

40-8P38



DEPARTMENT OF THE ARMY
U.S. ARMY SOLDIER AND BIOLOGICAL CHEMICAL COMMAND
5183 BLACKHAWK ROAD
ABERDEEN PROVING GROUND, MARYLAND 21010-5424

REPLY TO
ATTENTION OF

October 26, 1999

BRAC Environmental Coordinator

Member
Jefferson Proving Ground
Restoration Advisory Board

Dear Member:

Enclosed for your information are copies of the Jefferson Proving Ground (JPG) Restoration Advisory Board (RAB) meeting minutes for the JPG RAB meetings held on July 7, 1999 and September 22, 1999. In addition, a copy of the year 2000 JPG RAB meeting schedule and November 3, 1999 JPG RAB meeting agenda are provided.

Should you have any questions concerning any of the above enclosures, please contact me at 1-800-392-2015, extension 5-2381.

Sincerely,

A handwritten signature in black ink that reads "Paul D. Cloud".

Paul D. Cloud
JPG BRAC Environmental Coordinator

Enclosures

NL10

JEFFERSON PROVING GROUND
RESTORATION ADVISORY BOARD
YEAR 2000
MEETING SCHEDULE

TIME - 7:00 PM
DAY - WEDNESDAY
DATE - JANUARY 12, 2000
LOCATION - SOUTH RIPLEY ELEMENTARY SCHOOL, VERSAILLES

TIME - 7:00 PM
DAY - WEDNESDAY
DATE - MARCH 8, 2000
LOCATION - JENNINGS COUNTY PUBLIC LIBRARY, NORTH VERNON

TIME - 7:00 PM
DAY - WEDNESDAY
DATE - MAY 3, 2000
LOCATION - MADISON/JEFFERSON COUNTY PUBLIC LIBRARY, MADISON

TIME - 7:00 PM
DAY - WEDNESDAY
DATE - JULY 12, 2000
LOCATION - SOUTH RIPLEY ELEMENTARY SCHOOL, VERSAILLES

TIME - 7:00 PM
DAY - WEDNESDAY
DATE - SEPTEMBER 6, 2000
LOCATION - JENNINGS COUNTY PUBLIC LIBRARY, NORTH VERNON

TIME - 7:00 PM
DAY - WEDNESDAY
DATE - NOVEMBER 1, 2000
LOCATION - MADISON/JEFFERSON COUNTY PUBLIC LIBRARY, MADISON

JEFFERSON PROVING GROUND
RESTORATION ADVISORY BOARD
MEETING AGENDA
NOVEMBER 3, 1999

1. WELCOME/INTRODUCTION
- MR. RICHARD HILL/MR. PAUL CLOUD
2. TECHNICAL ASSISTANCE FOR PUBLIC PARTICIPATION (TAPP)
- DR. DIANE HENSHEL
3. PUBLIC HEARING ON ENGINEERING EVALUATION/COST
ANALYSIS (EE/CA) FOR UXO CLEARANCE ON WESTERN PARCEL
OF JPB CANTONMENT AREA
- MR. GLENN EARHART
4. FINDINGS OF SUITABILITY TO TRANSFER (FOST)
- MR. PAUL CLOUD
5. OPEN DISCUSSION
6. CLOSING REMARKS
- MR. PAUL CLOUD/MR. RICHARD HILL

NEXT JPG RAB MEETING:

7:00 PM, WEDNESDAY, JANUARY 12, 2000,
AT THE SOUTH RIPLEY ELEMENTARY SCHOOL, VERSAILLES

**JEFFERSON PROVING GROUND
RESTORATION ADVISORY BOARD**

COPY

DATE: July 7, 1999

TIME: 7:00 P.M.

PLACE: South Ripley Elementary School
Versailles, IN 47042

PRESENT: Paul Cloud, Co-Chair
Richard Hill, Co-Chair
Ms. Karen Mason-Smith
Mr. Ken Knouf
Mr. Joe Robb
Maj. Mark Welch
Mr. Phil Mann
Mr. Bill Corning

Sharon Shields, Reporter

Audience Members

1 A public hearing of the Jefferson Proving
2 Ground Restoration Advisory Board Hearing was held in the
3 South Ripley Elementary School, Versailles, IN at 7:00 P.M.
4 on July 7, 1999.
5
6

7 **OPENING STATEMENTS BY MR. PAUL CLOUD:**

8 Good evening. I'm Paul Cloud. I'd like to
9 welcome you to the July meeting of the Jefferson Proving
10 Ground Restoration Advisory Board meeting. Again if you
11 haven't signed in on the attendance sheet please do so to
12 make sure you are on our mailing list for future meetings so
13 I can provide you with copies of meeting minutes and the
14 slide presentations. I don't have any opening remarks.
15 I'll turn it over to Richard Hill now not only for his
16 opening remarks but for his discussion on where the
17 community members stand with the TAPP application. Richard?
18

19 **OPENING STATEMENTS BY MR. RICHARD HILL:**

20 Thank you Paul. My opening remarks are good
21 evening. Okay. Now for the agenda. And as you know thanks
22 for coming. As far as the status of the Technical
23 Assistance for Public Participation most of you know we do
24 have a professor from Indiana University, a Dr. Diane

1 Henshel, who is our TAPP provider and I've been in pretty
2 regular contact with Dr. Henshel. I sent her the most
3 recent Remedial Investigation requirements that are
4 available to the public right now. We have another coming -
5 another draft coming out pretty soon sometime this summer.
6 But I had the one (1) that came out - Paul when did that
7 come out?
8

9 **MR. PAUL CLOUD:**

10 August of last year.
11

12 **MR. RICHARD HILL:**

13 About a year ago okay. And so I did have an
14 extra set of those which I gave to her so that she could go
15 ahead and start looking through the information. And she
16 has started to do that. Ah she also has a grad student that
17 is working with her whose name is Jamie DeWitt. I'm not
18 sure if I mentioned that at the last meeting or not. So
19 she's not doing this all on her own. And I just got an E-
20 mail from Dr. Henshel on the 2nd of July and she says that
21 Jamie and her have started and she had some questions that
22 she wanted to ask. For one (1) she says that they plan to
23 send to the community RAB a draft of her report by - around
24 the end of July. So that will be coming up pretty soon.

1 And ah she would like to meet with us ah let's see probably
2 around the first week in August. And so we really need to
3 set up maybe some place and a time to do that. And I think
4 that would be good for her to come down and meet with us.
5 So she wanted me to kind of feel that out and see what would
6 be good times for us. That would be fine for me. I have no
7 problem with that at all. She said that she will send an
8 outline of the report of what they have done so far and some
9 description of how they're going to write up information
10 about the various sites. And probably next week sometime
11 she'll be sending that out. So I will get a copy of that to
12 all of you when I get it so that you will have something to
13 kind of look at before we actually meet with her. And then
14 she had another question about someone - she needed to know
15 who to contact at - for us in environmental. And I got with
16 Paul and he gave me the name and address of the contact
17 there with questions that she had. So that's where we are
18 right now. Of the members, community members of the RAB
19 that are here, is the first week of August a doable time?
20

21 **MR. KEN KNOUF:**

22 Un-huh (yes).
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MR. RICHARD HILL:

Is there any preference as to the day or a time of day or a place? Or any suggestions?

MR. KEN KNOUF:

Richard why don't you just have her - have her come out to our place if she's not been there before?

MR. RICHARD HILL:

I think that would be excellent yeah. I think that would be very good for her to come down maybe around late morning you know middle - middle of the day sometime so she didn't have to get up so early to get here.

MR. BILL CORNING:

How about on Wednesday?

MR. RICHARD HILL:

Pardon me?

MR. BILL CORNING:

Wednesday the 4th?

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MR. RICHARD HILL:

Wednesday the 4th? That sounds - is that good for you?

MR. BILL CORNING:

Yeah.

MR. RICHARD HILL:

Okay. Is that good for you?

MR. PHIL MANN:

I can make it good.

MR. KEN KNOUF:

What does the Jeffersonian serve on Wednesdays Phil?

MR. RICHARD HILL:

Yeah what's the menu for Wednesday?

MR. PHIL MANN:

I don't know. Lunch at the Jeffersonian on the 4th.

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MR. BILL CORNING:

Is that all right with you?

MR. PHIL MANN:

Yeah.

MR. RICHARD HILL:

That's good for me too. So I will get back with her and make sure that it's okay. She pretty much said that the whole first week of August is - is open for them. And I will get back with you on a definite time. And I will get back with you all to confirm that. Are there any questions or comments or anything about the TAPP process so far? Okay.

MR. PAUL CLOUD:

Richard are you going to notify the other community members?

MR. RICHARD HILL:

On yes.

MR. PAUL CLOUD:

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MR. RICHARD HILL:

I have the addresses - I got my computer back and up and running. I was having a little problem a couple of weeks ago but it's fixed so we're okay. And I have all the addresses and I will send out the information to them. Also as a little emphasis on here Paul and I had discussed asking her to come to our regular RAB meeting also. Possibly the one in November, maybe September. We will talk about that some more. We could talk about it in August when we close.

MR. PAUL CLOUD:

In addition if people are interested in finding out more about Dr. Henshel's qualifications and backgrounds we have added a page onto the Jefferson web site on the Internet and there's a brief identification of her as far as what she is going to be doing for the community. If you click on her name you will go to her biographical material that's provided by the University of Indiana. And it's fairly complete. It describes what her background and what her expertise is in. So if people are interested they can - they can access it through there. It's very easy and direct.

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MR. RICHARD HILL:

Where exactly is that on the web site?

MR. PAUL CLOUD:

If you go to the update section.

MR. RICHARD HILL:

Update okay.

MR. PAUL CLOUD:

And then if you go to where it says TAPP. Go to the main page and at the bottom there's a bar that says recent updates or due for updates. Click on that bar and it will send you to a whole number of other things, UXO status and the RAB meetings and minutes.

MR. RICHARD HILL:

Yeah.

MR. PAUL CLOUD:

And UXO features and things like that. And there's now a new bar for the TAPP.

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MR. RICHARD HILL:

Okay.

MR. PAUL CLOUD:

And you can access it that way.

MR. RICHARD HILL:

Thank you.

