A public hearing of the Jefferson Proving Ground Restoration Advisory Board meeting was held at the Madison-Jefferson County Library at Madison, IN at 7:00 P.M. on February 2, 2005.

OPENING STATEMENTS BY MR. PAUL CLOUD:

Okay. Good evening. I'd like to get started and welcome everyone to the Jefferson Proving Ground Restoration Advisory Board meeting. If you don’t know who I am you haven’t been paying attention. Just to make sure my name is Paul Cloud and I work with the United States Army and I am the Army’s co-chair for the JPG RAB. I would like to welcome everyone here tonight. There is a sign up sheet on the back table along with a copy of the agenda and our handouts which includes a letter from the Indiana Department of Environmental Management and a copy of the slides that you’ll see upon the screen. If you have any questions feel free to ask them at any time although we do have a set aside time at the end of the presentation for questions. But don’t hesitate if you would like to ask your question now. Ah if you have changed your address please so indicate on the attendance sheet and we’ll make sure that our mailing list is updated. I have nothing else to add as introductory remarks. Richard? Ah Richard Hill is our community co-chair. Do you have anything that you would like to say

Richard?

MR. RICHARD HILL:

Thank you Paul. Good evening to everyone. I have nothing to add at this time.

MR. PAUL CLOUD:

Okay. What you see up now is the agenda for tonight. We've gone through the welcome and introduction. We'll talk about Property Transfer/Findings of Suitability to Transfer and it should go down the list as it's shown. And as I said if you have any questions either during any individual topic or would like to wait to the end, whatever your pleasure. Okay the first thing I would like to talk about is ah a number of Findings of Suitability to Transfer and we'll update you on the status of these three (3) that are listed here. Ah the first one (1) is the Northeastern Parcel. We've gone over this a few times in the past at previous RAB meetings. This slide shows the approximate acreage, number of buildings and what the proposed reuse was. When the - when the Army approved the FOST and sent it to Mr. Ford we did go through a comment and ah review period, a response period and then we also went through a notification of identification of outstanding issues. The FOST has in fact been signed and as this slide indicates it

was signed in August of 2003. A Deed for the property was sent to Mr. Ford beginning of April of 2004. There was some concerns and questions that Mr. Ford had. They are still being negotiated between Mr. Ford and the ah Department of the Army through the Louisville Corps of Engineers Real Estate Office and when they are resolved then I expect that the Deed will be signed and the parcel will be transferred. I do not have a specific time frame or an estimated time right now. They've been working on this for a few months. Any questions? Okay. This slide just shows the parcel. As I said it's the Northeastern Corner of the Cantonment Area. The next parcel is the Western Wooded Parcel and as I think everyone here is familiar with the Army did approve the County's ah Public Benefit Conveyance request. That request was approved in late May of 2003. About a month later the Army provided the Draft FOST for public comment and review. Ah we received comments from the EPA on August 1st of 2003. The end of July that year the community by Richard Hill as the community co-chair for the RAB indicated they had no problems with it and sent a Letter of Concurrence. About thirty (30) days later we received a Letter of Concurrence from IDEM, the Indiana Department of Environmental Management. The Army responded to EPA's comment and revised the FOST toward the end of September of 2003, sent the Revised FOST out to EPA and asked for them to either concur

or to identify any outstanding issues to the Revised FOST by the middle of October of 2003. We received a letter from EPA middle of October of that year that they concurred. That documentation along with the Revised FOST was forwarded up to the Department of Army for staffing approval and that was done at the beginning of November. Middle of December of that year the FOST was approved and approximately nine and a half (9½) months later the Army sent a letter to the National Park Service assigning the parcel to the National Park Service. The National Park Service is the identified federal sponsor for ah Public Benefit Conveyances and the category of usually public parks and recreation area. And that's what Jefferson County went through ah as their sponsor. What that basically allows is the Army to transfer the property through the National Park Service to Jefferson County. In late October of last year Jefferson County signed - received and signed a letter indicating constructive possession of Jefferson County basically as I understand it obligating them for the upkeep and maintenance of the parcel until they took the title to the parcel. It's kind of like an intermediate step. The County as I understand it subsequently went out and got an insurance policy and started to make preparations to take title to the property. And then the end of December, and you may have seen this in the local paper, the County Commissioners voted

on it and they voted to accept the parcel. And the parcel has been so deeded and they have a copy of the Deed. So the Western Wooded Parcel now belongs to Jefferson County as a park. Any questions on the Western Wooded Parcel? That is the parcel there (indicating).

