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MINUTES FROM RESTORATION ADVISORY BOARD MEETING DATED 13 JULY 1995 NWS  
EARLE NJ  
8/8/1995  
NWS EARLE



DEPARTMENT OF THE NAVY  
NAVAL WEAPONS STATION EARLE  
201 HWY 34 SOUTH  
COLTS NECK, NEW JERSEY 07722-5001

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IN REPLY REFER TO

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Ser 043/464-95  
8 August 1995

From: Navy Co-Chairman, Naval Weapons Station Earle Restoration Advisory Board  
To: Distribution

Subj: MINUTES OF NAVAL WEAPONS STATION EARLE RESTORATION ADVISORY BOARD

Encl: (1) Updated RAB Charter  
(2) Field Work Update Chart  
(3) RAB letter of 21 July 1995  
(4) Public Law 103-337, Section 326(b)

1. A meeting of the Naval Weapons Station Earle Restoration Advisory Board (RAB) was held Thursday, 13 July 1995 at 7:05 PM at the Monmouth County Health Department, Freehold, New Jersey. The following Station and community representatives attended:

<u>NAME</u>	<u>ORGANIZATION</u>
Gregory J. Goepfert	Naval Weapons Station Earle (Safety Department)
Lester W. Jargowsky	Monmouth County Health Department
Deborah G. Sciascia	Naval Weapons Station Earle (Office of Counsel)
Thomas E. Wiseman	Naval Weapons Station Earle
Mary Lanko	Freehold Township Resident
William J. Monahan	Tinton Falls Environmental Commission
Janet Coakley	Howell Environmental Committee
Bob Marcolina	New Jersey Department of Environmental Protection
Bob Corby	Wall Township Environmental Committee
Gus Hermanni	Naval Weapons Station Earle (Safety Department)
John Kolicius	Naval Facilities Engineering Command (Northern Division)
John S. DeMurley	U.S. Environmental Protection Agency (Region II)
Marilyn Boak	Colts Neck Township Board of Health
Will Stephan	Howell Township Resident
Carole Balmer	Holmdel Township Resident

1. Mr. Goepfert opened the meeting by asking for any further comments on the 24-25 June site tours. Ms. Balmer reiterated the need for siltation fences on the construction sites. Mr. Goepfert responded that the Public Works Officer is aware of the requirements and siltation fence requirements are placed in Naval Facilities Engineering Command contracts. Additionally, the secondary containment issue concerning drums stored outside of Building C-50 was addressed. Secondary containment is considered to be a best management practice at less than 90 day storage areas and implementation is part of the Station's fiscal year 96 budget.

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2. The "RAB Charter" was amended and officially adopted by the RAB membership. Ms. Deborah Sciascia, Naval Weapons Station Earle Legal Counsel, explained that she would not be a voting member of the RAB since she represents the Command and not the RAB. This approach would avoid the appearance of a conflict of interest. The only amendment made to the RAB Charter, distributed at the 4 May 1995 meeting, was to allow community members to be designated for an indefinite term. The updated adopted Charter is provided as enclosure (1).

3. Mr. Kolicius, Naval Facilities Engineering Command, provided an updated status of the remedial investigation performed by the Navy contractor (Halliburton NUS). What appears to be diesel fuel has been identified in the two wells adjacent to Building C-16 (Site 16/F). Additional hydropunch work will be performed in that area in order to characterize the extent of the migration of the fuel. It was noted in previous reports that a diesel fuel fill line once broke in the vicinity of those wells (the line is inactive and has not been used in over ten years). The Field Work Update Chart is provided as enclosure (2). Validated data from the investigations being performed will be available for review during the first week in November 1995. Mr. Will Stephan requested that when any data is presented regarding remedial investigations, that a site-by-site matrix table be used. Mr. Kolicius agreed to provide a summary in this format at the next RAB meeting.

4. Mr. Jargowsky advised the RAB that "PCB" contamination was found at a site to the southeast of Naval Weapons Station Earle. This is the site of Bel-Ray Racing Lubricants (Collingwood). Mr. Kolicius responded that sediment sampling will be performed in the southeast sector of Naval Weapons Station Earle (Shark River headwaters). The sediment will be analyzed for PCBs.