MR. PAUL CLOUD:

This is the rest of our agenda for this evening's meeting. We talked about briefly last meeting in May the Central Area FOST which is basically a chronology of its history. It's approximately twelve hundred (1200) acres and there's about ninety (90) buildings in it. We had a public comment period and received some comments. Revised the document last March. We requested comments in April. We did receive some outstanding comments from the State and the Indiana Department of Environmental Management and Region 5 and the EPA. Those were attached with the Army's response to the document. It was sent up to our higher headquarters, the Army Material Command. It was reviewed there. The document was signed on the 19th of May. We did provide copies at the May RAB meeting which was also the

1 19th. There are also copies at the Proving Ground and we
2 are putting copies in the Administrative Records at Hanover
3 College. Currently the Louisville Corps of Engineers, the
4 real estate office has been tasked with drafting the deed
5 title transfer documents that will formally and officially
6 transfer that property from the United States Army to Ford
7 Building and Lumber Supply Company. We expect right now
8 that that will probably occur the end of this summer or
9 early fall. And then Mr. Ford will own that property. I
10 don't have a slide that I can throw up there. The next
11 slide in your handouts just basically shows you the outline
12 of that property. But if there are any questions about that
13 I would be glad to ah entertain them at any time. That -
14 just for your information that area was very specifically
15 selected because we tried to avoid as many or all of the
16 environmentally contaminated sites within the Proving Ground
17 and tried to transfer as much property to Mr. Ford at one
18 (1) time. You will notice there is one (1) small crosshatch
19 area there that is excluded from this transfer. That is an
20 environmentally contaminated site. It's referred to as the
21 abandoned landfill and we created a buffer around that area.
22 And that is not part of the property that will be
23 transferred. But everything else within that heavy outline
24 will be. If you have any questions during the various

1 subjects that we will talk about feel free to raise your
2 hand and we will answer them to the best of our ability.
3 The next - the next area that the Army is working on is the
4 DRMO or Defense Reutilization and Marketing Office area. As
5 those that are familiar with the issue are probably aware
6 this approximate five and a half (5½) acres was originally
7 part of a parcel that we were looking at to transfer to Mr.
8 Ford about a year or year and a half (1½) ago, commonly
9 referred to as the forty (40) acre Woodfill Road and
10 PaperMill Road parcel. Ah there were two (2)
11 environmentally contaminated areas within this five and a
12 half (5½) acre parcel. We decided to cut that out and not
13 transfer it at that time until the soil contamination was
14 addressed. So we modified that particular finding of
15 Suitability to Transfer and that was the thirty-six (36)
16 acre parcel. It has been transferred to Mr. Ford. He did
17 subsequently sell it to the Indiana Department of
18 Transportation. It's my understanding that they are
19 currently rehabilitating the buildings within that area with
20 the goal of establishing the highway maintenance facility on
21 the Proving Ground probably this fall. They have, they
22 being the Indiana Department of Transportation, had
23 expressed an interest through Mr. Ford to the Army that they
24 are still interested in this additional five and a half (5½)

1 acres. We have put this FOST out for comment and have
2 received comments from the State and the EPA and will be
3 responding to them shortly. It is our goal to have the
4 revised document out in July. And once that is done we will
5 be looking at ah getting either a concurrent from the State
6 and EPA or an identification of outstanding issues similar
7 to the process we did on the Central Area FOST. And then if
8 there is a concurrence we would just forward the document up
9 with the State and EPA's letters of concurrence to the Army
10 Material Command. They would staff it to the Chief of Staff
11 who is responsible for - actually the Assistant Chief of
12 Staff who is responsible for installation of environment at
13 AMC. If he finds it acceptable he would sign it and then it
14 would be sent to the Louisville Corps of Engineers again to
15 process the deed title document. The next slide you will
16 see in your handout shows the outline of this particular
17 area. It does actually two (2) things. It shows the
18 thirty-six (36) acres that already belongs to the State and
19 the crosshatched section or actually three (3) small
20 sections that make up this five point seven (5.7) acres that
21 we're in the process of trying to transfer to the - Mr.
22 Ford. As soon as the Army is provided with some outstanding
23 information regarding the ah clean up of those two (2) soil
24 contaminated sites within this parcel we will come out with

1 the revised document. And right now we are expecting in
2 July that will happen. If not then as soon as we are
3 provided with that information we will be able to respond to
4 the State and the EPA's comments and then revise the
5 document accordingly. The next area we talked briefly about
6 in May is the airfield area. Now we have this area if you
7 look on the slide behind the one (1) I have up on the
8 projector you will see that area. It's a little more
9 difficult to read but it's basically bounded by the heavy
10 dark lines around the airfield area at Jefferson. It's
11 bounded on the west by Tokyo Road, on the south by
12 Engineer's Road, on the east by PaperMill and on the north
13 by Woodfill Road. There is a small dog leg on the eastern
14 side there that goes around two (2) environmentally
15 contained areas: the yellow sulphur area and the
16 incinerator area. Again we're trying to transfer as much
17 property but not include areas that have an environmental
18 contamination within them. This FOST has been drafted. It
19 is currently being reviewed internally by the Army at the
20 Army Material Command. I have received some comments from
21 their legal counsel and in the process of incorporating
22 them. It is my intention to have this document out for a
23 thirty (30) day review starting in July. And all the RAB
24 members will be provided with a copy. We will have copies

1 at the Proving Ground and State and EPA will also be given
2 copies. Those are usually Fed Exed out so that you will
3 have time and a date and a place to provide comments. We
4 will also post the document on the Jefferson web site so
5 that if you want to access it by that mechanism you can also
6 look at it there and read it if you prefer that process.
7 Within this parcel of about six hundred and fifty (650)
8 acres there are twenty-one (21) buildings. Ah and that's
9 about all we really have on it right now. There has been a
10 UXO clearance performed within this area. That was done
11 down to four (4) feet. The clearance report that we
12 received from the Huntsville Corps of Engineers recommended
13 a unrestricted excavation on this area. And that was based
14 on the types and the numbers of ordnance that were found in
15 this parcel. And what I mean by that is that the types of
16 ordnance that were removed from there did not have the
17 physical capability to go below four (4) feet. So since we
18 cleared down to four (4) feet we feel that it's advantageous
19 to allow digging below four (4) feet because we don't think
20 anything will be found there. However if something is found
21 the Army is still liable and there will be a notification in
22 the deed transfer documents that if there's anything found
23 that to notify us and then we will have the appropriate
24 Explosive Ordnance Disposal Unit to come out and address the

1 issue. And that applies anywhere on the Proving Ground.
2 That is similar to if we had environmentally contaminated
3 areas within this parcel or any parcel we would clean up the
4 parcel to a certain standard, everybody agrees, we transfer
5 the property, then at some later date there's some
6 additional contamination found there that is attributable to
7 what the Army did then we would have to come back in and
8 address that. So there's really no difference between
9 environmental contamination that is found at a later date
10 that the Army caused or UXO that obviously the Army would
11 have caused. The Army would come back in and address those
12 issues in a similar manner. So I don't want anyone to be
13 confused on that issue. One (1) thing that the Army, IDEM
14 and EPA need to address is because there was a UXO removal
15 action in this area ah and there is a potential for some
16 residual soil contamination because there were pieces of
17 ordnance detonated. When I say detonated they placed a
18 small perforator cap on the pieces of ordnance and punch a
19 hole in them. The piece of ordnance is not blown up so that
20 it's non recognizable. That only happens if there is high
21 explosives within the piece of ordnance. By far and away
22 most of the things that are found there are proven to be
23 inert. But because they can't be proven until they are
24 detonated or have holes punched in them they have these

1 holes, these small detonator caps, about twenty-two (22)
2 grams of explosives, placed on a piece of ordnance. That
3 action, when it's detonated, if there is any explosive in
4 the ordnance would cause it to go off. It would crack it
5 open and you could see what's inside. By far and away most
6 of them have inert fillers like wax or molasses, something
7 that is not explosive. What the State, the Army and the EPA
8 will decide is how many of those areas need to be sampled,
9 what percentage, and what they need to be sampled for. Do
10 they need to be sampled just for metal? If some of them had
11 explosives then obviously we will have to look for residual
12 explosives there. Once we agree on a number the Corps of
13 Engineers will come out, they will sample and analyze that
14 and provide the results. Now we have already had some
15 samples taken in a hundred and twenty (120) acre subsection
16 of this parcel last year. And for the commercial-industrial
17 re-use that is identified for this area the levels were
18 acceptable. We don't - we in the Army do not expect
19 anything different here so we will be proposing to the State
20 and the EPA a number for the rest of the area. If we agree
21 then the Corps will come out and take the samples and within
22 thirty (30) days we will have those results. They will be
23 provided to the State and the EPA. And as long as the
24 levels are acceptable and do not require any further action

1 for clean up then that will be referenced in the Finding of
2 Suitability to Transfer and we will carry on with the
3 transfer. Right now we would expect that not having any
4 additional clean up in this area because of the UXO removal
5 action that FOST will probably be signed in the fall and the
6 property would be transferred probably late fall or sometime
7 in the winter ah this year. And then Mr. Ford would proceed
8 with whatever his redevelopment for this particular parcel
9 is. The next thing I would like to talk about is the status
10 of our Unexploded Ordnance Removal that's in the cantonment
11 area. Again I'm sure you've seen this slide a number of
12 times before but again the Corps did do an Archives Search
13 Report for the entire facility, the whole fifty-five
14 thousand (55,000) plus acres back in 1995. There are three
15 (3) findings to that report. They are accessible by the
16 Jefferson web site. You can click on the Explosive Ordnance
17 section and you can go through the material and you can see
18 the highlighted ones and you can go to the actual report,
19 all the volumes. So you can read the whole thing there. We
20 have copies in the Admin Record at Hanover College. There
21 is a copy at the Proving Ground Building 125 where Ken is.
22 One (1) of the volumes of that report addresses the
23 cantonment area. There was an area of approximately twenty-
24 two hundred and thirty-four (2234) acres in the cantonment

1 area that was identified as having potential for UXO. Now
2 we have addressed most of those areas and I will get into
3 the specifics of that in a minute. The Army's commitment
4 was to clean to a depth of four (4) feet. And there are a
5 number of reasons for that. That would allow for a life
6 time reuse of the facility within those areas that had a
7 potential for UXO and would also be below the recognized
8 frost lines in this area. The recognized frost line at
9 Jefferson is about eighteen (18) inches. We have that with
10 documentation from the State. And we have referenced that
11 in the Central Area FOST if anyone is interested. If by
12 chance someone wants to dig below four (4) feet and there is
13 a deed restriction against that, to overcome that
14 restriction that individual or entity would have to go and
15 get the approval of the Department of Defense Explosive
16 Safety Board on how they were going to go do that, and they
17 would pay for that increased clearance, then they could go
18 down to an increased depth of six (6) foot, ten (10) foot,
19 whatever they wanted. They would have to go through the
20 same process that we have gone through. They would have to
21 propose a plan, they would have to have qualified
22 individuals and then they would have to get the DDSB to
23 approve. And then they would provide that to the Army and
24 the Army would come in and modify that deed restriction and

1 remove it or amend it to whatever depth they had ah cleared
2 to. This is our - our schedule which is also on the web
3 site. We've stayed pretty close to being on track with
4 that. Most of the areas are done except for the last two
5 (2). The area known as Krueger Lake has been the area where
6 we have had the highest concentration of ordnance. There
7 was a mortar test area there and we are currently in excess
8 of twenty-five thousand (25,000) rounds. If you go to the
9 Jefferson web site and you look on the update section from
10 the front page you can go right to that ordnance explosive
11 section and basically every week that gets updated. When I
12 get the reports from the Huntsville Corps of Engineers I
13 immediately update the web site and then I fax to the State
14 and EPA those reports. So you can see just what types of
15 material and pieces of ordnance are being removed from
16 there. Again with the exception of those very few that have
17 high explosives in them, sometimes they are just detonated
18 with primers or fuses and not completely an AT round, these
19 are all inert. And when they punch a hole in them with
20 these little detonator caps it just punches a small little
21 circular hole about the size of a nickel and you can look
22 inside and see the wax filler. We have a building on
23 Jefferson right now in this area south of Krueger Lake that
24 has about twenty thousand (20,000) mortars stacked up.

1 Every one of them has a little hole punched in them and you
2 can see the wax inside of them. And these things will now
3 be disposed of or be scraped and be recycled. There's a
4 recycling center down in Arizona. They are not being left
5 out on the property and not blowing them all up so that they
6 are non recoverable and non recognizable. They have very
7 small holes. The first area we did in this area is within
8 the Central Cantonment Area FOST except for that small
9 crosshatch section that was done back in 1996. We found one
10 (1) round that was actually detonated there. We removed a
11 lot of scrap. Also a lot of Farmer Jones's plows, and
12 baling wire and just general junk.

13
14 **MR. RICHARD HILL:**

15 So when - when you used these small charges
16 ah to detonate, to put in the hole, and there is high
17 explosives in this one (1)?