MRS. MARY CLASHMAN:

Do you know how many acres are in that?

MR. PAUL CLOUD:

Approximately four hundred (400). Just a little over four hundred (400), four hundred two (402) and a fraction, something like that. If you use about four hundred (400) you will be very very close. Anything else? Okay. The remaining acreage is under the Lease of Furtherance of Conveyance between the Army and Ford Lumber and Building Supply and totals approximately thirteen hundred (1300) acres and they're made up of two (2) large parcels and then a number of what I commonly refer to as postage stamps, the little five (5) or ten (10) acre various throughout the Cantonment Area. The Army evaluated this situation and because of the complexity of the issue and our desire to minimize the number of times ah we created individual FOSTs and then provided them to the public and the regulators and the Army senior staff for review, we

determined it would be beneficial and most efficient for everyone's use of time if we waited until after the environmental restoration south of the Firing Line was completed and been accepted then we would do one (1) FOST for the entire thirteen hundred (1300) acres. It will probably be somewhat complex, complicated document because it's going to address two (2) large areas and then a number of small areas but it is probably the best of what's going to be a complicated situation no matter how you address it. So this is basic - basic breakdown of what's remaining. We have the Southeastern Parcel of about seven hundred and fifty (750) acres. Ah we have the Northwestern portion of the Central Cantonment Area and that's about three hundred (300) acres and then the remaining two fifty (250) area is split up in all these postage stamps, a number of different areas. Again the FOST availability is predicated on the completion and acceptance of all the environmental restoration work within the Cantonment Area. The Initial Internal Army Review of the Draft FOST, right now we're anticipating by the end of the year to be out for public comments. That's probably plus or minus thirty (30) to sixty (60) days. It could be anywhere from November to February, November this year or February of next year. But we're still anticipating and planning on having the property transferred by the end of 2006 which has always been our

target date. Now this is one (1) of the large parcels. That's the Southeastern Parcel and that's the other large contiguous parcel. And then this is somewhat of an identification of some of the more major postage stamps. Yes ma'am?

MS. MARY CLASHMAN:

Do you allow hunting and trapping on any of your properties that have not yet been transferred?

MR. PAUL CLOUD:

No.

MRS. MARY CLASHMAN:

You do not?

MR. PAUL CLOUD:

No. Any of the property that is still under the Lease in Furtherance of Conveyance that has not been deeded to Mr. Ford and he has not paid for, we have informed him that the Army will not allow hunting on the property that --

MRS. MARY CLASHMAN:

Or trapping?

MR. PAUL CLOUD:

He has never asked that question.

MS. MARY CLASHMAN:

I'm asking the question.

MR. PAUL CLOUD:

He hasn't asked permission. He has to ask permission. If and when he asks we will respond, but he has specifically asked for hunting and the answer has been no. On property that has been transferred to him that he owns he can do what he wants as long as he complies with the local and state regulations. Any other questions? Okay. The Record of Decision. This is a fairly significant finding. It's only taken us about eleven (11) years to get here. It was staffed by the Army after it went out for public review and environmental regulator review, staffed up through the Army in July and October last year and the ROD was signed by the Army in middle of November last year. We just received a written Letter of Concurrence from IDEM this week. However, based on personal communications between the Army and ah IDEM we had received verbal assurance that they were satisfied and that they would allow us to commence Remedial Action. And that commenced towards the end of November of last year. And we will talk about that during a number of

slides that you will see here shortly. Also Mr. Herron, who is here tonight who is IDEM's representative for JPG, was present during the field work and continues to be present as we continue removing the dirt and then replacing it with clean dirt. Any questions on the ROD? Okay. The Remedial Action is actually the implementation or the performing of what we said we would do in the Record of Decision. And in layman's terms the ROD basically permitted the Army to go and dig up a bunch of contaminated dirt, dispose of it in a licensed landfill that was licensed to accept that type of contamination and then backfill those holes that we dug with clean dirt. Now this next series of slides we'll go through just what the Remedial Action was, where it was performed and there's a series of photos that were taken by the contractor that shows the before, during and after for something similar to that. These are four (4) sites where we ended up removing contaminated soil, okay, as this slide indicates in general what we are doing. And before we actually removed the dirt some samples in those areas were taken to see just how to classify the waste, whether it's solid waste which requires a less stringent level of disposal than hazardous waste. After those samples were taken the four (4) locations were classified as solid waste and there in the bottom bullet there you see that the Waste Management Outer Loop Landfill located in Louisville,

