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NIROP FRIDLEY
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MEETING MINUTES FROM PUBLIC MEETING 22 AUGUST 2002 TO DISCUSS PROPOSED
PLAN NIROP FRIDLEY MN
8/22/2002
ADAMS COURT REPORTING

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PROPOSED PLAN PUBLIC COMMENTS MEETING
FOR NAVAL INDUSTRIAL RESERVE ORDNANCE PLAN (NIROP)
FRIDLEY, MINNESOTA

Thursday, August 22, 2002 6:00 p.m.
Fridley Municipal Center

Reported by: Shannon R. Forester, Adams Court
Reporting (763) 421-2486

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NIROP Fridley Partnering Team
in attendance

- Jeff Meyers, US Navy
- Craig Thomas, US EPA
- John Betcher, MPCA
- Mark Sladic, TtNUS
- Venky Venkatesh, CH2MHill

1 MR. MEYERS: This is a public
2 meeting to talk about the Proposed Plan for
3 Operable Units 2 and 3, and I'll define what
4 that means in just a little bit here, for the
5 NIROP Fridley Plant, Fridley.

6 My name is Jeff Meyers, and I work
7 for Naval Facilities Engineering Command. We
8 manage the cleanup for the Naval Sea Systems
9 Command or NAVSEA. They own the property,
10 and we just do the work for them. And NAVSEA
11 is represented by Mr. Jerry Peterson.

12 The purpose of this public meeting,
13 we will present our preferred alternative for
14 addressing soil contamination in OU2 and OU3
15 and solicit public feedback. That's one of
16 the requirements of the federal law is before
17 we can make a decision, we have to give the
18 public an opportunity to comment. That's why
19 we put an ad in the paper and why we have the
20 public commentary.

21 We make decisions as a team. We
22 entered into a partnering arrangement with
23 the MPCA and the EPA Region 5 out of Chicago.
24 And these are the members of our team:
25 Myself; Craig Thomas of the EPA Region 5;

1 Dave Douglas from the MPCA, he's not here;
2 John Betcher from the MPCA, who is here; and
3 then two guys that do all the work. They're
4 the contractors. One is Mark Sladic, he
5 works for Tetra Tech NUS out of Pittsburgh,
6 and Venky Venkatesh from CH2MHill out of
7 Cleveland.

8 Here's a picture of the plant.
9 I've got another later slide showing OU2 and
10 OU3, but basically OU2 is all this soil in
11 the North 40 area -- and I'm too short to
12 reach up to the building, but OU3 is the soil
13 underneath the main plant, the portion of the
14 building that the Navy owns. And I have a
15 map showing that.

16 Location map: The plant's right by
17 East River Road by the river. And I'm sure
18 you know where that's at.

19 This is a map especially just to
20 show what we own and what we don't own. This
21 little dotted line here, we own above that.
22 And so UDLP owns this land down here and this
23 small portion of the building, and UDLP also
24 owns along this fence line. And again, this
25 proposed plan only deals with the Navy's

1 owned areas, not with UDLP's.

2 I mentioned this previously, the
3 scope of the Proposed Plan, OU2 -- or
4 operable unit, that's the term that we make
5 up to look smart, I guess, but that is the
6 land outside the main building, and OU3 is
7 the land underneath the building. And we're
8 combining the decision on these two because
9 administratively it makes sense.

10 History of the site: NIROP Fridley
11 is like any other industrial facility. They
12 generated various wastes, and some of those
13 wastes, such as solvents or chemicals, they
14 disposed of on site in pits and trenches. So
15 they're nothing special in that regard. They
16 kind of followed the standard practice of the
17 day.

18 Previous actions: This kind of
19 summarizes. There's been a lot of
20 contaminated soil and drums, some containing
21 liquid, some not, that we've excavated from
22 the area, starting as early as 1983 and as
23 late as two months ago. So this decision
24 that we're making is not -- we're
25 incorporating things we've already done.