18
19 **MR. PAUL CLOUD:**

20 Un-huh (yes).

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22 **MR. RICHARD HILL:**

23 And that makes a big boom?
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MR. PAUL CLOUD:

It could. According to how you detonate.

MR. RICHARD HILL:

Okay.

MR. PAUL CLOUD:

And it's very obvious as we found out that a little pop made a big bang.

MR. RICHARD HILL:

Yeah.

MR. PAUL CLOUD:

It's very easy to know that. This area was done up in the northeast quarter and we will be looking at creating a FOST for that probably this fall or early winter. This is in the northeast section. It basically splits the eastern - runs along the eastern side north and south of the eastern portion of Woodfill Road. Now this area is part of the area south of Krueger Lake and you notice this was only a surface clearance. There were some concerns on this issue back in the summer of 1996 and so we initially had the Explosive Ordnance Disposal Unit people from Ft. Knox come

1 out and take a look at that. And what they basically found
2 is they would find one (1) round and they would detonate it.
3 And that action would expose three (3) or four (4) more.
4 And it just kept growing. And their job is not to do any
5 ordnance clearance like the Huntsville Corps of Engineers
6 where you're going to spend a long time and a concerted
7 effort and do a very detailed ah clearance. There is a
8 removal action for the ones and the twos. And so when they
9 got up to the area where they had addressed about four
10 hundred and seventy-five (475) they stopped. Actually they
11 stopped way before that. We had the contractor come in
12 after the EOD people had done about fifteen (15). And the
13 contractor did a surface clearance and cleared a total of
14 four hundred and seventy-five (475) out. This area is part
15 of the area south of Krueger Lake that we are currently
16 completing to four (4) foot below the surface clearance now.
17 It will probably be finished this summer, probably by August
18 sometime. This is the airfield area. This area was
19 completed earlier this year. Four hundred and five (405)
20 pieces total. Three hundred and sixty-seven (367) inert and
21 thirty-eight (38) were expected of containing explosives.
22 Some percentage of that total four hundred and five (405)
23 the Army, the EPA and the State will agree to as far as
24 sampling for metals and/or explosives. The Corps will go

1 out and take those samples and find out if there's anything
2 there that require additional clean up. Have a Statement of
3 Clearance and that will be also referenced in the FOST
4 that's currently being reviewed internally with the Army.
5 Now the area south of Krueger Lake is about eight hundred
6 (800) acres. This was current as of last week as far as the
7 numbers go, the twenty-three thousand four hundred and
8 thirty-two (23,432). Of that twenty-three thousand (23,000)
9 plus only twenty-three (23) are suspected of containing
10 explosives. And you can see how many pounds of scrap we
11 got. The last area is what we refer to as the former
12 western park parcel. This particular section of land is
13 west of Tokyo road, west of the airfield, was originally
14 requested by Jefferson County as a potential future park.
15 They subsequently amended their request and excluded that or
16 took it out of their request. That parcel is not in Mr.
17 Ford's lease but he has the option as the successful bidder
18 for basically what is referred to as the first right of
19 refusal. The invitation for bid said or basically described
20 whoever was the successful bidder had the first option to
21 buy that property if and when it should come on the market.
22 He has expressed an interest in that. But because it is
23 extremely heavily forested the Army is performing what is
24 called an EE/CA, that's EE/CA. And that stands for

1 Engineering Evaluation and Cost Analysis. And what we're
2 trying to do there is to save some money and come up with
3 the same results and look at other mechanisms and other
4 processes where we can achieve the same result but instead
5 of spending five (\$5,000,000) to ten million dollars
6 (\$10,000,000) maybe spend a million dollars (\$1,000,000) or
7 less. And so what they're doing, what the contractor is
8 currently doing is looking at various options to see if we
9 can achieve the same result but not go in and clear cut
10 basically four hundred (400) acres of trees which would be
11 what we would have to go do if we utilized the method that
12 we have used ah in the other areas of the cantonment area as
13 far as the mag and flag operations go. It's so heavily
14 wooded it's doubtful that they could realistically go in
15 there with their magnetometers and perform their function
16 adequately. So we are looking at various options. We
17 expect that there will be a report out on what those options
18 are probably late this summer or early fall. And that will
19 be put out in a public meeting with a public comment period.
20 And it will identify whatever the options are from no action
21 to mag and flag to maybe a statistical risk based approach.
22 And we will ask for comments. Probably will have a thirty
23 (30) or sixty (60) day comment period. After that the Army
24 will look at the comments, respond to them, and then they

1 will make a collection of one (1) of those and it will be
2 documented ah in the public record as to what is going to be
3 done and how it is going to be done and why it's going to be
4 done that particular way. And this is really not much
5 different than how issues are done in the environmental
6 arena. When we get to that particular phase for the
7 environmentally contaminated areas of the Proving Ground
8 that's called the Feasibility Study. And we will analyze
9 each environmentally contaminated site as to whether we're
10 going to come in with a backhoe and dig out dirt or we're
11 going to let nature do its trick or we're going to do some
12 other process or mechanism and we will analyze all those for
13 costs, time, effectiveness and put it out to the public for
14 a comment period, respond to any comments we receive, and
15 then we will make a selection, document it in the public
16 record, and then we will proceed on to do whatever that
17 action is. Same for the UXO in this western area. Are
18 there any questions on the material that we've talked about
19 so far?

20
21 **MS. KAREN MASON-SMITH:**

22 Yeah. I have one (1) specific
23 clarification.
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MR. PAUL CLOUD:

Karen?

MS. KAREN MASON-SMITH:

The EE/CA. You said that you are planning to put that out for public review this summer or fall of '99?

MR. PAUL CLOUD:

Probably no sooner than the end of summer.

MS. KAREN MASON-SMITH:

Okay.

MR. PAUL CLOUD:

But it may be sometime in the end of summer or early fall right now. I'm supposed to be getting ahold of the Huntsville Corps of Engineers to discuss that time frame and I'll know better probably in the next few days. But that's what we expect right now.

MS. KAREN MASON-SMITH:

Okay thank you.

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MR. PAUL CLOUD:

Yes Bill?

MR. BILL CORNING:

Paul off hand do you know how many acres is involved in that Krueger Lake thing?

MR. PAUL CLOUD:

Two hundred and twenty-one (221) if I remember the article on paper.

MR. BILL CORNING:

Two twenty-one (221)?

MR. PAUL CLOUD:

Yes sir. And that's - I'm glad you brought that up. There was an article in the Madison Courier just last week. That property, two hundred and twenty-one (221) acres does not belong to the United States Army or the federal government anymore. That property belongs to Jefferson County. That is a public park and has access controls and restrictions currently on it because of the UXO and the environmental contamination still present on the Proving Ground but that property does belong to Jefferson

1 County.

2

3 **MR. BILL CORNING:**

4 As you probably know there's a new group
5 involved. JPG Heritage Preservation?

6

7 **MR. KEN KNOUF:**

8 Partnership.

9

10 **MR. BILL CORNING:**

11 Partnership. And they're hoping to be able
12 to put a museum in that area as part of that.

13

14 **MR. PAUL CLOUD:**

15 That's possible. They would probably have
16 to go through the county and the park board and I don't see
17 any reason why not. They would - until such time as when
18 the access controls are relaxed or eliminated they would
19 probably be similar access controls placed on - on that
20 facility also should it be constructed. But I don't see a
21 problem right now off the top of my head.

22

23 **MR. BILL CORNING:**

24 The group was just talking about it. It's

1 in the - way in the future. They were wondering how many
2 acres and somebody said three hundred (300) acres and others
3 said two hundred (200) acres.

4
5 **MR. PAUL CLOUD:**

6 Two twenty-one (221) was the article in the
7 paper that's just about what it should be, about two hundred
8 and twenty (220) acres.

9
10 **MR. BILL CORNING:**

11 That's fine.

12
13 **MR. PHIL MANN:**

14 Paul?

15
16 **MR. PAUL CLOUD:**

17 Yes.

18
19 **MR. PHIL MANN:**

20 If the four hundred (400) acres out there is
21 cleared and offered for sale to Dean Ford what will it be
22 selling for?

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MR. PAUL CLOUD:

Whatever the fair market - well let me rephrase that. There are a number of mechanisms that would be employed. The first thing that would be done is that the Corps of Engineers would have their appraiser come in and do an appraisal of that. Now we in the Army would not be ah appraised of that value for confidential - confidentiality. But what would probably result would be the fact that it would probably be offered for sale at a minimum. Get a fair idea of what it appraised at like the minimum.

MR. PHIL MANN:

Okay.

MR. PAUL CLOUD:

If we didn't get a successful bid it would probably follow the same process as we did with the cantonment area and offer it again for no amount.

MR. PHIL MANN:

And if the four hundred (400) acres would have been accepted by the park?

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MR. PAUL CLOUD:

I beg your pardon?

MR. PHIL MANN:

If the four hundred (400) acres would have been accepted by the Park?

MR. PAUL CLOUD:

Un-huh (yes).

MR. PHIL MANN:

Would it have been cleared?

MR. PAUL CLOUD:

It would have been cleared to the same standard that the Army did for the rest of the cantonment area. Four (4) foot.

MR. PHIL MANN:

Well why wasn't the two hundred (200) acres cleared?

MR. PAUL CLOUD:

The two hundred (200) acres of the Krueger

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Lake area that belongs to the county now?

MR. PHIL MANN:

Un-huh (yes).

MR. PAUL CLOUD:

Because it was identified as not having potential for UXO. If there had been any potential for UXO there we would have cleared that.

MR. PHIL MANN:

Sure. Okay. Why not just a lease if you're - instead of spending ten million dollars (\$10,000,000) to clean four hundred (400) acres that you're going to sell for half a million bucks (\$500,000)?

MR. PAUL CLOUD:

That is an option. It's not clear yet that the Army at the Secretary level is ready to make that decision.

MR. PHIL MANN:

Has anybody said that it has to be sold?

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MR. PAUL CLOUD:

It is the intention of the Army all BRAC facilities dispose of their property as possible for reuse. That is the policy.

MR. PHIL MANN:

But that is to generate funds for use for clean up?

MR. PAUL CLOUD:

Yes and no. It's not only to generate funds for clean up but it's to generate reuse for the community because of the fact that the base has closed for military functions. So there are two (2) parts to that. The current policy is to close - is to turn over as much property as possible whether it's a sale or - in case of the park that was a public conveyance. There was no money involved in that transfer.

MR. PHIL MANN:

Right. But if you have already determined you're going to sell it to Dean Ford there's no public interest?

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MR. PAUL CLOUD:

He has the first right of refusal based on the invitation to bid. The only reason he has it is because he was the successful bidder.

MR. PHIL MANN:

Okay.

MR. PAUL CLOUD:

If it had of been somebody else it would have been somebody else.

MR. BILL CORNING:

If a government entity requests it then what?

MR. PAUL CLOUD:

We are already past that point. Ah at BRAC facilities during the BRAC property screening process there is a hierarchy or a chain which I'm sure you're familiar with. And State or local had their opportunity and we are way beyond that stage now.

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MR. PHIL MANN:

The point I'm trying to make is that there's no way that the public or the community can benefit from the four hundred (400) acres? That's already been determined that it's going to go to Dean Ford. And why should we spend ten million dollars (\$10,000,000) to sell something to him for half a million (\$500,000) dollars?

MR. PAUL CLOUD:

The decision to sell property and the decision to clean up are either not mutually exclusive or mutually connected. They are independent decisions.

MR. PHIL MANN:

Okay.