Kentucky is the location where soil is being disposed of. It is a licensed plant. This slide you see where we also sample the off-site borrow sources. Those are sources where we get the - basically defined as the clean soil for the backfill that we're going to use to fill these holes that we've dug. You have to basically certify the document that the soil is clean, that you're not putting back something that shouldn't be there in the first place, so that has also been done. Also the slide talks about at Site Fourteen (14), which is also labeled as the Yellow Sulphur area we had some water there that we had to basically vacuum up so that was also done. We also had health and safety monitoring and then we had to clear some vegetation and some roots along the way to perform the actual excavations. There's some of the other actions that were planned. This is all laid out in the ROD and the Remedial Action Plan that was available for review and comment for the actual soil excavations and removals. You see here that we also have to decontaminate the equipment that we use, backfilling and grading and re-vegetation are just starting now and then we will be completely done. That last bullet there contractor ah will be preparing a Construction Completion Report to summarize the soil of Remedial Action activities. That will be available for regulator and public review on it. Now this will give you some idea of the tons of soil that we

anticipated would be moved and that was actually moved up through January 6th of this year. In some places we were pretty close and others we weren't that close. We were about fifty (50) percent off. The reason why, and it's not unusual or uncommon, that you go with the best information that you have but when you start excavating a particular contaminated area as you go through to where you think you're done and take confirmatory samples on the spot if they don't meet the clean up criteria, then you keep moving dirt. And basically it's called chasing contamination so we chased it. On the one (1) site there you can see we estimated twenty-two hundred and fifty tons (2250) and we used almost twice that much. We were chasing a trench and finally got it basically cleaned up. Now this is Site 21A/30. It's just one (1) of the railroad tracks basically between the railroad tracks and Woodfill Road fairly close to where Madison Port Authority has their office. They're two hundred (200) yards to the east just north of the railroad tracks and this was prior to excavation. It's the same location from a different angle. You can see where they start to actually remove the dirt. And that was after the excavation. They put plastic down so that if there was any water, and you can see some frozen water there, if there's still a contamination so that it doesn't soak down into the soil and continue to cause a problem. Here is the

Site 3/4 Landfill Trench. This is prior to excavation. This is south of the Engineer's Road. And this is during the excavation. And you can see how big the hole actually got. Pretty good size.

MR. KEVIN HERRON:

Well two (2) pictures back the gentleman that's standing there with the little thing that's sticking down - forward two (2) more, one (1) more forward. The gentleman standing in the heavy coat he's doing the UXO suppressive clear for --

MR. PAUL CLOUD:

Yes. Let me explain that. Because at one (1) of the sites, in fact it was Site Fourteen (14) several years ago, we found some UXO components where we weren't expecting them. The Army committed that any time we would do any soil disturbing activities south of the Firing Line regardless of where it was, unless it had been formally and officially had a UXO clearance, we would have UXO coverage while they dug the dirt. That's what that gentleman is doing. He's sweeping the area with a magnetometer to insure that there aren't any potential UXO out there. If there had been then we would have called Fort Knox DOD and they would have come and taken care of it before the contractor would

have been allowed to continue. We did not find any. Okay. This is the new burn area Site 3/4 and that's prior to excavation. This is a little to the west of the trench. And again you can see it's a soil removing activity. And that's basically after the excavation there. You can see in the background where the trench is so that gives you kind of a new burn area and a trench prospective.

MR. KEVIN HERRON:

That trench area was approximately two hundred and twenty-five (225) feet long and it was kind of a "J" shape because the - it went down north to south and then it come back around and went back up.

MR. PAUL CLOUD:

It was pretty good size. Okay. This is Site Fourteen (14) or what we refer to as the Yellow Sulphur Area and it's just south of the railroad tracks and just northeast of the Airfield. And you can see there some of the water that had to be - we had to deal with prior to the start of the excavation. And then that's during the excavation there. And after. Now this is where we stand now. We've actually completed some of these tasks on this slide and are actually getting into the last three (3) now where we're getting ready to backfill the excavations and

then this spring we'll seed those areas so that the vegetation comes back and then the last thing we'll do is prepare the Construction Completion Report for review and acceptance. Kevin?