5. There was an extended discussion concerning the Federal Register excerpt concerning "Technical Assistance for Public Participation." Comments to the Assistant Deputy Under Secretary of Defense (Environmental Cleanup) were due on 24 July 1995. Mr. Jargowsky drafted a letter with input from RAB membership and forwarded the letter to the Office of the Under Secretary of Defense for Environmental Security/Cleanup on 21 July 1995. A copy of the letter is provided as enclosure (3). The Naval Weapons Station Earle RAB would like the opportunity to use the funds earmarked for technical assistance to review technical reports, as well as to bring experts in a variety of fields in to speak to the RAB concerning the nature of remediation required at particular sites (e.g., someone with a good background in migration of explosive compounds in soils may be of interest). The funding transfer mechanism and a method of procuring technical services for this purpose has still not been established. More information will be provided by Mr. Goepfert as soon as it becomes available. [Note: The Federal Register section previously distributed to RAB members references 32 CFR Part 203. The "reserved" section of the Code of Federal Regulations is 32 CFR Part 203. When the final rule is issued concerning "Technical Assistance for Public Participation," 32 CFR Part 203 will be the location of the final rule. So, if you were trying to look up 32 CFR Part 203 today, you would not find it. However, I have included a copy of Public Law 103-337, Section 326(b) "Assistance for Citizen Participation on Technical Review Boards and Restoration Advisory Boards" for your information, enclosure (4).]

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6. Ms. Coakley asked when we would be able to tour the sites that were missed during the tours on 24-25 June. On 30 August 1995, we will meet in front of Building C-54 (the beige office building) at 6:30 PM to tour Site 2, 4, 18, 21, L and Q. The tour is expected to last until 8:30 PM.

7. The following actions and dates were determined:

- a. 24 July 1995 - Mr. Jargowsky will write a response letter on Technical Assistance Grants (Completed 21 July 1995).
- b. 30 August 1995 - TRC meeting at 10:00 AM, Building C-29, Naval Weapons Station Earle
- c. 30 August 1995 - Tour of Naval Weapons Station Earle (Meet at 6:30 PM, Building C-54).
- d. 5 October 1995 - Mr. Kolicius will have a site-by-site-summary.
- e. 5 October 1995 - RAB meeting at 7:00 PM, Building C-54 (Conference Room), Naval Weapons Station Earle

8. The meeting was adjourned at 9:30 PM. The next RAB meeting will be held on Thursday, 5 October in the Conference Room, Building C-54, Naval Weapons Station Earle.

  
GREGORY J. GOEFFERT

Distribution:  
RAB Members

# **NAVAL WEAPONS STATION EARLE RESTORATION ADVISORY BOARD**

## **Charter**

**This Restoration Advisory Board (RAB) Charter will serve as a guidance document for establishment of policies and procedures pertaining to items associated with operating procedures of the RAB. This document is applicable to all parties associated with the Naval Weapons Station Earle Restoration Advisory Board.**

### **I. Mission Statement of the RAB**

**The mission of the RAB is to establish and maintain a forum for the exchange of information, in an open and constructive atmosphere, concerning restoration activities at Naval Weapons Station Earle and to provide advice/comment on such activities.**

### **II. Basis and Authority**

**The basis and authority for this Charter is contained in the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980, as amended by the Superfund Amendment and Reauthorization Act (SARA) of 1986.**

### **III. Membership**

**a. Individual community members of the Naval Weapons Station Earle RAB must reside or work in the communities surrounding the Station.**

**b. The RAB membership will be limited to twenty members. The initial RAB membership, which exceeds 20, will remain until membership drops below twenty. At that time replacements will be considered to bring membership up to twenty.**

**c. Community members shall serve without compensation. All expenses incident to travel or relative to project input shall be borne by the respective community member or by the organization the member represents.**

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**July 13, 1995**

*ENCLOSURE (1)*

**d. Members are expected to attend all RAB meetings. If a member fails to attend two consecutive meetings, the RAB Community Co-chair may ask the member to resign. Resignation requests will be by letter. Members who decide they are unable to continue to participate will submit their resignations in writing to the Community Co-chair.**

**e. RAB Community member replacement will be as openings occur. Replacement members will be selected from submitted applications by an independent selection panel. Panel membership to be developed by the Community Co-chair and the Navy Co-chair.**

**f. Responsibilities of all RAB members are listed in Attachment I.**

#### **IV. RAB STRUCTURE**

**a. The RAB is Co-chaired by a representative from Naval Weapons Station Earle and by the Community Co-chair.**

**b. The Community Co-Chair will be elected by a simple majority vote of the RAB Community members. The term will be for a period of two years. The Community Co-chair may serve more than one term if elected to do so by a simple majority vote of the RAB community members. The Navy Co-chair is appointed by the Commanding Officer, Naval Weapons Station Earle. There is a two-term limit on the Navy Co-chair. The RAB community members will be designated for an indefinite term.**