MR. PAUL CLOUD:

And it makes no difference from the Army's prospective who got the property and what the Army's got for the property in return. The commitment from the service was for this property that's been accessed we are going to dispose of it. That this level of clearance will be performed. This level of clean up for environmental. And if that costs five million dollars (\$5,000,000) or twenty

1 million dollars (\$20,000,000) or fifty million dollars
2 (\$50,000,000) that's what it's going to cost. Now who gains
3 the benefit of that is result of how property transferred as
4 screening process evolved. And that's different at each and
5 every BRAC facility. Jefferson just happened to be somewhat
6 unique. But there are other BRAC facilities who have
7 transferred property, spent as much or more money as is
8 being spent at Jefferson and have gotten less in return.

9
10 **MR. PHIL MANN:**

11 That doesn't make it right. That doesn't
12 make it right.

13
14 **MAJ. MARK WELCH:**

15 Paul it's safe to say that the ah part of
16 what you're looking for from this Engineering Evaluation and
17 Cost Analysis is for them to give a recommendation to the
18 Army about whether it is cost effective to go on with the
19 clean up.

20
21 **MR. PAUL CLOUD:**

22 Yes it is.
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MAJ. MARK WELCH:

And what kind of methods they do clean up
on.

MR. PAUL CLOUD:

Yes sir. There are usually two (2) or three
(3) ah minimal options. One (1) would be a no action
option.

MAJ. MARK WELCH:

Right.

MR. PAUL CLOUD:

You wouldn't do anything.

MAJ. MARK WELCH:

Which is what I described.

MR. PAUL CLOUD:

In that case that follows Phil's discussion
with my sentence. One (1) option. There are potential
issues or problems that would have to be addressed. Should
we fence the issue for the area and not offer it for sale?
But those are - that's the intent is to look at the options

1 and then make a recommendation. The policy makers at the
2 Pentagon would then decide whether or not we were going to
3 proceed or prochange what we've already decided which is to
4 access the property and to turn it over and sell it. If
5 that decision is not changed then we would proceed on and
6 there would be a selection as to what method was going to be
7 utilized. And based on any comments we received and how
8 they were responded to we would proceed on and do that
9 action, whatever it is to clean up and then offer it for
10 sale and go from there.

11
12 **MAJ. MARK WELCH:**

13 The point I was trying to make to piggy back
14 on what you just said is ah it is really the Army's intent
15 to make decision on that property based on two (2) things.
16 One (1) is what's in the best interest of the ah government
17 because they now own the property. And two (2) is make a
18 decision based on what's in the best interest of the
19 community.

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21 **MR. PAUL CLOUD:**

22 Yes.
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MAJ. MARK WELCH:

And this particular study is designed to provide information to the Army to allow them to make that decision about what to do with that piece of property.

MR. PAUL CLOUD:

And also to present the options to the public should the Army decide to proceed yes sir. That occurs after that comment period.

MAJ. MARK WELCH:

After that comment period and then after that the Army will make a decision that will take into account those two (2) things.

MR. PAUL CLOUD:

Yes sir.

MAJ. MARK WELCH:

The best interest of the government and the best interest of the citizens in this community.

MR. PAUL CLOUD:

That's correct.

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MAJ. MARK WELCH:

And that will come.

MR. PAUL CLOUD:

Bill?

MR. BILL CORNING:

Dean Ford, if he buys that?

MR. PAUL CLOUD:

Un-huh (yes).

MR. BILL CORNING:

Can clear cut it?

MR. PAUL CLOUD:

Doubtful.

MR. BILL CORNING:

Well he could.

MR. PAUL CLOUD:

Ah in theory yes. In reality probably not.

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MR. BILL CORNING:

Because U.S. Fish and Wildlife quote that's part of the largest contiguous forest in the State of Indiana. I don't believe it but that's their statement.

MR. PAUL CLOUD:

Well another issue that Mr. Ford or anyone else who buys that property is going to have to deal with is the potential for wetlands in that area. And if there are wetlands, and there probably are, that issue will have to be addressed and resolved before any action is taken. Ah so it makes no difference who gets the property.

MR. BILL CORNING:

You can still log wetlands.

MR. PAUL CLOUD:

I beg your pardon?

MR. BILL CORNING:

You can still log wetlands.

MR. PAUL CLOUD:

You can. However you may have to offset it

1 and Mr. Ford would have to address that issue. That's the
2 law. And he would have to go through the Corps of Engineers
3 and the State of Indiana to address those issues. And he is
4 well aware of that.

5
6 **MAJ. MARK WELCH:**

7 Does anybody know if this is a federal
8 habitat for the Indiana bat?

9
10 **MR. PAUL CLOUD:**

11 It's not. There are no federally endangered
12 species south of the firing line.

13
14 **MR. BILL CORNING:**

15 They all went north.

16
17 **MR. PAUL CLOUD:**

18 It could be in theory but right now there
19 are no known federally endangered species south of the
20 firing line.

21
22 **MR. BILL CORNING:**

23 Poo Deck got up and argued with Allen and I
24 for days the fact that the largest concentration of Henslow

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sparrows was on the airport.

MR. PAUL CLOUD:

Actually it's not. It's north of the firing line.

MR. BILL CORNING:

Yeah.

MR. JOE ROBB:

Well at one (1) time it was.

MR. BILL CORNING:

And they all - all went north.

MR. JOE ROBB:

At one (1) time it was at the airport sir. But basically when you're mowing there they can't live there so that's why they're not there.

MR. BILL CORNING:

That's what we contended. They all went north as soon as the government sold it.

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MR. PHIL MANN:

What about gate attendants Paul? How much longer will they have to be there?

MR. PAUL CLOUD:

The access control requirements are stipulated by ah federal regulations because of the environmental contamination at - in the cantonment area. It's expected right now that the area that is driving that will probably be completed by the end of the year 2000. This is about the same time that the UXO in the cantonment area will be addressed. That doesn't mean all the environmentally contaminated sites will be done by that year but the regulations that drive that will probably be - ah be addressed by then. By that - by that time we will be in a position to more fully address that. That security plan which is in effect at Jefferson and it's reviewed annually and the gate access control is part of it, is reviewed annually and I would expect probably ah the annual review maybe 2000 or 2001 we will be looking at possibly discontinuing that. But that's going to be due to the fact that we are done with those areas at that time. That gives you a ball park field for it. Kevin?

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MR. KEVIN HERRON:

I've been here right at the end. Is there some kind of basic criteria that applies to the decision according to the EE/CA as to whether to go ahead and what actions to include so there's a consistency throughout the ah - throughout not just one (1) BRAC but all the BRACs throughout the country? Is there some kind of basic criteria that applies so that you know there's consistency so that if - if somebody from the public says well look you said - you did - you took this action here. Is this consistent with actions taken in other - in other locations or even - even in the same area?

MR. PAUL CLOUD:

Short answer yes and no. The reason why I say that is yes there is consistency for the intent to be consistent because we'll take Jefferson specifically. The Army's committed to a four (4) foot below surface clearance in the area south of the firing line. So if something is done with this four hundred (400) acres, whatever it is would be to equal that four (4) foot clearance. Now what is applicable and consistent at Jefferson, and this is where the no comes in, may not be consistent with another facility, Fort Ben Harrison or someplace else. Their

1 criteria for their specific reuse may be different. It may
2 be a surface clearance. It may be a one (1) foot. It may be
3 a ten (10) foot. It depends. So the answer is yes and no
4 but it depends on the specifics of the facility to provide
5 consistency there to the inconsistency you would see based
6 on different facilities and based on the reuse after the
7 facility is closed. Does that answer your question?

8

9

MR. KEVIN HERRON:

10

But it still should be consistent I think

11

even then?

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MR. PAUL CLOUD:

14

It should be.

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16

MR. KEVIN HERRON:

17

Because it - because the criteria is going

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to be different you know four (4) foot versus one (1) foot

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clearance.

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MR. PAUL CLOUD:

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Yes.

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MR. KEVIN HERRON:

The clearance or the criteria is still going to remain consistent with the clearance depth to some extent?

MR. PAUL CLOUD:

The mechanism will be consistency regardless. The process on mechanism, the end result as far as what if anything is done may not be the same. But the process of the mechanism will be the same.

MR. KEVIN HERRON:

Because if you - if you are going to do a ten million (\$10,000,000) to a five hundred thousand (\$500,000) - based on this illustration, ten million (\$10,000,000) to five hundred thousand dollars (\$500,000) ah clean up versus reward over return, rate of return, you would hope that there would be consistency just in that same facility and potentially or at least the criteria by which the decisions are made throughout - throughout all the facilities if possible?

MR. PAUL CLOUD:

Those are some of the factors that are

1 involved in the process yes. And you know finances are one
2 (1) of them. But also the fact that if we were to go in and
3 do an intensive mag and flag operation it would include or
4 almost mandate that a clear cutting operation be done just
5 to physically access the area. That may not be possible due
6 to the potential for a wetlands area. We may be prohibited
7 from doing that type of operation. That would be factored
8 into this process and be part of what is documented when the
9 options are published for comment.

10
11 **MR. KEVIN HERRON:**

12 And really waiting to that point is the best
13 way to go? Just to wait and find out?

14
15 **MR. PAUL CLOUD:**

16 And that's why we think it will probably be
17 the better way to go on this particular parcel and it has
18 the potential to save a significant amount of money assuming
19 that the Army is going to perform some type of operation.
20 It may not be the same mag and flag process. It may be
21 something different. If it is it will probably be
22 significantly cheaper. Not to say that we will make a
23 profit on the property, which we may or may not, but it will
24 probably be significantly cheaper. It depends. Probably

1 eight (\$8,000,000) to ten million dollars (\$10,000,000)
2 cheaper. Ten million (\$10,000,000) is what we had estimated
3 it would cost due to the intensive area. It might be less
4 than a million (\$1,000,000) on another way.

5
6 **MR. PHIL MANN:**

7 Is there any possibility that the parcel
8 that was transferred to the county, this two hundred and
9 twenty-one (221) acres, required no clearance because of its
10 end use?

11
12 **MR. PAUL CLOUD:**

13 No. The Archives Search Report came out
14 before the county had been granted their public benefit
15 conveyance request.

16
17 **MR. PHIL MANN:**

18 So they got conveyed all the land that did
19 not fall inside the - their parcel came exactly to the line
20 between an area that needs to be cleared and an area that
21 didn't need to be?

22
23 **MR. PAUL CLOUD:**

24 Well remember what I said. The Archives

1 Search Report came out first. So they were able to look at
2 that and design their request around that. So yes your -
3 your observation is exactly correct. They took the Archives
4 Search Report and said okay here is the boundaries of an
5 area that the Army had indicated does not have a potential
6 for UXO. It just so happens that Krueger Lake is there and
7 that's right near the main gate and so they asked for that.

8
9 **MR. PHIL MANN:**

10 I wouldn't agree with that but I will have
11 to look at the report and see what it says.

12
13 **MR. PAUL CLOUD:**

14 Are there any other questions?

15
16 **MR. KEN KNOUF:**

17 Paul?

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19 **MR. PAUL CLOUD:**

20 Yes.

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22 **MR. KEN KNOUF:**

23 Again talking about the western park parcel.

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MR. PAUL CLOUD:

Yes.

MR. KEN KNOUF:

In theory if Jefferson County, which is in the process of implementing a county wide master plan, all of a sudden it dawns on them that they would like to try to protect and preserve some - some green space for future - as the county starts to develop population and want to keep more green areas and they said we may have made a mistake. Is it absolutely obligatory on the Army to offer that property to Ford? I'm not sure you answered Phil's question. If there is enough political pressure, public pressure to have the Army re-look at that is that a possibility in terms of gaining more of a community benefit versus just an individual?