1 because of the way we categorized the risk,
2 caused the whole area to be unacceptable in
3 surface soil, so we removed that, about
4 35 cubic yards. Just to give you an idea,
5 there's, looks like, a small Bobcat backhoe
6 kind of thing, to give you an idea of the
7 size of the excavation.

8 Remedial investigation, that's the
9 process we use to investigate the nature and
10 extent of contamination, what contaminants,
11 where are they held, where have they been
12 released, how far have they migrated. And we
13 started an RI for OU2 in '93, and we started
14 the OU3 RI in '95. And part of the RI was
15 installing ground water wells, took a lot of
16 samples, evaluated and analyzed them. And in
17 May, three months ago, I guess, May 2002,
18 these two RIs, the associated supporting
19 documents were approved by both EPA Region 5
20 and the MPCA.

21 Now a big part of the RI is a risk
22 assessment. That's when we estimate the
23 potential risk to people who could come into
24 contact with site contaminants. We've placed
25 the focus on future construction, because

1 again, we're talking about soil. And the
2 worst case would be somebody who digs a hole
3 to build a footer, and we wanted to look at
4 somebody that could be exposed to that. So
5 we look to future construction. And again,
6 for surface soils, for just a worker, a guy
7 who mows the lawn, we might take kind of an
8 average of soil contamination across the
9 site. But if he's going to build a footing,
10 we assume that he'd put the footing in the
11 worst possible place. So we're very
12 conservative in how we develop these exposure
13 scenarios. And the whole risk assessment is
14 fairly complex. No way I can explain it. We
15 do have a risk assessor here who did the
16 work, and any technical questions he can
17 answer.

18 In fact, I'll show you where you
19 can find this information. It's part of the
20 administrative record, which is any documents
21 relating to the decision that we're going to
22 make, any document supporting that is located
23 at the MPCA office in St. Paul. And here are
24 just the two cover sheets of the two
25 documents that contain most of the risk, RI

1 for OU3 and supplemental RI report, which
2 includes OU2.

3 I mentioned the exposure scenarios
4 we used. I'll go to the last book first. We
5 looked at residential from the screening
6 level. We didn't go through the whole
7 process. And there would be unacceptable
8 risk to residential. Typical industrial
9 worker, that would be -- that could be a guy
10 mowing the lawn. Inside the building it
11 could be just a worker operating a lathe or a
12 forklift. Minor frequent and major
13 infrequent construction workers, the
14 difference in these two is just exposure
15 duration and length of time. These are the
16 guys that we assume would be digging a footer
17 or building a foundation and being exposed to
18 the most highly contamination levels.

19 To summarize the risk, we updated
20 to include removal actions. What I mean by
21 that is we had one hot spot that we factored
22 into the calculations. When we removed that,
23 we then took that data point out of the risk
24 assessment and reran the model, came up with
25 a new number. And we did that to verify the

1 removal of that hot spot, for example, what
2 we did two months ago, and gave us the
3 desired effect. So we have a kind of
4 pre-removal action risk summary and we have a
5 post-removal action summary. And we got what
6 we wanted, we removed the worst stuff in
7 subsurface soil, and that's OU2.

8 The basic summary from the risk
9 assessment, there are unacceptable risks to
10 the minor frequent and major infrequent
11 construction worker in several subareas. We
12 just kind of divvied up this area and
13 subareas to make the risk calculations
14 manageable. So it's not a meaningful
15 boundary. It's not a property boundary or
16 anything. We just had different subareas,
17 kind of -- it's part of the process. The
18 risk in subsurface soil was at six feet below
19 ground surface in OU2 and under the former
20 plating shop floor in OU3. So I'll get back
21 to that six feet in a little bit here.

22 Clean up alternatives: I mentioned
23 that we kind of proactively removed stuff as
24 we found it, and that made the development of
25 alternatives much simpler. We had one

1 alternative, no action, which is what the
2 federal statute requires for comparative
3 purposes. And that's really no further
4 action because obviously we've done a lot of
5 work in the past. The cost would be zero
6 because we wouldn't do anything.

7 Alternative two, land use controls,
8 I'll define those next. Cost, about \$1600
9 per year. There's some costs that we incur
10 every five years, so we just prorated them
11 for a yearly cost. And that's how we came up
12 with that.