**c. The Community Co-chair may be removed for ineffectual or obstructionist activities by a simple majority vote of the RAB community members present at the meeting that addresses the removal. The Navy Co-chair may be considered for removal upon presentation to the Commanding Officer, Naval Weapons Station Earle, a recommendation endorsed by a simple majority of RAB community members. A RAB community member may be removed for ineffectual or obstructionist activities by a simple majority of the RAB community members present at the meeting that addresses the removal.**

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July 13, 1995

**d. The frequency of meeting, and subsequent meeting dates will be determined by a simple majority vote of RAB community members.**

**e. Topics for each meeting agenda will be submitted to the Navy Co-chair not later than two (2) weeks prior to a meeting. Agenda items will be selected by the Community Co-chair and the Navy Co-chair.**

**f. Meeting minutes will include a list of all meeting attendees. A copy of the meeting minutes will be sent to each RAB member and to community members on the public mailing list within 30 days of the RAB meeting.**

#### **V. AMENDMENTS**

**The Rules of Operation may be amended by a simple majority vote of the RAB community members present at the meeting that addresses the amendment.**

#### **VI. EFFECTIVE DATE**

**The effective date of the Rules of Operation shall be the date upon which it is accepted by a simple majority vote of the RAB members present at the meeting that addresses the acceptance.**



**VII. ACCEPTED BY THE RAB COMMUNITY MEMBERS:**

Accepted on the 13 day of July 1995

*Lester W. Jankowski*  
LESTER W. JANKOWSKI

*Mary Lanko*  
Mary Lanko

*Janet Coakley*  
Janet Coakley

*Janet Coakley*  
JANET COAKLEY

*Robert Marcovina*  
ROBERT MARCOVINA

*Marilyn Boak*  
MARILYN BOAK

*Bob Corby*  
BOB CORBY

*Will R. Stephan*  
WILL R. STEPHAN

*Gregory J. Goepfert*  
GREGORY J. GOEFFERT

*Gregory J. Goepfert*  
GREGORY J. GOEFFERT

*Kevin M. Bova*  
KEVIN M. BOVA

**MEMBERSHIP  
RESPONSIBILITIES**

## **Navy Co-Chair**

### **The Navy Co-chair:**

- **Coordinates with the community co-chair to prepare and distribute an agenda prior to each RAB meeting.**
- **Should ensure that the Navy participates in an open and constructive manner.**
- **Shall attend all meetings and ensure that the RAB has the opportunity to participate in the restoration decision process.**
- **Ensures that community issues and concerns related to restoration are addressed when raised.**
- **Ensures documents are distributed to the RAB and are also made available to the general public.**
- **Ensures, with the assistance of the RAB, that an accurate list of interested/affected parties is developed and maintained.**
- **Should provide relevant policies and guidance documents to the RAB in order to enhance the RAB's operation.**
- **Ensures that adequate administrative support to the RAB is provided.**
- **Is to refer issues not related to restoration to the appropriate installation officials for them to address.**
- **Ensure that the minutes of each RAB meeting are completed and distributed to members within 30 days.**
- **Provides recommendations and updates on the RAB proceedings through the Navy chain-of-command.**

## **Community Co-Chair**

### **The Community Co-chair:**

- **Coordinates with the Navy Co-Chair and RAB Community members to prepare an agenda prior to each RAB meeting.**
- **Ensures that Community Members participate in an open and constructive manner.**
- **Ensures that community issues and concerns related to restoration are raised.**
- **Assists with the dissemination of information to the general public.**
- **Reports back to the community.**
- **Shall serve without compensation.**

## **RAB Community Members**

### **The RAB Community Members:**

- **Are expected to attend meetings.**
  
- **Are expected to provide advice and comment on restoration issues to the decision makers.**
  
- **Should represent and communicate community interests and concerns to the RAB.**
  
- **Should act as a conduit for the exchange of information between the Community, Naval Weapons Station Earle, and environmental oversight agencies regarding the restoration program.**
  
- **Should review, evaluate and comment on documents and other such materials related to Installation Restoration activities.**
  
- **Shall serve on the RAB without compensation.**

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**July 13, 1995**

**Regulatory Agency Member (EPA and NJDEP Representatives)**

**The Regulatory Agency Member should:**

- **Attend RAB Meetings.**
  
- **Serve as an information, referral and resource bank for communities, installations and agencies regarding restoration activities.**
  
- **Review documents and other materials related to restoration activities.**
  
- **Ensure that federal and state environmental standards and regulations are identified and addressed.**
  