MR. PAUL CLOUD:

In theory anything is possible. However, remember the BRAC property screening process has already gone beyond that stage at Jefferson. The community had their opportunity. They initially requested the property. They subsequently amended it for their own reasons. So we are beyond that stage now. Not to say that if Congress and

1 Congressional influence changed the process it couldn't be
2 revisited. But right now the answer would be no.
3

4 **MR. KEN KNOUF:**

5 Okay. Well I bring that up because that
6 area really has not been systematically studied. We don't
7 know what kind of resources are there. I'm sure it's going
8 to have wetlands and our experience with Mr. Ford is that he
9 is not a great supporter of wetlands protection. And so he
10 may tend to bypass that kind of thing. And you know he's
11 obliged obviously to consider it but you know and I know
12 sometimes it doesn't quite work like that. But I don't
13 know. I just think it would behoove us as within the Army
14 to get a better handle on what - what's in those woods and
15 then act and act responsively.
16

17 **MR. PAUL CLOUD:**

18 Well it's - as I say Mr. Ford has, in
19 accordance with the invitation to bid, the first right of
20 refusal.
21

22 **MR. KEN KNOUF:**

23 Right.
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MR. PAUL CLOUD:

Should the Army make the property available. Right now the Army is intending to make the property available. However, between now and the time that that decision has to be formally made, i.e. we make a clearance operation of some sort in that area which would allow the property to be made available, things could change. If in fact there is going to be some ah community effort extended to go and try and influence that, this would be the time to start doing that because once the decision is made and money has been expended then the Army will be obligated to go offer the property.

MR. KEN KNOUF:

Right.

MR. PAUL CLOUD:

And of course with the invitation to bid Mr. Ford has as the successful bidder that first right of refusal. And he has expressed an interest in it. Does that answer your question?

MR. KEN KNOUF:

Yes.

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MR. PAUL CLOUD:

Bill did you have another question?

MR. BILL CORNING:

No.

MR. PAUL CLOUD:

Okay. One (1) last item I would like to talk about just briefly, we talked about it last May, is the issue north of the firing line with the Fish and Wildlife Service and the Air National Guard. Ah at the May meeting in Madison Mr. Early, who is base transition coordinator, spoke about that issue in some detail. What I would like to do now is just give everyone an update on that issue. As Mr. Early indicated at that time and is still current to this date today, no decision has been made on that issue. Ah we are - we the Army are still talking with both agencies. In fact in furtherance of that ah process Monday Congressman Hill is intending to fly over that portion of the Proving Ground. And members of the Fish and Wildlife Service and the Air National Guard will be in attendance as will the Army to discuss this issue. So we are still in the process of talking and negotiating and trying to work out an agreeable situation north of the firing line. No one has

1 been excluded and no decisions have been made to date. And
2 we are continuing on that process. And the Congressman has
3 expressed an interest to be briefed on that subject with the
4 parties all in attendance. So Monday morning we will be
5 there to discuss the issue with him. Hopefully that will
6 bring everyone up to date as to where we are and as more
7 information becomes available we will be glad to ah let
8 everyone know where that issue stands. Bill?

9
10 **MR. BILL CORNING:**

11 Will there be any representatives of the
12 local people?

13
14 **MR. PAUL CLOUD:**

15 I am not aware of anything right now.
16 Basically this is between the Congressman - at his
17 invitation. He has invited the three (3) agencies to come
18 together. They're going to basically fly over the northern
19 end of the Proving Ground in a helicopter. And he wants -
20 he had his Chief of Staff out here last week to do some prep
21 work. And he's going to go view part of the facility for
22 himself and we're going to discuss the issue among the three
23 (3) agencies. But it's been his request of the three (3)
24 agencies right now. Did that answer your question I hope?

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MR. BILL CORNING:

Yeah.

MAJ. MARK WELCH:

Paul I also want to add that this board meeting is really the opportunity for the public to provide their input to that decision making process.

MR. BILL CORNING:

Through right now?

MAJ. MARK WELCH:

Through research and the Advisory Board.

MR. BILL CORNING:

Oh now?

MAJ. MARK WELCH:

Through the whole process. Each item.

MR. BILL CORNING:

Well I've been expressing my opinion since 1989.

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MAJ. MARK WELCH:

And the point I'm making is - is as part of the decision making process you go back and look at what the public has said already about what they want to do with that area. And then make decisions based on what is in the best public interest.

MR. BILL CORNING:

The public has been completely ignored locally in many meetings. Allen and I both represented Ripley County on the old committee.

MR. PAUL CLOUD:

JPG-RDB. Jefferson Proving Ground Redevelopment Board.

MR. BILL CORNING:

Yeah. And ah in a period of seven (7) years, was it eight (8) years, until they started the RAB they paid no attention. They asked and we had agreements with Fish and Wildlife. We had agreements with the Army. And they come along and they said the hell with it. That's it.

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MR. PAUL CLOUD:

One (1) thing you have to --

MAJ. MARK WELCH:

That is part of the Army moving through the RAB board process was to provide the public the opportunity to come in and say this is what we think you want to do with the property.

MR. PAUL CLOUD:

Also you have to - you have to remember Bill that property north of the firing line had not been accessed by the federal government. And that's been made available for public use.

MR. BILL CORNING:

Right.

MR. PAUL CLOUD:

And we all know the reason for that.

MR. BILL CORNING:

Yes.

1 **MR. PAUL CLOUD:**

2 Because we have twenty million (20,000,000)
3 plus rounds of UXO. We have seventy-five thousand (75,000)
4 kilograms of DU out there that is much too expensive and
5 would devastate that fifty-one thousand (51,000) acres were
6 we to go clear it. You know that as well as we do. Ah if
7 at some time in the future, a hundred (100), two hundred
8 (200), five hundred (500) years from now we collectively
9 have developed a process to go do that clearance in a cost
10 effective manner, it may occur at that time. Now that is
11 part of an issue that is being addressed in the Range Rule
12 that the Department of Defense is currently drafting that
13 will probably be effective next year. And it requires you
14 to go back every three (3), five (5), seven (7) years,
15 however and revisit that issue to see. If you - if you
16 claim it's technically and feasible to go clean up and area
17 and cost is one (1) of them, then you have to go back every
18 three (3), five (5), seven (7), ten (10), fifteen (15) years
19 forever to revisit and see if something new has come up so
20 that you can go do it. And you may only be able to do
21 portions of it but you have to go back. That's part of that
22 process.

23
24

1 **MR. BILL CORNING:**

2 But Paul this is the whole thing that
3 bothers me about this whole last ten (10) years. You sit in
4 the meetings. Allen and I have sat side by side in many of
5 them with the Army, with Fish and Wildlife. We come to an
6 agreement. Then the next month we didn't say that. We were
7 playing semantics. We didn't say what you thought we said.
8 We didn't agree to what you thought we agreed to. And I
9 don't know. Maybe I'm old fashioned but when an officer
10 told me to drop buddy I dropped and I tried to see how much
11 dirt I could eat. Ah anymore in the service, the contacts
12 we have with the service, they say well now this is a piece
13 of paper. But if you turn it over there's nothing on it so
14 it's a clean piece of paper. When you can look at this
15 side and they didn't so it's plain paper so they've played
16 semantics through this whole damn thing.

17
18 **MR. PAUL CLOUD:**

19 Unfortunately what Jefferson has suffered
20 from, and Jefferson is not the only facility that has
21 experienced this problem, only BRAC facility, because it
22 happened at a number of facilities throughout the country is
23 that because the process is so new and different, and
24 although you think you know eight (8) or ten (10) years is a

1 long time, and it is a long time, for a new administrative
2 process on how to dispose of military property that has
3 ordnance and explosives, has depleted uranium, has
4 environmental contaminants, how to dispose of that had never
5 been done before and turned over to the public, there are
6 going to be you know mis-cues, mis-steps, misunderstandings
7 to try and develop that process so that future transfers
8 will go much smoother. You know I've said this at RAB
9 meetings since day one (1). You know that book we're
10 writing right now. We're going to continue to write that
11 book you know. And it will probably be a book that is never
12 finished but it's going to be a book that is going to have
13 more material and be of more assistance to more people at
14 more facilities as time goes on. So it's going to get
15 easier. It's not going to get harder. It's going to get
16 easier. Unfortunately Jefferson was in the first BRAC round
17 and it's got some very unique and very difficult issues that
18 nobody has been able to deal with or had to deal with
19 before.

20
21 **MR. BILL CORNING:**

22 I agree with you.
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MR. PAUL CLOUD:

So we've - we have had to address those and I think the Army has done a conscientious job. I don't think there was ever a conscious effort to mislead. There may have been misunderstandings. There may have been things that people didn't understand on both sides of the fence you know. But that's how you learn. And that's how that book gets re-written so that the next rounds are done in an easier more cost effective and more beneficial manner.

MR. BILL CORNING:

Well you will find in some of the records that we were told that nineteen hundred (1900) feet inside the fence was clear. Absolutely. The north sections of JPG at the north fence were clean. Maybe an accidental shell had landed up there. But they were clean. And those aren't the only things that we were talking about. They were talking about the big Graham Creek. Jennings County wanted to come in the Proving Ground far enough to use the ford that's there rather than the county spending a hundred thousand dollars (\$100,000) for a bridge. No way. Couldn't do that. But then they turned around and they say well we have now decided, now that we've agreed to let you have this property we have now decided that all the north sections are

1 potentially loaded with UXO. And the nineteen hundred
2 (1900) feet from the fence is now your lucky if it's clear
3 to the road. That's the kind of stuff I --
4

5 **MR. PAUL CLOUD:**

6 And I understand what - I understand your
7 frustration. And I was at a lot of those meetings.
8 Unfortunately before the Archives Search Report was done the
9 official documentation had identified everything north of
10 the firing line as having a potential for unexploded
11 ordnance. Some of those discussions did occur and they
12 probably shouldn't have occurred but unfortunately they did.
13

14 **MR. BILL CORNING:**

15 I know. Don't let them happen again.
16

17 **MR. PAUL CLOUD:**

18 It is - it is illegal for the federal
19 government to transfer property with known UXO without
20 having some deed restrictions on it. And if you've done no
21 UXO clearance it is illegal to transfer the property out of
22 federal hands. So that is what we're dealing with now. As
23 soon as the Archives Search Report was done and it
24 identified that, you know that was a lesson learned. And

1 your comment is very applicable. And I - I expect that it
2 will be applied at future facilities that have unexploded
3 ordnance that discussions like that which occurred here at
4 Jefferson won't occur or they will say well we will have to
5 wait until the Archives Search is done. That is part of the
6 Range Rule. They are going to have to do an inventory of
7 all those facilities that have ranges where ordnance was
8 used. And they won't be able to imply or people won't think
9 that they've been told that they can have property until the
10 search has been done. Because until the search is done
11 people aren't going to know what may potentially be out
12 there. And if there is a potential for this then they can't
13 have it until something is done.

14
15 **MR. BILL CORNING:**

16 Well I hope they have learned.

17
18 **MR. PAUL CLOUD:**

19 I think they have.

20
21 **MR. BILL CORNING:**

22 From this experience at JPG. Because some
23 of us fellow here - I know I'm pushing eighty (80) and the
24 last ten (10) years many times it was three (3) and four (4)

1 times a month we had meetings down at JPG.

2

3 **MR. PAUL CLOUD:**

4 I remember. I was there for them all.

5

6 **MR. BILL CORNING:**

7 And some of them were fun and some of them
8 weren't.

9

10 **MR. PAUL CLOUD:**

11 Yeah but you got free Cokes.

12

13 **MR. BILL CORNING:**

14 Yeah once in a while.

15

16 **MR. PAUL CLOUD:**

17 I understand. And appreciate your comments
18 and I believe the Army, and not only the Army but DOD has
19 learned that lesson very well.