13 I mentioned land use controls. We
14 kind of have what I would call two types of
15 land use controls. One's institutional
16 control, which is administrative in nature,
17 such as a zoning restriction, and an
18 engineering control, which is a physical
19 barrier. It could be a fence or it could be
20 soil cover. These two together make up land
21 use controls.

22 The preferred alternative is
23 alternative two. That's no surprise. We
24 effectively incorporate previous removal. So
25 all the worst stuff we've already removed --

1 and we're taking credit for that, obviously,
2 as part of this alternative. The property
3 can only be used for industrial or restricted
4 commercial use. And those definitions are in
5 the Proposed Plan and come right out of MPCA
6 guidance.

7 Industrial would be, Fridley, as it
8 is now, restricted commercial could be a
9 Walmart. It could not be a school, it could
10 not be a senior center or a doctor's office.
11 Those are actually examples in the guidance.
12 So is restricted commercial, as opposed to
13 unrestricted commercial.

14 Here are the two land use controls.
15 No soil disturbance deeper than three feet
16 below ground surface in these two areas,
17 which I'll show on a map. The contamination
18 that would cause an unacceptable risk is at
19 six feet, and the land use control is three
20 feet, so basically from three feet below
21 ground surface to six feet is the buffer
22 zone. Below six feet is where the
23 contamination is. Without permission, the
24 landowner could use three feet. With
25 permission, you'd have to get permission from

1 the MPCA to go deeper than three feet below
2 ground surface. If you went four feet below
3 ground surface, it would not be an issue.
4 Probably have to put the soil back. If you
5 went ten feet below ground surface, you'd
6 probably take some precautions, maybe
7 personal protective equipment to avoid
8 exposure. But again, the land use control,
9 the people that would look at a work plan
10 associated with going beyond three feet would
11 be the MPCA.

12 Also, no disturbance of soils
13 underneath the former plating shop floor.
14 And that's also on the map. This is a big
15 pit where there's two -- one is a pit that's
16 been filled in; the other's not been filled
17 in, it's a pit. So it's the bottom of the
18 pit. That's the concrete floor. The actual
19 land use control is the concrete floor,
20 however thick it is. That is an engineering
21 control which protects anybody from the soil
22 underneath. The other side is backfilled.
23 If it's backfilled, there would be no land
24 use control over the new floor, just the old
25 floor. This is the bottom of the pit. I

1 think one side is about eight feet, the other
2 side is about four feet.

3 So, again, I want to emphasize that
4 these are land use controls, but they can be
5 managed. They can be -- probably it's not
6 the word, I'm trying to think of a better
7 word, but you can go deeper than three feet
8 underneath the plating floor if you go
9 through a process with the MPCA. And they
10 will just make sure that you're protected.

11 You could also build a house on
12 there if you wanted to, but you'd have to
13 probably take it a step beyond the cleanup
14 we've done, maybe excavate more areas. So
15 nothing's prohibited; it's just that it's
16 prohibited without some kind of action.

17 And this is a map, again, this is
18 in the proposed plan, mentioned subareas.
19 That's area A4 and A3. These are next to
20 each other. But that area and the North 40,
21 that's three feet land use control, and
22 here's the former plating slop. There's
23 actually some space in between. There's a
24 big pit here, or one that was here -- I can't
25 remember which side, it's filled in -- but in

1 the middle, that we could probably redefine
2 the middle to remove the land use control.

3 One of the things we're required to
4 do is evaluate the alternatives per federal
5 law. We have these nine criteria. The first
6 two criteria are called the threshold
7 criteria. That means that you cannot select
8 an alternative that does not satisfy these
9 two criteria. One is overall protection of
10 human health and the environment, and the
11 other is compliance with applicable or
12 relevant and appropriate requirements.
13 That's just some requirement, could be
14 construed as a cleanup standard, that
15 decision-makers use, relevant, appropriate,
16 or applicable. An MCL would be an example of
17 an ARAR.