- **Facilitate flexible and innovative resolutions of environmental issues and concerns.**
  
- **Assist in education and training for the RAB members.**

# NWS EARLE

## Remedial Investigation Field Work Update

Type of Work	Status	Results	Next Actions
Soil Gas Survey	Complete	Hot Spots Found	Test Pits, Borings, Wells
Test Pits	Complete	Landfills Delineated	Well Installation
Soil Borings	Borings Completed Awaiting Analytical Results	Pending	Well Installation
Hydropunch Sampling	Complete	Hot Spots Found	Well Installation
Watershed Sampling	Sampling Complete Awaiting Analytical Results	Pending	Evaluate Data
Monitoring Well Retrofit	Complete		Sampling
Well Installation	Ongoing	Based on Screening	Well Development Pump Installation
Site Specific Sampling	Ongoing	Pending	Evaluate Data

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Lester W. Jargowsky  
Community Co-Chairman  
Naval Weapons Station Earle  
Restoration Advisory Board  
C/O Monmouth County Health Department  
3435 Highway 9  
Freehold, New Jersey 07728  
908-431-7456

July 21, 1995

Patricia A. Rivers  
Assistant Deputy Under Secretary of Defense  
Office of the Under Secretary of Defense for  
Environmental Security/Cleanup  
3400 Defense Pentagon  
Washington, DC 20301-3400

RE: Naval Weapons Station Earle - RAB  
Comments on Technical Assistance to RABS  
as outlined in the Federal Register May 24, 1995

Dear Ms. Rivers:

I am writing as the community co-chairman for the Restoration Advisory Board that has been established at Naval Weapons Station Earle in Monmouth County, New Jersey. We truly appreciate the opportunity to comment on the proposed technical assistance regulations.

The Naval Weapons Station Earle RAB would appreciate having some flexibility in obtaining education and technical assistance. This flexibility would probably be attained most easily by combination of Options "B" and "C".

We would like to be able to draw down on a dedicated grant account that is managed by Naval Weapons Station Earle so that there will be good financial management and a relative short period of time to get our tasks funded.

The types of needs we have in mind may include the following:

1. When the base consulting engineers present very long, detailed reports we may wish to retain an independent consultant on an hourly basis to review the material and present a synopsis which would be easily understood by the RAB and general public.
2. When a specific remediation technique is under study we may wish to learn more about the technology and the relative risks

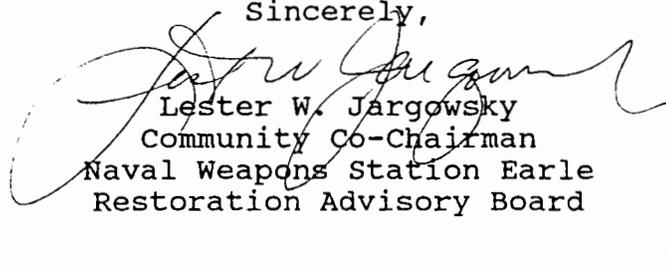
Encl (3)

associated with it. For example, the management of a groundwater plume of explosives would be a possible topic that the RAB would want to know more about. If possible we would like to have the opportunity to gain more knowledge on specific topics as they arise in the form of speakers, seminars and site visits as indicated.

The current transitional status of the Federal and State government environmental agencies does not bode well for Option A. The downsizing that is taking place would have a significant negative impact on our ability to acquire the needed help when we need it. The required use of non profit agencies as the exclusive technical assistance providers is probably not in the public's best interest. Universities and Colleges are also going through the same downsizing and the private sector has substantially more hands on technical information about hazardous waste clean ups than academia has. We would very much like to have the option to buy a few hours of technicians time (be it a profit or non profit expert) to provide the RAB guidance on topics that are difficult to understand. This would be a very cost effective use of the funds dedicated to our RAB.

Thank you for the opportunity to comment on these proposed regulations. We are enjoying excellent RAB support from Naval Weapons Station Earle and we look forward to being able to participate in the RAB technical assistance grant program.

Sincerely,



Lester W. Jargowsky  
Community Co-Chairman  
Naval Weapons Station Earle  
Restoration Advisory Board

LWJ/bj

SEC. 326. ASSISTANCE FOR PUBLIC PARTICIPATION IN DEFENSE ENVIRONMENTAL RESTORATION ACTIVITIES.

(a) ESTABLISHMENT OF RESTORATION ADVISORY BOARDS.—Section 2705 of title 10, United States Code, is amended by adding at the end the following new subsection:

(d) RESTORATION ADVISORY BOARD.—(1) In lieu of establishing a technical review committee under subsection (c), the Secretary may permit the establishment of a restoration advisory board in connection with any installation (or group of nearby installations) where the Secretary is planning or implementing environmental restoration activities.

