the week and his Earthtech contractors presented the team with their findings.

Mr. Brownlow of Earthtech and Mr. Patrick Haas of Hass and Associates reviewed their findings at each site. Mr. Haas related that 187 boring holes were dug. They stated they prioritized the sites and started with the most contaminated. The AF conducted soil gas, soil, and ground water sampling at most of the sites. They reported that the sampling process is a “rapid characterization” process and one that is used to get as much information as quickly as possible. He stated the approach is a streamlined process and includes an early risk screening. He reported the initial findings on each site to the TPT. The final report on the work will be presented to the TPT after the samples are returned from the lab.

Mr. Fickel stated that the initial intent of the sampling work was to fill in data gaps. What has resulted, he stated, are more questions than answers. He said that with the questions regarding the ground water sampling results from the August 06 field season, the new compliance site sampling data, and the BRAC/LUC issues, he felt that the AF had to take a step back and figure out how to merge all of the information into one document. He told the team he had instructed his contractors to fold all of the new information into one document. He did not feel comfortable having three separate documents and felt it would be more complete and accurate to deal with all of the information on all of the sites comprehensively. The remediation was now to follow the BRAC closure process as well as the CERCLA process and would answer:

- 1) The need for additional characterization of the known source areas and potential other source areas, and
- 2) The down gradient plume delineation of the contamination resulting from any and all possible sources.

The TPT agreed with the new process and thanked Mr. Fickel for the thoroughness with which he addressed the new data. Again, Mr. Kelly was on the line and stated that the ROD did not have to be signed by Sept. 08. The remediation work can continue after that date. He stated that AFRPA would appreciate it if the remediation work was “well down the road” at that date, but the ROD did not have to be signed at that time.

Munitions findings of June 20, 2007

Mr. Fickel stated that the munition find in Galena this summer was a flare. He stated that the 611th was not informed of the find as the Elmendorf AFB Explosive Ordnance Division (EOD) is the agency that responds to munition discoveries at Galena. He only knew about the find because he was at the airport when the EOD was there and told him about it. Mr. Craven stated that this

lack of agency overlap has been a problem in the past and the DEC is working to overcome it by making it mandatory to report any type of ordnance find to their offices. Mr. Fickel stated that the find will be reported to their contractors working on the Galena Munitions Program.

Proposed Plan Public Meeting

Mr. Fickel stated that the proposed plan public meeting will be held in conjunction with the next TPT meeting and will take place the evening of November 5th in Galena. The proposed plan will review the decisions made and the remediation work that will take place at the 3 No Further Action (NOFA) sites in Galena. Those sites include:

- Control Tower Drum Storage Area (CTDSA - SS002),
- POL Fuel Line Leak (ST003), and
- Road Oiling (SS009).

Next TPT meeting

The TPT will meet in Galena November 5th and 6th. The meeting will be held in the conference room in the Administrative Building. The meeting will begin at 10 AM. The agenda will be forthcoming.

Action Items

1. Matrix showing land reuse, clean up levels, and LUC application on each parcel at Galena. Colin
2. Investigate whether or not the fuel pipeline runs under any existing buildings.- AF Todd
3. Provide additional information to the AF on the closure of the USTs at MGH-Colin