MR. KEVIN HERRON:

Actually all the photos were taken after the initial excavations were performed that where you could definitely visually tell that the contamination was removed or within at least the boundaries of the investigation indicated. Then confirmation samples were taken and at Site Fourteen (14) and at Site 21A/30 they had to go back in and do some additional excavation. And those - those areas aren't shown in the picture but additional excavation has occurred. And additional samples have been taken to confirm that ah - attempt to confirm the contamination has been removed to acceptable standards.

MR. PAUL CLOUD:

That's correct. Thank you. Any other comments or questions? Now the next - that's all soil related activities. There is some ground water contamination on the Proving Ground. Good news is that while it's there the ground water is not used for anything. Ground - drinking water for the Proving Ground is supplied

by the City of Madison. So there's no ground water usage at the Proving Ground at all. Any of the sites where ground water is contaminated, until such time as that ground water meets drinking water standards, there will be a Deed Restriction on it that prohibits the use of ground water for drinking water. We have already implemented that in at least one (1) parcel which is the Airfield. And on any of the other parcels where ground water either is or has a potential to be contaminated that restriction will remain in effect until the ground water meets drinking water standards. And that could be five (5) years, it could be twenty-five (25) years. But we will continue to monitor and report on it on a periodic basis until it is in fact meeting those standards. This slide right here just shows you when we anticipate the first round of sampling for the next couple of years for ground water at these particular sites. Kevin?

MR. KEVIN HERRON:

And there's a - there's also a site issue. Arsenic has been found quite a bit in the soil and has been found in the ground water and there is part of the ground water study and sampling will indicate whether the - the arsenic that is present in the ground water is naturally occurring or whether it's been put there through man made

sources. And if it’s determined to be ah naturally occurring the regulation prohibits any further action or basically does not require further action to be taken by the Army or any other entity. So that’s also part of this process of doing the sampling is we will be determining whether the arsenic is ah a naturally occurring element or whether it’s - there is a potential source there which the Army would have to continue to address.

MR. PAUL CLOUD:

That is correct.

MR. KEVIN HERRON:

And the other issue is as long as the contamination is present in the ground soil and/or in the ground water above a human health standard and not naturally occurring the Army will be required to do what’s called a Five (5) Year Review. Every five (5) years they have to evaluate whether the remedy is still being protective of human health in the environment and also identify whether there are new ARARS which are applicable, relevant and basically new regulations or whether new standards have been developed that would - should apply to the site plus if there’s a new technology that’s available that may allow for remediation or further remediation that must be determined

also at that time. So the Army is not totally off the hook as long as it's shown that there is the potential there for human health or environmental ah threat.

MR. PAUL CLOUD:

That's correct. Dan?

MR. DAN MATRATOS:

Ah so there's no indication that ground water contamination has moved off site?

MR. PAUL CLOUD:

That's correct. In fact the latest information we have from the sites is that it's moved one (100) to two hundred (200) yards, basically stationary. We have some central wells that are beyond where ground water contamination is monitored and it hasn't reached there. I mean the sites basically, especially the more significant ones 12A, B and C, were buildings where they did equipment cleaning back in the seventies. And what they did is they used solvents and then they had a tube that it went through the wall into a pit, a gravel pit. Well we removed the source which was the gravel pit and we dug that out a long time ago. And now in - in the intervening twenty-five (25) to thirty (30) years it's only moved two (200) or three

(300) hundred yards. And that’s a combination of not only the level but the tightness of the soil which is highly clay and the fact that no one (1) is really using the ground water so it’s not putting any pressure on the ground water to move. It’s not creating that pressure differential so there are a number of factors. But as Kevin correctly indicated we will continue to monitor it until such time of report until it meets those standards. And as new technologies become available we will have to evaluate them and see if they are in fact relevant and applicable and have to be utilized at the Proving Ground.

MR. KEVIN HERRON:

Currently the issue with the solvents is that the - the Remedial Action ah that’s been approved as far as for the clean up is actually to just monitor, it’s called natural - natural --

MR. PAUL Cloud:

Attenuation.