20

21 **MR. BILL CORNING:**

22 I hope so.

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MR. PAUL CLOUD:

Jefferson by far and away has more UXO than any - any other BRAC facility.

MR. BILL CORNING:

I don't doubt that.

MR. PAUL CLOUD:

So the issue is much worse here than it would be anywhere else. And I think they've learned that lesson.

MR. BILL CORNING:

It started - it started in 1940 when they gave the people ah thirty (30) days to move. And everything that you've found in the paper and everything about these farmers were gracious and oh they're just so happy to give their farms to the government and move off of farms that were original land grants. When we got involved with this new committee and met these people that were third and fourth generations born and raised on the Proving Ground. Boy they put a different light on it. Entirely.

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MR. PAUL CLOUD:

I understand.

MR. BILL CORNING:

They weren't happy to move.

MR. PAUL CLOUD:

I understand that. Are there any other questions or comments?

MR. PHIL MANN:

As far as deed restrictions on the acres south of Krueger Lake what are deed restrictions?

MR. PAUL CLOUD:

South of the park area.

MR. PHIL MANN:

South of the park area. Who's going to enforce that?

MR. PAUL CLOUD:

That depends on what type of deed restrictions there is. We have not gotten - the UXO

1 clearance has not been completed yet. There is also
2 environmental areas within that parcel that need to be
3 addressed. So until those actions are complete it's not
4 clear what deed restrictions may be deemed necessary. Ah
5 it's possible that for the UXO there may be a four (4) foot
6 excavation restriction. In that case that would be in the
7 deed and there would be a requirement that it's filed with
8 the county so that if someone wants to go build something
9 there that would require excavation below four (4) foot, it
10 would be duly recorded and there wouldn't be ability to
11 grant it because of it being in the records. If there is a
12 prohibition against let's say ground water used for drinking
13 water, similarly if someone wanted to go drill a well for
14 ground water, go dig for ground water, then they would have
15 to get a permit to do that. That permit would have to meet
16 BRAC's standard. That is not unique to BRAC facilities.
17 That's a standard.

18
19 **MR. PHIL MANN:**

20 Excavation that doesn't require any farm
21 ponds?

22
23 **MR. PAUL CLOUD:**

24 I beg your pardon?

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MR. PHIL MANN:

Excavation that doesn't require any farm pond?

MR. PAUL CLOUD:

Any transfer of property from either the Army to Mr. Ford or subsequent transfer to Mr. Ford from anyone else will in perpetuity require to have those deed restrictions included and be acknowledged by whoever buys the property. When you buy your house there are certain restrictions on which you can and can't do that. If you sell that property to somebody else those follow the land. That's basically how it will occur here. They run with the land forever or until such time as action is taken to reduce or eliminate that restriction. Say for UXO Mr. Ford or some subsequent owner does an additional UXO clearance, now the restriction may be intensive or it may be unrestricted. But in any event it would have to come back to the Army and the Army would be the initiator for the modification or the release of that restriction. That is the process that's used.

MR. JOE ROBB:

I think what Phil is referring to - I'm Joe

1 Robb with U.S. Fish and Wildlife Service. But if someone
2 were to come in contact with UXO --
3

4 **MR. PAUL CLOUD:**

5 That's true. Anybody can do that. However
6 that would be a violation and may - if in fact they came
7 across something, whether UXO or they drank the ground water
8 and they became sick, they would have no claim against the
9 federal government because they violated their deed
10 restriction. They would have to suffer - not only would
11 they suffer the consequences if they came across UXO or
12 contaminated ground water or other environmental
13 contamination, but they would be criminally liable for
14 violating the deed restriction. So they would suffer
15 probably a multitude of cases if they came across it. If
16 there are no other comments or questions our next RAB
17 meeting is scheduled for the 22nd of September. It will be
18 in North Vernon at the Public Library there. That's a
19 Wednesday and it will begin at 7 P.M. For those of you who
20 weren't here when we started please sign our attendance
21 sheet. Make sure you get a copy of our slides. Appreciate
22 everyone coming out tonight. And see you in September.
23 Have a nice summer. Richard do you have any closing
24 comments?

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MR. RICHARD HILL:

No I don't believe so. Good evening.

MR. PAUL CLOUD:

Thank you.

* * * * *

CONCLUSION OF HEARING

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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 July 7, 1999 in the South Ripley Elementary School, Versailles, IN; That this public hearing of the Jefferson Proving Ground Restoration Advisory Board Hearing was taken 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 12th day of July, 1999.

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

My Commission Expires:

July 2, 2007

JEFFERSON PROVING GROUND
RESTORATION ADVISORY BOARD

COPY

DATE: September 22, 1999

TIME: 7:00 P.M.

PLACE: North Vernon Public Library
North Vernon, IN 47265

PRESENT: Paul Cloud, Co-Chair

Ms. Karen Mason-Smith
Mr. Ken Knouf
Mr. Kevin Herron

Mr. Tim Moore
Mr. Bill Corning

Sharon Shields, Reporter

Audience Members

Sharon Shields
S.A.S. Reporting Service
3650 N.Old SR 62, Madison, IN 47250
Business: (812) 265-2994
Fax: (812) 273-5220

1 A public hearing of the Jefferson Proving Ground
2 Restoration Advisory Board meeting was held in the Jennings
3 County Public Library at North Vernon, IN at 7:00 P.M. on
4 September 22, 1999.

5
6
7 **OPENING STATEMENTS BY MR. PAUL CLOUD:**

8 Okay. I would like to get started. Ah as
9 Ken has just notified me Richard Hill, our community co-
10 chair, has the flu and won't be here tonight. So in
11 Richard's absence I would like to welcome everyone. Please
12 sign the attendance sheet so that we can make sure that
13 you're on our mailing list. I have copies of the slides
14 from the agenda that we will be going through tonight. If
15 at any time you have a question ah just raise your hand and
16 make sure you speak loud enough so that our Court Reporter
17 can get you down and we will go from there. Okay our agenda
18 for tonight we've gone through the welcome and the
19 introduction. Richard was going to give an update on the
20 Technical Assistance for Public Participation. I will do
21 the best that I can in his absence on that particular issue.
22 After that I will go over the status of where we are on the
23 Unexploded Ordnance Removal in the cantonment area, discuss
24 the Findings of Suitability for Transfer ah in the

1 cantonment area, talk a little bit about the status of where
2 the Army is with the Nuclear Regulatory Commission regarding
3 the Depleted Uranium license termination. We will have a
4 formal or a scheduled open discussion period and then we
5 will have our closing remarks and that will be it for our
6 meeting. As far as the TAPP Program is concerned I think
7 everyone here knows that community members of the RAB did in
8 fact make an allocation to the Army ah for financial
9 assistance in this particular area. That was reviewed and
10 approved. It subsequently went through the Corps of
11 Engineers in Louisville, identified a technical expert who
12 is a professor at the Indiana University and she is
13 identified on our web site. I can't recall her name right
14 off the top of my head. But it's on our web site under the
15 new updates. You will see under TAPP that she is listed
16 there. In fact there is a link to her web page and will
17 give her biographical information. She has done some initial
18 reviews of the Remedial Investigation for Jefferson at the
19 Proving Ground. She has, as I understand it, some initial
20 thoughts and recommendations to the community members. It
21 is currently our intent to have her on the agenda at the
22 next RAB meeting in Madison in November where she will be
23 able to give a presentation and discuss some of the issues
24 from hers and the community RAB members perspective. So I'm

1 looking forward ah to that. And we will have her on that
2 agenda. If there are any other more specific questions
3 regarding the TAPP, it is - we have scheduled to be funded
4 again this next ah new fiscal year which is coming up next
5 week. So there should be a continuity in the fundings there
6 so there shouldn't be any problem there. I think there's
7 more than enough money from last year to carry over right
8 now but it is in the budget for the next year also.

9
10 **MR. KEN KNOUF:**

11 Paul I might add her name is Diane Henshel.

12
13 **MR. PAUL CLOUD:**

14 That's right.

15
16 **MR. KEN KNOUF:**

17 And Richard has scheduled a meeting sometime
18 in October with the community RAB with Dr. Henshel just to
19 kind of go over some of - some of her thoughts. So I want
20 people aware of what she will be doing in November.

21
22 **MR. WILLIAM CORNING:**

23 October 14th.

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MR. PAUL CLOUD:

October 14th?

MR. WILLIAM CORNING:

At your office. Ten o'clock (10:00) in the morning.

MR. KEN KNOUF:

Thanks Bill.

MR. PAUL CLOUD:

Okay. Thank you. Appreciate that. I didn't know that. Okay. The next item on the agenda is the Unexploded Ordnance Removal update. As I think a lot of people here who live in the area may know there was an article in the Madison Courier about a week ago that kind of celebrated or identified the last rounds that were detonated in the eastern parcel south of Krueger Lake. That has been a very long effort. If you read the article and you have followed the minutes in the Jefferson web site you will have seen that there are tens of thousands of mortar rounds that have been recovered in that particular area. Now with the exception of probably thirty (30) or forty (40), all of that thirty-six thousand plus (36,000+) rounds were all inert.

1 They didn't have any explosives in them at all. But because
2 of the way the safety requirements are, unless there is an
3 ability to make a positive determination that the unit is
4 safe, then we will perforate each and every one (1) of them.
5 And I know Laura was out there. She saw the stack and saw
6 the hole that was drilled in each one (1) or blown in each
7 one (1). We have some of those pictures up on the web site
8 and I'm going to try and get some more just so that people
9 can continue to get an appreciation of just what has been
10 done out there as far as cleanup and also what was done
11 during the operation of the Proving Ground. As I think
12 everyone knows the Corps of Engineers did do the Archives
13 Search Report for Jefferson. It included the whole Proving
14 Ground. Specific to the cantonment area they identified a
15 little over twenty-two hundred (2200) acres that had a
16 potential for UXO. The Army's commitment and their approved
17 plan through the Department of Defense Explosive Safety
18 Board is to clear those acres to a depth of four (4) feet
19 below surface. And anything below that level if there is a
20 concern for anything below that level would have to be paid
21 for and accomplished by who would ever own the property
22 subsequent to the Army. The reason why I say if there is a
23 concern, there are some areas of the Proving Ground within
24 the cantonment area that have been cleared and based on the

1 types and the numbers of the ordnances that have been found,
2 it has been recommended that there not be any excavation
3 restrictions because the types of ordnance that were found
4 did not have the ability to go below four (4) feet. The
5 Army has reviewed those on case by case basis and the one
6 (1) specific case in point is the area at the airfield. We
7 have accepted the recommended unrestricted excavation for
8 that area based on the report from the Corps of Engineers.
9 But we will identify those in - on area specific basis. Now
10 this is - this is the schedule we have used and I think
11 everyone is familiar with it. It's also up on the web
12 sites. Basically we're down to the last item now down here
13 on the western parcel west of the airfield. If anyone is
14 familiar with that area they know that it is basically
15 undeveloped. There was really no planned activities
16 performed by the Army in that area. It's exclusively
17 forested. There are no buildings in that area. We are in
18 the process of performing what is called an Engineering
19 Evaluation Cost Analysis. The acronym for that is EE/CA.
20 E-E-C-A. And the reason why we are performing that is
21 because right now as I mentioned before the currently
22 approved plan that the Army has from the Department of
23 Defense Explosives Safety Board is to perform this intensive
24 mag and flag excavation removal there. If we were to

1 perform that type of operation in this three (300) to four
2 hundred (400) acres on the western side we would probably
3 have to de-forest that entire parcel because it is so
4 heavily forested. That would do a number of things all of
5 which are bad besides costing many times more than potential
6 other options. That's why we were going through this EE/CA
7 process. I hope at the November RAB meeting to have on the
8 agenda the public hearing for the EE/CA. And at that time I
9 expect the Huntsville Corps of Engineers to be in attendance
10 to provide input and the opportunity for the community to
11 have copies of what the options are, what the Army is
12 anticipating to recommend, and that will also start the
13 thirty (30) day public comment period. So I expect right
14 now at the November RAB meeting in Madison that we will have
15 that on the agenda also. Now the first parcel that was
16 cleared is what we refer to as the hundred acre parcel
17 (100). That was completed just over three (3) years ago and
18 they only found one (1) round that was actually detonated in
19 that whole hundred (100) acres. As you can see here we have
20 over nine (9) tons of scrap that was removed. And that's
21 the case in a lot of the areas. However I think it's
22 evident by the eastern parcel that it is very location
23 specific. In one (1) area you will get very little or none
24 and in some areas you will get tens of thousands of items.