18 Then we have five criteria called
19 the balancing criteria. You don't have to
20 satisfy each one of these, but the idea is to
21 get the best balance of alternatives that
22 satisfies the most best. Long-term
23 effectiveness and permanence, reduction of
24 toxicity, mobility, or volume of contaminants
25 through treatment.

1 Short-term effectiveness, the big
2 component of short-term effectiveness is
3 worker safety during implementation of the
4 alternatives. Implementability and cost.

5 And then the last two are called
6 the modifying criteria. Once we come up with
7 a preferred alternative, then the state or
8 community can modify what we do. State
9 acceptance, we've got up to that point. The
10 MPCA has agreed with our control alternative.
11 Community acceptance, that's why we're here
12 tonight. We're trying to get feedback,
13 especially from the City of Fridley, because
14 they have a big interest in this.

15 This little table, alternative one
16 and two against the nine criteria. No
17 surprise. Alternative one, the two threshold
18 criteria are not met; therefore, we cannot
19 select that as an alternative. The one
20 criterion that alternative two does not meet
21 is reduction of toxicity, mobility, or volume
22 through treatment. And again, I'll emphasize
23 that a lot of the stuff that couldn't be
24 reduced in toxicity has already been carted
25 off and sent off and has been incinerated in

1 a landfill in Alabama. So we've actually met
2 that in the past. But this alternative
3 looking forward is not satisfied. Community
4 acceptance, we're actually TBD.

5 Path forward, we're in the midst of
6 public commentary. We welcome anybody in the
7 public, the City, obviously, can make a
8 comment from now to September 12. It can be
9 official comment, you can call us, e-mail,
10 whatever it is, and we'll write what's called
11 a responsiveness summary, respond to each and
12 every comment. Typically, the responsiveness
13 summary is included in the Record of
14 Decision, which is a legal document that
15 would likely be used to select a remedy.
16 There's still some issues that have to be
17 resolved to the DOD and EPA. So we go from
18 preferred to selected.

19 And I mentioned the Admin record.
20 Any document that we use to justify to
21 support this decision we're proposing to make
22 is in the Admin record, and that's all in
23 the -- it was in the library, but I think we
24 had to remove it. So now it's in the MPCA
25 offices in St. Paul.

1 City of Fridley. And I was just going to ask
2 the question, under the PCA, are there other
3 projects that we could, for folks that aren't
4 familiar with these kind of precautions, that
5 we would take for contaminated soil, are
6 there other projects that we might point to
7 in the metro area and say, okay, this is a
8 development that occurred, in spite of those
9 precautions, and here's what they did to
10 overcome the elements? Is there something
11 that I can respond with if I got that kind of
12 question?

13 MR. BETCHER: Yeah. And I'm
14 John Betcher from the MPCA. The one site
15 that I can think of that would be probably a
16 very good example is the Joslyn Superfund
17 site in Brooklyn Center, which is not too far
18 from here. It's a site that was very
19 contaminated. It was a former poultry plant
20 site. It was very contaminated when we first
21 started working on it.

22 We actively worked on remediation
23 with the responsible parties for almost ten
24 years. And at that time a developer, a
25 potential developer, came on board who showed

1 some interest in the property. And currently
2 we were able -- they entered the VIC Program
3 as a leasor of the property. And they
4 developed plans for manufacturing warehouses
5 and showrooms to be developed on the site.
6 And we were able to work with the existing
7 contamination in the soil that was there and
8 also alter the ground water around it by
9 changing the well location and piping and
10 things like that.

11 And we were able to succeed in two
12 phases of development of the site. One, the
13 first site is the Midwestern Distribution
14 Center for Wickes Furniture Company, and the
15 second site includes the offices and
16 warehouse and showroom for Toro Manufacturing
17 for their commercial mowing equipment. And
18 there's also a third phase of development,
19 which is actively being marketed. And at
20 that point that site will be completely
21 developed.

22 There was some TIF financing
23 involved in that, which Brooklyn Center
24 negotiated with a developer to fund the
25 additional cleanup that had to be done to

1 make that site safe for development. It's
2 located right off France Avenue and 100,
3 Highway 100, near Twin, Middle Twin Lake.
4 And you can go out there, drive out there and
5 observe what the developments look like.