MR. KEVIN HERRON:

Ah natural attenuation, monitor natural tenuation. Because it’s a solvent and it’s a chlorinated solvent there are bacteria and - and what you - a simpler

term would be to call them like bugs that are in the - actually in the ground and in the water and in the soil.

MR. PAUL CLOUD:

Actually occurring.

MR. KEVIN HERRON:

That would actually eat that material up and break it down. And so we - what we do is we monitor to see how much of a breakdown is occurring and hopefully nature will take care of the contamination itself so we won't have to go in and do an active - active remedy.

MR. PAUL CLOUD:

Much cheaper and less destructive of you know the environment. And it is affective but we have to monitor it through the document. Joe?

MR. JOE ROBB:

Ah looking at your time table this may be a - a moot point or what - whatever, but say if ah EPA and the State and IDEM agree on perchlorate standards, ah even though the Record of Decision has been signed, would there be some attempt to go back and see - ah there's some indication that during the rain study that was done that

there would be perchlo - prechlorate out there especially looking at what was tested ah would - what would happen with that?

MR. PAUL CLOUD:

I can’t answer that question until there is an agreed upon standard and whether or not it would be relevant, applicable and beware. Currently the policy and direction of the Department of Defense is that you have to document that: one (1) it’s there, two (2) it has a mechanism or process for exposure for human health and then we would go out and look for it. Now we did find some in the soil north of the Firing Line but that was all.

MR. JOE ROBB:

Even if - I guess my point is I understand all that and I’m certain that the Record of Decision - but it could be changed after that point in time?

MR. PAUL CLOUD:

Unclear.

MR. KEVIN HERRON:

Five (5) Year Review.

MR. JOE ROBB:

Five (5) Year Review okay.

MR. PAUL CLOUD:

Five (5) Year Review.

MR. KEVIN HERRON:

Five (5) Year Review is where that would fall into place is that if that - if there’s a new standard or a standard is raised, lowered, whatever, then that’s when you evaluate at that point whether there’s a human health threat or whether there should be some kind of action taken. So at the Five (5) Year Review that’s when - that’s when that would be addressed.

MR. JOE ROBB:

So five (5) years from the day the Record of Decision is signed?

MR. KEVIN HERRON:

There are two (2) different times, two (2) different - there’s a statutory requirement and there’s an administrative requirement and one (1) of them is the signing of the Record of Decision and the other one (1) is

upon construction complete. So either way you're going to get a review at some point.

MR. PAUL CLOUD:

In our case it will probably be within six (6) to ten (10) months. It's not going to be four (4) or five (5) years between the time the ROD was signed and the time the construction completion orders were issued.

MR. KEVIN HERRON:

Well I've had sites that --

MR. PAUL CLOUD:

But it can be.

MR. KEVIN HERRON:

I've had sites that before construction is complete they are already doing a Five (5) Year Review because it - EPA headquarters determines when you do your Five (5) Year Review and more times than not they're going to go by the statutory requirement. So whether you're done building the remedy or not you're going - if you decided that you're going to do a remedy at that point they're going to say okay your time has started now. So more than likely five (5) years from then and that's when it has to be

approved and - and those only are approved through EPA headquarters, Five (5) Year Reviews. So it will start sometime around probably around four (4) years because you're going to have to come out and you're going to have to start doing inspections and all that stuff and it's - and it's - and the guidance, I mean it's specific on how you prepare it and what information needs to be in there. And JPG is - if you look at the amount of information with it it could be a pretty good process to finish that. But that's something that needs to - everyone needs to be aware of and keep in every - keep out there so that when it comes time, boom, that issue will be covered. I imagine at that time that that if perchlorate becomes an issue I don't think that it will be overlooked at any particular facility.

MR. PAUL CLOUD:

Any other comments or questions? Mary?

MS. MARY CLASHMAN:

No.