(2) The Secretary shall prescribe regulations regarding the characteristics, composition, funding, and establishment of restoration advisory boards pursuant to this subsection. However, the issuance of regulations shall not be a precondition to the establishment of a restoration advisory board or affect the existence or operation of a restoration advisory board established before the date of the enactment of this section.

(3) The Secretary may provide for the payment of routine administrative expenses of a restoration advisory board from funds available for the operation and maintenance of the installation (or installations) for which the board is established or from the funds available under subsection (e)(3).

(b) ASSISTANCE FOR CITIZEN PARTICIPATION ON TECHNICAL REVIEW BOARDS AND RESTORATION ADVISORY BOARDS.—Such section is further amended by adding after subsection (d), as added by subsection (a), the following new subsection:

(e) ASSISTANCE FOR CITIZEN PARTICIPATION.—(1) Using funds made available under paragraph (3), the Secretary may make technical assistance grants under section 117(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9617(e)) in connection with installations containing facilities listed on the National Priorities List.

(2)(A) Subject to subparagraph (B), the Secretary shall make available under paragraph (3) funds to facilitate the participation of individuals from the private sector on technical review committees and restoration advisory boards at installations not covered by paragraph (1) for the purpose of ensuring public input into the planning and implementation of environmental restoration activities at the installations for which such committees and boards are in operation.

(B) The private individuals who are members of a committee or advisory board are eligible for funding assistance under this paragraph only if they reside in the vicinity of the installation (or installations) for which the committee or advisory board is established and are not potentially responsible parties with respect to environmental hazards at any installation. Funds shall be paid to, and administered by, the committee or advisory board on which the private individuals are members for accounting and financial management purposes, subject to subparagraph (C).

(C) Individuals who are local community members of a technical review committee or restoration advisory board may use funds made available under this paragraph only—

(1) to obtain technical assistance in interpreting scientific and engineering issues with regard to the nature of environmental hazards at an installation and the restoration activities proposed for or conducted at the installation; and

(ii) to assist such members and affected citizens to participate more effectively in environmental restoration activities at the installation.

(D) The members of a technical review committee or restoration advisory board may use funds made available under this paragraph to employ technical or other experts, in accordance with the regulations prescribed under subsection (d)(2).

(3)(A) Subject to subparagraph (B), the Secretary shall make funds available under this subsection using funds in the following accounts:

(1) In the case of a military installation not closed pursuant to a base closure law, the Defense Environmental Restoration Account established in section 2703(a) of this title.

(ii) In the case of a technical review committee or restoration advisory board established for a military installation to be closed, the Department of Defense Base Closure Account 1990 established under section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note).

(B) The total amount of funds available under this subsection for fiscal year 1995 may not exceed \$7,600,000.

(c) INVOLVEMENT OF COMMITTEES AND BOARDS IN DEFENSE ENVIRONMENTAL RESTORATION PROGRAM.—Such section is further amended by adding after subsection (e), as added by subsection (b), the following new subsection:

(f) INVOLVEMENT IN DEFENSE ENVIRONMENTAL RESTORATION PROGRAM.—If a technical review committee or restoration advisory board is established with respect to an installation (or group of installations), the Secretary shall consult with and seek the advice of the committee or board on the following issues:

(1) Identifying environmental restoration activities and projects at the installation or installations.

(2) Monitoring progress on these activities and projects.

(3) Collecting information regarding restoration priorities for the installation or installations.

(4) Addressing land use, level of restoration, acceptable risk, and waste management and technology development issues related to environmental restoration at the installation or installations.

(5) Developing environmental restoration strategies for the installation or installations.

(d) IMPLEMENTATION REQUIREMENTS.—Not later than 180 days after the date on which the Secretary of Defense announces a decision to establish restoration advisory boards, the Secretary shall—

(1) prescribe the regulations required under subsection (d)(2) of section 2705 of title 10, United States Code, as added by subsection (a); and

(2) take appropriate actions to notify the public of the availability of funding under subsection (e) of such section, as added by subsection (h).

(e) REPORT.—Not later than May 1, 1996, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report regarding—

(1) the establishment of restoration advisory boards under subsection (d) of section 2705 of title 10, United States Code, as added by subsection (a); and

10 USC 21 note

Regulator

10 USC 21 note

Enc. (4)

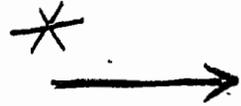
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Regulations