6 But that's been a real successful
7 development of the Superfund site, utilizing
8 the Voluntary Investigation and Cleanup
9 Program to move it into a productive site.
10 It's probably the best example that I know
11 of. There are other examples as well.

12 MR. MEYERS: Would Medtronics be a
13 good example?

14 MR. BETCHER: I'm not sure exactly
15 how much cleanup had to be done. I don't
16 believe that was a Superfund site. There may
17 have been some other contamination there, but
18 I don't believe that was a Superfund site.

19 MR. HICKOK: We did have the Bland
20 Murphy facility here in Fridley, which is
21 probably another good example of a Superfund
22 site that now is developed for warehouse and
23 manufacturing, a pretty successful site,
24 similar precautions made to that site, I
25 would imagine, that we'll be seeing here.

1 MR. BETCHER: Right. It's possible
2 to do. I mean, depending on the site and the
3 risks that are present there, there may be
4 some restrictions in how you develop the
5 site, or there may be some particular
6 precautions that you have to take. I know at
7 the Joslyn site, we were very interested in
8 maintaining the ground water remedy that was
9 there. And we were successful in doing that.
10 It just sometimes takes a little creative
11 juggling to do it.

12 MR. HICKOK: Thank you.

13 Jeff, one other question that I
14 had: On the zoning, in your presentation it
15 talks about kind of that enforcement or
16 administrative side of it, and currently the
17 land is zoned for industrial. And the
18 expectation, so I'm clear, is that commercial
19 or industrial is the expected continued
20 zoning, and the local government would be the
21 enforcement agency to make certain that that
22 happens. And if anything else were to
23 happen, then, of course, it would go through
24 the proper channels for certifying it as able
25 to be used for something else. Is that a

1 good way to state that?

2 MR. MEYERS: First of all, it's
3 actually restricted commercial, not
4 unrestricted commercial. Those are two
5 separate definitions in the guidance. And
6 they're fairly specific, they're fairly
7 long-winded. So the lawyers would help you
8 out if you have a question. But that's kind
9 of the layered effect, that the City would
10 have zoning authority, as usual, but the Navy
11 also is responsible as well to make sure that
12 the property is not used for something that
13 the conditions will not allow.

14 So we wouldn't take over, you know,
15 Fridley's authority, but we would count that
16 as a, like a layer, kind of an extra
17 precaution to make sure.

18 MR. HICKOK: Okay. I don't know
19 how many are with the Navy or with the EPA.
20 How many people here in the room that are
21 residents are here for citizen input?

22 MR. LUND: Just me and him.
23 Scott Lund, Mayor of Fridley. And I'm going
24 to ask for a little backpedaling here
25 because, as you probably saw, I snuck in a

1 little late. So maybe the question has
2 already been posed or redundant.

3 And I guess the first question, the
4 obvious question, in the memo I noticed from
5 the City, that there wasn't any alternative
6 discussion for excavation or for soil
7 remediations, other than if we take out the
8 cost factor, which I'm sure is astronomical.
9 Why not, why isn't that an alternative?

10 MR. MEYERS: Okay. Well, I'm glad
11 you asked that, sir.

12 Basically what we said earlier is
13 that we've been proactive at the site. When
14 we found, for example, a drum using magnetic
15 anomaly or we found a hot spot because of the
16 sample, we went and removed it.

17 So here's just kind of a summary of
18 things that have been done. We removed quite
19 a bit of contaminated soil, a number of drums
20 that contained liquids. Those are obvious
21 things you want to get out of the ground.
22 And we also, I believe, used historical
23 records to the extent they were available, to
24 try to find the worst stuff. So we've done
25 all that. So there's no surface soil problem

1 for industrial workers. That's important
2 for, I think, the PCA and EPA as well, is to
3 not have any restrictions on the surface
4 soil.