MR. PAUL CLOUD:

Okay. The next topic is the Depleted Uranium License. The ah Army did respond and provided a letter to the NRC letter of October 5th yesterday. And the next

bullet on this page is basically an information item. I discussed that with Richard a little bit ago under a different context but bottom line, and you'll see it on the next slide, is that for RABs there are only a limited number of items or issues that are allowed to be discussed. And you can see that this is a direct quote out of the reference or the guidance and the policies from the Army. "The RAB should not become a sounding board for non-restoration environmental issues or other community concerns." The NRC DU License is a license compliance issue between the Army and the NRC. It is an NRC administrative and licensing compliance issue and does not mean that the public does not have an opportunity to voice and express and to make known their questions and concerns, but it needs to be done under the NRC's administrative policies and procedures. One (1) thing that we probably haven't made well known, and that's why this third bullet on this slide is now there, is that the NRC on their website has a document information ability. And you will see the correspondence from the Army to the NRC, ah the NRC to the Army and any other official pieces of correspondence that are involved in this issue on that website and on what's basically called the Adams Information portion of the NRC website. You can access it there. And if you do want to see ah more about what the actual policy is for Restoration Advisory Boards I've provided that

website address there. And - Richard go ahead.

MR. RICHARD HILL:

I would like to add I guess just mainly for the record, ah nobody has asked, but the Adams website is back available now. It was down for gosh --

MR. PAUL CLOUD:

A few months.

MR. RICHARD HILL:

A few months.

MR. PAUL CLOUD:

A few months.

MR. RICHARD HILL:

--ah being examined for security reasons. The NRC was going through everything that they had on there to see if there were things that should not be on there that if they fell into the hands of terrorists or whatnot you know it could be detrimental. Ah so they - they have almost finished that process. Ah I don’t think they’ve finished it for all the documents but that the website is - is back available now. So ah I know when I was talking to Paul before the meeting and he looked at it last week and I

looked at it Monday and it is there and you can find stuff on it again.

MR. PAUL CLOUD:

And here's the slide that shows the NRC's point of contact, Dr. Thomas Mclaughlin. They - they do have a toll free number. He does have an e-mail address. And they accept input. Joe?

MR. JOE ROBB:

I guess ah has this been a change in policy since typically the DUI License has been a subject of these meetings?

MR. PAUL CLOUD:

It has been. Unfortunately it has been a - an administrative error, probably mostly on my part, because it should not even have been placed on here in the first place. Ah the reason - the way I came about that Richard and I were talking about it before the meeting to see if great minds think alike is that the ROD has been signed now. When you go to this - we will go back to that slide right here. It shows the address for the policy. Chapter Six (6) - Section Six (6) is the actual where it talks about the various items for discussion at the RAB. But that whole sec - that whole

ah website, and there are many sections in it, I don't remember how many but it talks about creation/formation of a RAB, how you document it, if you made an attempt to form a RAB, what is acceptable agendas on the RAB, when a RAB should be disbanded, so on and so forth. One (1) of the things that Richard and I were talking about is that now that the ROD is signed and we're starting to actually do the environmental restoration in the area south of the Firing Line while it won't happen today or tomorrow or this month or next month and maybe not even this year, maybe next year is that JPG RAB may cease because we have completed the environmental restoration of the area south of the Firing Line what - what the purpose of the RAB was created for in the first place. But there are specific ah directions and criteria in this guidance that talks about that. It was during a review of that that the actual issue of what is acceptable on the agenda on a RAB came up. That's why the decision was made to take the DU issue off and we so informed the NRC of that.

MR. JOE ROBB:

Is that website accessible? That's a secure website so I'm assuming we have --

MR. PAUL CLOUD:

As far as I know it is. Now it’s - ah it perhaps is that the public portion of it there says denix/public. Now if the public weren’t there then it would probably you would have to have a password from a .mil or a .dod. But since it’s public - there are public, there are State and there are dod portions of defense. Since this is the public it should be accessible. If anyone has any problem with that let me know and I can send - I can print it out and send it to you. Questions or comments? Joe?

MR. JOE ROBB:

What’s the - what is the final deadline do you think for the actions on the - that we previously talked about on the Remedial Actions? I know we have a Five (5) Year Plan but as far as --

MR. PAUL CLOUD:

Well the Five (5) Year Plan is going to be - you know the Five (5) Year Review is an ongoing thing until such everything has been corrected identified and until we meet those standards.

MR. KEVIN HERRON:

It’s not just one (1) Five (5) Year Review. It’s every five (5) years.

MR. PAUL CLOUD:

Every five (5) years.

MR. JOE ROBB:

Every five (5) years? Okay.