1 So it's very location specific. This thirty (30) acre
2 parcel was up in the northeast corner of the cantonment
3 area. That was completed December of 1996. We did not get
4 the Statement of Clearance on this area because this area
5 was done in conjunction with the airfield area. And the
6 airfield area took quite a bit longer and it was rolled up
7 into one (1) particular work effort so we only received the
8 Statement of Clearance on this thirty (30) acre parcel and
9 the airfield area this year. This particular eight (8) acre
10 parcel was a - actually a surface clearance that was done
11 about three (3) years ago in the same general location south
12 of Krueger Lake. And it was done because of some items that
13 were found right on the surface. In fact this effort was
14 kind of a combination between the Kentucky EOD, Fort Knox
15 EOD unit and our contractors. But this is just a surface
16 clearance. It was not a formal below four (4) foot effort
17 that has just been completed. This now shows the airfield
18 area. You can see here that the actual removal started in
19 '97. The work was completed the end of '98 and you can see
20 the Clearance Report and then the Statement of Clearance was
21 actually signed and accepted the end of April of this year.
22 Most Clearance Reports depending on the - the items and -
23 and level of effort usually are several volumes. So they
24 are - they are fairly massive pieces of work. Okay this is

1 the area that was just finished and it's the area that the
2 article in the Madison Courier discussed last week. This -
3 these numbers are current as of just before the last staff
4 meeting was performed. So the numbers may need to be
5 adjusted just a little bit. But they are fairly accurate.
6 And I will know that by early next week or so. And as soon
7 as I get that information I will also post it on one (1) of
8 the Jefferson web sites so that you can view that there.
9 Would expect that probably within thirty (30) to sixty (60)
10 days to get the contractors Draft Clearance Report. That
11 will then be reviewed by the Huntsville Corps of Engineers
12 and the Army. Any comments we have would be resolved and
13 then they will ah send a final to Huntsville. Huntsville
14 will then make a recommendation as to what we call the
15 Statement of Clearance whether there will be a recommended
16 excavation restriction on this particular parcel. Once that
17 recommendation is made the Army will then review it and if
18 they accept it they will sign the Statement of Clearance.
19 If they do not accept it then it will go back to Huntsville
20 with a direction to provide either additional information or
21 modify ah the Statement of Clearance. And the only thing I
22 can think of would be to either add or delete excavation
23 restrictions. That would be dependent on what ah we find in
24 the Clearance Report. Okay. Here is the last area again.

1 The EE/CA was started Phase II in March of this year. And
2 again the public hearing is scheduled in November for the
3 November RAB meeting. So if you have an interest in that
4 particular subject would encourage you to be at Madison on
5 November 3rd at the Public Library and ah we should have the
6 public hearing, be able to provide copies of what the ah
7 Army has evaluated the various options and then what the
8 Army will be looking at as a proposed resolution, whether
9 it's the intensive mag and flag, no action, or some other
10 option. Whatever the Army proposes after the thirty (30)
11 day comment period and any responses to those comments, the
12 Army will have to go up to the Department of Defense
13 Explosive Safety Board to get their concurrence because it
14 will be a change in what the DDESB has already approved.
15 Because they are the Regulator of Record they have to have
16 the final say on this deed. So if we're going to do
17 anything different than what they've already approved they
18 will have to make that approval. Are there any questions
19 regarding the Unexploded Ordnance Removal at the Proving
20 Ground? Okay. What I would like to talk about now is where
21 we are on the various Findings of Suitability to Transfer.
22 Now I think most people here know that the Central Area FOST
23 includes about twelve hundred (1200) acres, ninety (90)
24 buildings. We had a public comment period. We received

1 some comments, we revised the document, it was sent out
2 again, there were some outstanding comments from State and
3 EPA. They were attached to the final document and sent up
4 to the Army Materiel Command which has signature authority
5 to approve or disapprove the FOST. The FOST was in fact
6 signed on May 19th. We have provided copies of that to both
7 State and EPA but they are on the Administrative Record at
8 Hanover College and currently the next step is for the
9 Louisville Corps of Engineers real estate office to prepare
10 the deed title transfer documents that would formally
11 transfer ownership of that parcel of property from the
12 United States Army to the Ford Lumber and Building Supply
13 Company. Would expect that to probably occur within the
14 next three (3) to five (5) months. As far as getting those
15 documents prepared, reviewed, commented on and then staffed
16 up through the Army to the Secretary of the Army who has
17 signature authority to transfer ownership of federal
18 property that belongs to the Department of the Army. So
19 that's where that particular parcel stands right now. I
20 think I went too far. One of these days I will learn how to
21 do this.

22
23 **MR. KEN KNOUF:**

24 Paul is there any concern that the lead base

1 paint issue could delay that considerably? Or ah --

2
3 **MR. PAUL CLOUD:**

4 The lead base paint issue is an issue now
5 basically that is being looked at more from the prospective
6 of who will perform any lead base paint inspection, risk
7 analysis, risk assessment, not whether or not it will be
8 done but who. The basic options are either the United
9 States Army or new landowner. Ah so we're currently ah
10 looking at that to see just what the Army's position on that
11 would be. That may slow the transfer down, it may not. I
12 don't know yet. That's about the best answer I can give you
13 right now. The whole issue of lead base paint is still in
14 developmental revolving stage between the Department of
15 Defense and the EPA. I know that states have concerns about
16 lead base paint. Both the State and EPA have somewhat
17 different prospective on the regulatory capability for lead
18 base paint. I believe that the DOD and EPA are coming to a
19 consensus on a significant portion of that issue. And - but
20 I don't believe that anything has been published yet. I
21 don't know when it will be. This is being conducted at the
22 very highest levels so it will probably still take a while
23 before anything final is come out of that. And then it will
24 be interesting to see just how that is implemented. So it

1 may be a while. And whether or not that actually does
2 impact the transfer of property I can't tell you that. We
3 are proceeding along the lines that it will have no impact
4 but it is a possibility. That's probably about as good an
5 answer as I can give you. Laura?

6
7 **MS. LAURA HODGES:**

8 What is the question about lead base paint?
9 Is there a possibility it might all have to be removed?

10
11 **MR. PAUL CLOUD:**

12 Well lead base - as I said lead base paint
13 has a number of issues along with it. One (1) is whether or
14 not there is lead base paint there. The Army has never done
15 a lead base paint survey at Jefferson Proving Ground for the
16 housing units. We have assumed, and one (1) of the reasons
17 why is because Jefferson was placed on the BRAC list back in
18 the late eighties, and it was assumed that if the buildings
19 were sold that they obviously had lead base paint and that
20 there was not a need to go do this survey. And the laws at
21 that time didn't mandate it. Since then there have been a
22 number of different issues and concerns that have come up.
23 As I stated the states and EPA believe that lead base paint
24 is - should be under Comprehensive Environmental

1 Compensation Liability Act, CERCLA or the SuperFund Act.
2 The Army and Department of Defense believes it should be
3 addressed under the HUD Title Ten (10) lead base paint
4 initiative which is statutory federal law also. And there
5 are different prospectives and different ah actions level
6 and different requirements under those two (2) laws. Ah
7 this is one (1) of the things that the Department of Defense
8 and the EPA at our various respective headquarters are
9 currently trying to negotiate because it appears that there
10 are some significant concerns of both agencies on this
11 issue. So I believe that the - the current direction that
12 both agencies are going, and Karen if you have a different
13 perception let me know, ah that both EPA and the Department
14 of Defense and the State have a different prospective. But
15 at least the DOD and EPA are slowly coming to agreement that
16 HUD Title Ten (10) requirements will be operative statutory
17 legislation on this issue. Ah if you look at the HUD Title
18 Ten (10) requirements it does specifically require the
19 buildings of a certain age ah that are under federal
20 ownership that are going to be transferred out of federal
21 ownership to have ah surveys, assessments, and abatements as
22 necessary. The question now is who performs that? Is that
23 going to be the respective service whether it's Army, Navy,
24 Air Force or is that going to be the new landowner?

1 Obviously there are arguments on both sides of that point.
2 The services probably don't want to spend the money and
3 they're probably giving or allowing the property to be
4 transferred at a discount so that's their prospective. The
5 new landowners probably feel that why should they do
6 something that they didn't put there in the first place?
7 And why should they go pay the services to do them? So that
8 is something that's still being worked out probably also on
9 a case by case basis at different facilities. So what may
10 happen here may not happen some place like Fort Benham. It
11 just depends. And that's something that we're looking at
12 right now specific to Jefferson, specific to Central Area
13 FOST. So we're probably the - as I say it's still evolving
14 between the Department of Defense and the Environmental
15 Protection Agency at the highest levels. So what I told you
16 today may be, I hope not, but could be completely changed in
17 a couple of weeks. I don't know.

18
19 **MS. LAURA HODGES:**

20 Is that the major issue still to be resolved
21 on this?

22
23 **MR. PAUL CLOUD:**

24 Well the documentation to transfer the

1 property, the Finding of Suitability to Transfer, has been
2 signed. And we in theory can transfer the property now to
3 Mr. Ford and his company. Ah the question has come up about
4 who will do this lead base paint, address lead base paint in
5 this parcel. So the Army is re-looking at that to see if
6 they will do anything, if they will what they will do? And
7 then they will get back to Mr. Ford and then we'll see
8 whether or not that affects the transfer of the property
9 that's scheduled. We just don't know yet. But there is -
10 it's a very confusing issue. There are like I say at least
11 two (2) different federal statutes that different federal
12 agencies and a number of states have indicated they think
13 applies to it. It gets very complex very quickly. Another
14 Finding of Suitability that we have had out for comment,
15 received comments on is the DRMO area. I don't have the map
16 of the cantonment area but if you recall this is about five
17 and a half (5½) acres of property that we originally had in
18 another FOST that was taken out because of some soil
19 contamination in two (2) different areas within this five
20 and a half (5½) acres. That soil contamination has been dug
21 up and removed. One (1) of the sets of comments that we
22 received from the State and EPA is that they need to see the
23 results of those - that soil removal. We have that now so
24 we will be able to provide that in the revised document. I

1 expect that the revised document will be out in October and
2 then we will proceed on with ah getting that reviewed, see
3 if there are any outstanding comments on that particular
4 document, and we will get it up again to the Army Materiel
5 Command and if they agree then they will sign it and it will
6 then be sent to the Louisville Corps of Engineers real
7 estate office for deed title document preparation for
8 transfer of the title of that property. It is our
9 understanding that because the Indiana Department of
10 Transportation bought the other thirty-six (36) acres that
11 they are also interested in this to complete that parcel.
12 But that is only our understanding here is no requirement
13 that Mr. Ford sell that to them.