5 So there's no restriction from an
6 industrial standpoint on the surface soil,
7 and we removed a lot of the stuff that was
8 deeper that would cause a ground water
9 problem. So the only thing that's left,
10 really, is just kind of spacially distributed
11 various tips of things, like carcinogenic
12 PAHs that could come from the railroad
13 tracks. Most of the worst stuff, if not all
14 the worst stuff, is gone. And what we've
15 left is six feet of clean soil and then some
16 contaminated soil underneath it. And that
17 applies in the North 40 area. Underneath the
18 building there's this one area, the bottom of
19 the pit, underneath where they used to plate
20 metal.

21 So I think we've tried to address
22 the stuff that we could. The cost factor,
23 obviously, this is stuff we can get our hands
24 on, especially in the North 40. Like I said,
25 we've got six feet of clean soil that can be

1 used without precautions.

2 MR. LUND: Has there been any
3 studies as to what's left over and it's
4 permeated, it's widespread, it sounds like,
5 about remedial -- letting nature take its
6 course? About how long before we get to
7 where it's diluted to the point where it's
8 really harmless? Has there been anything?

9 MR. MEYERS: From a ground water
10 standpoint?

11 MR. LUND: Yes. Are we talking ten
12 years, a hundred years, forever?

13 MR. MEYERS: Okay. From a ground
14 water standpoint, yes. We're looking at some
15 things to do with the ground water. We have
16 a pump and treat system for containment now,
17 and we're looking at continuation, in part
18 using enhanced natural attenuation or
19 injecting vegetable oil or some iron to
20 reductively dechlorinate the TCE from
21 something that's bad to ethene and ethane,
22 harmless. And that's the process that we're
23 helping along. We will look at -- probably
24 in two years we're going to consider doing
25 underneath the building in the main plan.

1 Now that's for ground water.

2 Now the scope of this is soil. And
3 these are contaminants that aren't
4 dilutable-type things. When the solvents and
5 things have gone to ground water, for certain
6 they will naturally decay, if I can use the
7 word "decay." But we're enhancing it as we
8 speak, and we're going to look at expanding
9 that program in part, maybe, to the plan
10 itself.

11 MR. LUND: And these are probably
12 alternatives that have already been looked
13 at, so again, it may be somewhat redundant,
14 but just for my own piece of mind and when
15 the question gets posed to me, such things as
16 burning the soils to burn out the
17 contaminants. Of course, that's a form of
18 air pollution, I suppose, but in fact I have
19 purchased soils in the past that were once
20 contaminated but burnt.

21 MR. MEYERS: Yeah. We actually
22 sent some soil down to Emile Alabama to burn
23 it. But I guess you could do it two ways:
24 One, you could excavate the soil, which would
25 be a phenomenal undertaking, and then burn

1 it. But if you put exposed cPAH agents,
2 would they -- could you effectively destroy
3 those with incineration? Yes? And the other
4 would be like soil venting or injecting vapor
5 in the ground. Those are effective if
6 there's still some TCE problem, so that might
7 be effective. But for the kind of compounds
8 that we have out there, that would be hard.

9 MR. THOMAS: Especially for the
10 soil under the building.

11 MR. MEYERS: Right.

12 MR. THOMAS: There's no easy way to
13 get to it.

14 MR. LUND: Other than excavate it
15 out, right?

16 MR. THOMAS: Well, under the
17 foundation of a building like that, it would
18 be very difficult to do.

19 MR. LUND: So the area that's got
20 the residual contamination is basically that
21 on --

22 MR. MEYERS: Well, there's two
23 areas -- three, depending on how you look at
24 it, I guess. And they're fairly limited.

25 Here's a picture of the site. The

1 red and blue areas, those were contaminants
2 or spacially mixed and about six feet below
3 ground surface. And so we have a three foot
4 below the ground surface land use control so
5 it gives us a pretty good buffer. And that's
6 in those two areas.

7 And the only area underneath the
8 building which would cause an unaccepted risk
9 to a construction worker is this area right
10 here, which is underneath the former plating
11 shop. And one of those -- there's two
12 plating shops. One of those is backfilled.
13 So you could put a utility line in the
14 backfill, as long as you weren't at what used
15 to be the bottom of the pit. One's about
16 eight feet and one's about four feet below
17 the area. So those are the only areas where
18 you have land use controls.