MR. PAUL CLOUD:

Until you meet it. And you can meet it at one (1) site or two (2) or three (3). But until you meet it at all you continue to use five (5) year plans on those portions where you haven't satisfied the criteria. Right now we're estimating approximately some time this summer the Construction Completion Report at least for ah the soil. Now the ground water that's going to be an ongoing monitoring thing but that will still probably not prevent us from by the end of this year or early next year drafting the FOST for the transfer of the remainder of the property. That property, certain portions of it will have Deed Restrictions. And those Deed Restrictions will specifically relate to the ground water restriction. And that restriction will stay in effect until we're satisfied with the monitoring criteria and the Five (5) Year Review criteria. The Army will come in and remove that Deed Restriction.

MR. JOE ROBB:

I have one (1) last question. The Deed is not signed yet. I'm assuming that's there still - still some discussion with Mr. Ford about ah endangered species, wetlands, anything that were put on those Deeds. Are any of those covenants or Deed Restrictions going to be weakened or changed?

MR. PAUL CLOUD:

The short answer is no. Any other comments or questions? Kevin?

MR. KEVIN HERRON:

Since the - just so anyone knows - everyone knows, you indicated today that even though the DU is being removed out of the RAB agenda the NRC still has their requirements, regulatory to provide public comment periods and provide public meetings. So there will - it's not - the issue's not done and there still will be forms available to the public to meet with the NRC directly. And also even though RAB meeting minutes have been provided to the NRC they're not considered to be official comments to the NRC because they have to come directly from the public to the NRC, not through the Army through the - through the meeting

minutes.

MR. PAUL CLOUD:

That's correct.

MR. KEVIN HERRON:

Ah for those of you that get the comments and have had comments in the past you need to make sure that if you've not made them directly with the NRC so far that you keep those in mind that when they have public meetings or maybe here in the near future you want to make sure that those are addressed directly to the NRC so that they will be required to address them.

MRS. MARY CLASHMAN:

How will we know when they have a public meeting?

MR. KEVIN HERRON:

They will be noticed.

MR. PAUL CLOUD:

They will acknowledge it. It will be in the paper.

MR. RICHARD HILL:

You will see it. I'll let you know. It's a legal requirement.

MS. MARY CLASHMAN:

Yeah. Right.

MR. PAUL CLOUD:

It's a requirement that they publish it in papers in the local area like the Madison Courier. You will see a public notice when they're going to hold it. It's my understanding, although I'm not speaking for the NRC, but in discussions we've had with them our understanding, and I think Richard would agree, that when they do hold whatever public meetings they're going to do they're going to have one (1), at least one (1) in each county: Jefferson, Jennings and Ripley County because those are the three (3) counties that make up the Proving Ground. But you can get more specific detailed information by talking to Dr. Mclaughlin. If you have comments or questions that you would like to formally submit to them now that's why we've provided his mailing address. And that would go into the record and that will be on the Adams Information page. Any other comments or questions? Okay. This is when our next RAB meeting will be, April 27th in the South Ripley Elementary School in Versailles. The last slide shows all

of the meetings this year. Are there any other comments or questions? I would like to thank everyone for coming and for your participation and comments. And please make sure that you signed in and if you have changed your address please indicate that and we can update our mailing list. Richard do you have any closing comments?

MR. RICHARD HILL:

Not really. Just thanks for coming out on this nasty night.

MR. PAUL CLOUD:

Thank you very much.

* * * * *

CONCLUSION OF HEARING

C E R T I F I C A T E

STATE OF INDIANA)
) SS:
COUNTY OF JEFFERSON)

I, Sharon Shields, do hereby certify that I am a Notary Public in and for the County of Jefferson, State of Indiana, duly authorized and qualified to administer oaths; That the foregoing public hearing was taken by me in shorthand and on a tape recorder on February 2, 2005 at the Madison-Jefferson County Public Library, Madison, IN; That this public hearing was taken on behalf of the Jefferson Proving Ground Restoration Advisory Board pursuant to agreement for taking at this time and place; That the testimony of the witnesses was reduced to typewriting by me and contains a complete and accurate transcript of the said testimony.

I further certify that pursuant to stipulation by and between the respective parties, this testimony has been transcribed and submitted to the Jefferson Proving Ground Restoration Advisory Board.

WITNESS my hand and notarial seal this _____ day of February, 2005.

_____
Sharon Shields, Notary Public
Jefferson County, State of Indiana

My Commission Expires: July 2, 2007