19 And across the whole area we have
20 the categorical land use control, the zoning
21 restriction -- that whole area, not just
22 specific areas, but the whole area will have
23 to be zoned restricted commercial or
24 industrial.

25 MR. SLADIC: Mark Sladic of Tetra

1 Tech. I'm a Navy contractor. If I could
2 help address the Mayor's question a little.

3 To clean up the land to completely
4 unrestricted use, besides the cost factor
5 that's already been identified, it's an
6 operational plant, and you certainly would
7 have to do some excavation from underneath
8 the building, and even though you do some
9 excavation from outside the building, there
10 would probably be key areas that would impact
11 the operation. That's certainly an aspect of
12 it.

13 One of the bigger considerations of
14 the Navy's requirement is to remediate
15 property to the intended future use. And I
16 think that they're very particular within the
17 DOD to not proceed much beyond that usually,
18 because in that case, then it looks like it's
19 likely to benefit a particular entity, which
20 would become maybe the next landowner or
21 whatever, and that's a disproportionate use
22 of tax money. So the government almost is
23 under a very strict mandate to meet the
24 expected land use and not exceed that. And
25 then, of course, the obvious of not impacting

1 the operating plant, because then there'd
2 be -- I can't even imagine the estimated cost
3 of attorneys and whatnot for such an
4 occasion.

5 MR. MEYERS: And again, the
6 unacceptable risks of this stuff here are not
7 to a typical industrial worker. So a guy can
8 mow the lawn or operate a forklift without
9 any unacceptable risk. Just to a
10 construction worker that would be digging a
11 foundation. So these are not infinite
12 duration events. These are short duration
13 and easily manageable. So if this site was
14 involved, and you had to get to the soil
15 beneath this plating shop or those two areas
16 of the North 40, it could be managed.

17 Well, thanks for coming, sir, and I
18 appreciate your attendance.

19 MR. LUND: Thank you.

20 MR. MEYERS: Thanks, Mr. Harris,
21 for arranging all this.

22 MR. LUND: Well, it didn't sound
23 like there was going to be a lot of comments.
24 I figure you probably went over that again,
25 but that's what we all get when the mayor

1 shows up late.

2 MR. SLADIC: One more relevant
3 point, I think for Scott's benefit. One of
4 the first things that Jeff identified was
5 that the ground water pump and treatment
6 system is independent of this activity, and
7 the ground water pump and treat system is
8 going to remain in operation. And we've been
9 looking at ways to enhance that, which is
10 some of the activity Jeff described, the
11 vegetable oil. The ground water situation,
12 of course, is one of the main red flags of
13 that site, and the soil contamination I think
14 is much less of a red letter or something,
15 and I think that we advised Jeff accordingly
16 there.

17 MR. LUND: Well, it appears to me
18 that at least those that made the mistake or
19 whatever, we weren't aware of those things
20 being mistakes way back when, I understand
21 that, but at least they've accepted some
22 responsibility, or so it sounds like, other
23 than another one of our neighbors with the
24 ammunition dump over in Arden Hills, it
25 seemed to me that they just denied having any

1 responsibility for a long time, and
2 ultimately somebody had to start cleaning up
3 that ground water and that mess.

4 So I appreciate that you have some
5 concerns here and that you're working towards
6 resolving those issues. I only asked the
7 question basically because a constituent will
8 come to me and say, if they made the mess,
9 why aren't they cleaning it up. And the
10 answer is that you're attempting to do so.

11 MR. SLADIC: Part of Jeff's
12 presentation also highlighted that one of the
13 reasons now it's our position not to do
14 further action is that over the past, say, 20
15 years, there have been well over a hundred,
16 now nearly 200 drums removed, and it's
17 documented in that presentation we handed
18 you. Even with some photographs, it shows
19 one of the precautions they had to take,
20 obviously at great expense, while they
21 excavated those drums and appropriately dealt
22 with it.

23 MR. LUND: Okay.

24 MR. MEYERS: I like the way we're
25 headed. I think the whole team likes where

1 we're headed. It seems to be working, so
2 they may expand the scale of that.

3 MR. LUND: I have one remaining
4 question. Is this public hearing as a result
5 of United Defense, the private contractor, no
6 longer seeking to purchase the properties
7 from the Navy?

8 MR. MEYERS: No, sir. This
9 decision was made -- this proposal making
10 decision was made independent of that. How
11 that decision is implemented may be impacted
12 by not having deed, which you would have a
13 quitclaim deed if we sold the property. So
14 how we implement these land use controls may
15 be changed a little bit. But this is a
16 requirement, this is a Superfund site, and
17 this is basically a Superfund requirement, to
18 have public input.

19 MR. LUND: Well, then the next
20 question is: Is United Defense out of the
21 picture at the moment or is it up for sale?
22 There's been a sign out there for years.

23 MR. MEYERS: Let me just say this:
24 I work for NAVFAC, which is Naval Facilities
25 Engineering Command. Management cleanup,

1 basically, is what NAVFAC does. They were on
2 the site, NAVSEA, Naval Sea Systems Command.
3 They make guns and ships. And they're
4 represented by Mr. Jerry Peterson, right
5 here. And I think --

6 MR. PETERSON: The property right
7 now is in limbo. We have an operating
8 contractor in there. It's on a
9 month-by-month lease. It's obviously open to
10 plans for leasing it. We can't just throw
11 them out on the street.

12 MR. LUND: You can't give them 30
13 days' notice, hey, you're out, when they're
14 on a month to month?

15 MR. PETERSON: We probably could.
16 But at this point I think that we're going to
17 negotiate with them to invest in the program.
18 And at this point I don't know that they're
19 actively marketing it more than they were
20 before. I don't think anything's changed on
21 that. It's just a -- right now it's a
22 decision that they have to get over.

23 MR. LUND: Okay. Thanks.

24 MR. MEYERS: I do believe NAVSEA is
25 still considered a surplus property.

1 MR. PETERSON: Oh, yes. It's still
2 surplus to the Navy's needs.

3 MR. LUND: The thing is if they've
4 got someone in the back pocket, like United
5 Defense, you know, no matter who makes the
6 offer, then they're just going to -- well, we
7 got this offer on the table, you want to up
8 it, you know, creating a pricing war.

9 MR. PETERSON: I don't think we're
10 worried about a pricing war.

11 MR. LUND: Okay.

12 MR. MEYERS: They're looking for a
13 price.

14 MR. LUND: Always in the back of my
15 mind, I'm looking for let's fill the need,
16 you know, if there is available property,
17 especially in a community such as ours, in
18 Fridley, where we have very, very little
19 available land.

20 MR. PETERSON: Yes. We certainly
21 have sold excess buildings to people.

22 MR. LUND: Well, we'll keep that in
23 mind. Thank you.

24 MR. SLADIC: I have one more thing
25 for the mayor's benefit, is that the public

1 commentary extends till September 12, so any
2 other questions that come up, there are three
3 names within the back of that proposed plan,
4 Jeffrey's, the MPCA representative, and the
5 EPA representative. And there's phone
6 numbers, fax numbers, e-mails, carrier
7 pigeons --

8 MR. MEYERS: Right now the memo
9 that I saw, we'll respond to that in a
10 responsiveness summary. But if there's
11 anything else, any changes --

12 MR. THOMAS: I'll make sure if
13 there's any addendums, I'll mail you a copy.

14 MR. SLADIC: By the way, I applaud
15 Mr. Harris as a fantastic representative of
16 your community. He's been a great service to
17 us for some number of years. He's a huge
18 asset for keeping our team in communication
19 with important people within the community of
20 Fridley.

21 MR. LUND: Well, I'm certainly glad
22 to hear that because now we see the other
23 side of Mr. Harris. I knew deep down there
24 was a good side of him.

25 MR. MEYERS: Thank you very much.

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MR. LUND: Thank you.

(Proposed Plan public comments
meeting concluded.)