14
15 **MR. TIM MOORE:**

16 Is that the area down there along the
17 railroad tracks?

18
19 **MR. PAUL CLOUD:**

20 Right - right along a - yeah it's bounded
21 right on this where - ah help me out if you would?

22
23 **MR. TIM MOORE:**

24 Kind of across from where it goes back to

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one (1) incinerator?

MR. PAUL CLOUD:

It's right about the yellow sulphur area.

MR. TIM MOORE:

Yeah.

MR. PAUL CLOUD:

And the railroad tracks and yeah it's right in there. It's only about five and a half (5½) acres. It's not that big.

MR. TIM MOORE:

Yeah.

MR. KEN KNOUF:

Right there at PaperMill Road.

MR. PAUL CLOUD:

PaperMill Road and I can't remember the cross street. It's not a common name.

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MR. KEN KNOUF:

It's Infantry Road I think.

MR. PAUL CLOUD:

Could be Infantry Road yeah. Now the airfield area we put that FOST out the day I went on vacation in fact. For some reason Kevin didn't get his copy. And I haven't been able to track that down from Fed Ex and I don't know what happened Kevin.

MR. KEVIN HERRON:

Well I think we probably received it but it was received at our down town office and I don't think it made it to me.

MR. PAUL CLOUD:

We overcame that.

MR. KEVIN HERRON:

It was recycled right? Well hopefully we won't have that problem since I've moved down town now?
Huh?

1 **MR. PAUL CLOUD:**

2 Well one (1) thing I will need Kevin is
3 probably a Fed Ex mailing address because they do not accept
4 post office boxes as delivery for Fed Ex's. But we can work
5 that out. The airfield area is about six hundred and fifty
6 (650) acres. It contains twenty-one (21) buildings. We put
7 the document out mid July for comments. We have received
8 comments from the State and EPA and this went along with the
9 DRMO FOST. We expect to have a revised document out in
10 October. One (1) of the issues on this particular document
11 that the State and EPA have both identified and to be quite
12 honest we expected this comment, was the fact that because
13 there was a UXO removal within this parcel, the Army and EPA
14 and State have agreed that they will do a certain level of
15 what we call residual soil sampling where UXO has been
16 removed. What that means is because when UXO is removed
17 from an area that we perforate the pieces of ordnance there
18 is potential for some residue of metals and/or explosives to
19 remain in the soil from that perforation, we have agreed
20 that on a site specific basis we will analyze certain
21 numbers of those areas where those perforations occurred.
22 We agreed on a number for this area. Those analyses have
23 been run. I have just received the results on that and I
24 will be supplying those to the State and the EPA and then we

1 will revise this document and provide it in October to see
2 if there are again any outstanding comments. And then we
3 will go from there as far as the same process of either
4 getting a concurrence from the State and EPA, identifying
5 any outstanding comments they may have with the Army
6 response, providing the entire package up to the Army
7 Materiel Command and if they ah feel comfortable with the
8 document they will sign it and then will get sent to the
9 Corps of Engineers again. If by chance they ah have a
10 problem with the document then it's sent back down to me
11 with direction on how to go resolve those particular issues
12 they have concern with. Now the next item I would like to
13 talk about briefly is where we stand currently with the
14 Army's Depleted Uranium license. Currently the Army still
15 holds a license with the Nuclear Regulatory Commission, NRC,
16 to store basically in the ground, in the DU area or the
17 impact area that was designated the two thousand (2,000)
18 acre parcel within the impact range, the Depleted Uranium
19 that was tested at the Proving Ground. The Army has applied
20 to the NRC for what's called a restricted reuse termination
21 which is allowed under the federal regulations for licenses
22 under the NRC's authority. A part of that process has
23 required that we provide the NRC with a number of documents
24 as to what is out there, how we plan to do what's called de-

1 commissioning. Those documents have been provided to the
2 NRC. As this slide shows, the NRC had a contractor complete
3 an independent assessment and that has been done. My
4 discussion with the NRC program manager last week the
5 current status is that they, the NRC, is reviewing all the
6 documentation and their contractors independent assessment.
7 They did not or were not able at this time to give me a date
8 when they would have a final position on the status of our
9 application and what if any requirements would be placed
10 upon the Army subsequent or before the termination of that
11 license. But I would suspect that when we get closer to the
12 time when the actual license will be terminated that there
13 would be a public hearing of some sort and the NRC would be
14 at one (1) of the RAB meetings or at a separate meeting to
15 discuss that issue with the public. We have tried, Richard
16 Hill and I have both tried to get the NRC to a number of our
17 meetings. To be quite frank the NRC's position is that
18 because Jefferson is such a low priority that they have
19 other higher priorities to go address first. So they're
20 going to be getting to us when they can. We're the bottom
21 line. We have continued to pursue the issue. We will not
22 let it go away but there's only so much that we can do on
23 that particular issue. If you have any specific questions
24 there is a page in the Jefferson web site that identifies

1 Mr. Larry Pittiglio as the program manager for the NRC and I
2 believe I actually did see an e-mail address and his phone
3 number. And you can e-mail him or you can call him. He's got
4 a toll free number and you know put inquiries as to quest -
5 concerns or questions that might be on a particular issue.
6 So I would recommend that if anyone does have a concern or
7 question on the DU at Jefferson and they would like to talk
8 to the regulator that is the person to go talk to.

9
10 **MR. KEN KNOUF:**

11 Paul what's your understanding? I guess I've
12 never been able to figure out what - what real difference
13 does it make if there's a license or not a license because
14 the material is always going to be out there? And whether
15 or not we have a license or the license is terminated
16 doesn't seem to make really any difference?

17
18 **MR. PAUL CLOUD:**

19 Well it does because if there is a license
20 as we currently have, a license requires a performance of a
21 number of things. One (1) it requires the performance of
22 semi-annual sampling to see if in fact there is any
23 migration movement of DU off of or from its current
24 location. It also requires the establishment of security

1 plan. It also requires a number of others things. Once the
2 license is terminated some or all of those may not be
3 required. So there is a potential for significant difference
4 between whether or not we have a license or don't have a
5 license and how that license is terminated. If you - to give
6 you an example. The original license not only covered the
7 impact area but it covered some of the buildings down in the
8 cantonment area. Now we have those buidings in the
9 cantonment area clean. NRC came in, we had the license
10 formally modified and they were released for unrestricted
11 use. Now this is a significant difference between having a
12 you know a license that incorporates those buildings and to
13 have restrictions on their use and to modify that license
14 and have an unrestricted use of that building. So it's kind
15 of the same thing only a little different in what it's
16 requiring. We may have significant differences at the time
17 that the licenses is "restricted reuse terminated" versus
18 what we have right now. That is something that has not been
19 worked out in detail with the NRC and probably won't be
20 until they finish their review and sit down to go over those
21 specific issues.

22
23 **MR. KEN KNOUF:**

24 So if the license is terminated you're

1 thinking that will suspend any monitoring requirements? Or
2 would there be some other --

3
4 **MR. PAUL CLOUD:**

5 That's a possibility. It's not a given. It's
6 not clear yet what if any current requirements other than
7 license would be eliminated or modified. But that is a
8 possibility. Obviously there is at least one (1) school of
9 thought in the Army that would prefer to have the minimum of
10 cost that would be entailed with continuing requirement that
11 would be required by the Depleted Uranium in Jefferson by
12 having everything that is currently being done. But that
13 would be something that has to be worked out between the
14 Army and the Nuclear Regulatory Commission. And it would
15 probably be part of whatever they present to the public when
16 it becomes time for the license to be terminated. Now that's
17 you know under their regulations under Tennessee authority
18 but there are a - there could be significant differences.
19 There may be minor. It's not clear. We have not gotten to
20 that stage of negotiation between the NRC and the Army yet.
21 But there is you know - clearly you have to terminate the
22 license at some point in time. And the mechanisms you
23 basically have right now are either unrestricted reuse or
24 restricted reuse. It's not feasible for us to do an

1 unrestricted reuse and the NRC doesn't have any problem,
2 they agree, because of the UXO and the ecological impact if
3 we went in there and tried to remove two thousand (2,000)
4 acres of dirt. So they're not uncomfortable with that
5 concept and position. It's how you go through this
6 administrative process for the restricted reuse termination.
7 And again to be frank part of the problem that the NRC is
8 having is purely a financial problem because the Army is
9 another federal agency. They cannot charge the Army for
10 their in-house work. So they are having to pay for all of
11 this out of their in-house budget. So it's - it's not a high
12 priority. I mean we don't have any indication that the DU is
13 moving anywhere. It's not a significant risk to human health
14 and the environment. They have so stated the fact at - at
15 meetings that the NRC has been at in Madison. So we have no
16 indications right now that they have changed that position.
17 And because of all those factors that's why it's taken so
18 long.

19
20 **MR. KEN KNOUF:**

21 We're talking about a material though that
22 won't obviously deteriorate. It will be there for many,
23 many, many years.
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MR. PAUL CLOUD:

Well it will be there basically forever.

MR. KEN KNOUF:

Yeah. Putting myself in the shoes of a landowner on the west side I would - I would hope that the Army and NRC would at least continue with some kind of monitoring, maybe every other year, every five (5) years or something but just not completely cease monitoring all together.

MR. PAUL CLOUD:

I understand.

MR. KEN KNOUF:

But we get those calls on occasion.

MR. PAUL CLOUD:

Any other comments or questions on the DU? As far as our prepared presentation that is all that I have for tonight. If Richard had been here I'm sure he could have given you a little more detail on the TAPP Application and where Dr. Henshel is on that. What I would like to do now before we actually talk about this last slide is open up the

1 meeting for open discussion. So if there are any questions
2 that anyone has? Bill I know you've been eagerly awaiting
3 this particular time. I will tell you right now the answers
4 are five (5), seven (7) and fourteen (14).

5
6 **MR. WILLIAM CORNING:**

7 Okay. I have a, not a written statement,
8 because I just wrote notes. Ah I'm William Corning, Vice-
9 President of Historic Hoosier Hills. I've been on JPG
10 committee since '88 or '89. I can't remember which. It was
11 originally Reuse Committee and then the RAB. Tonight I'm
12 representing Ripley County and Historic Hoosier Hills. It's
13 - it's Historic Hoosier Hills, RC&D, Inc. We cover nine (9)
14 counties in Southeastern Indiana. Our sponsors are the SWCD
15 Districts, you know all nine (9) counties, the county
16 commissioners in all nine (9) counties and many of the
17 larger towns in the counties. Some of our programs are tests
18 for the federal, state, county and city governments. We have
19 over thirty-seven (37) committees over which we - we have
20 over one thousand (1,000) volunteers. Ah our committees work
21 on grant monies to accomplish their goals and we would like
22 to be considered for the property that was originally to go
23 to Jefferson County for a park. They turned it down and we
24 applied years ago for some ground at the Proving Ground. And

1 then when Jefferson County applied for two (2) - two (2)
2 parcels for parks we would do our own requests. Ah it would
3 be preserved as a nature - natural hardwood wetland
4 available as a public education facility for sound woodland
5 practices, wildlife and limited recreational uses, possibly
6 a site for the museum for the JPG Heritage Partnership. I
7 don't know whether you are familiar with the JPG Heritage
8 Partnership. There was a committee formed under Hoosier
9 Hills last October and it's I would say ninety (90) percent
10 of the members are born on the Proving Ground second and
11 third generations. They are interested in having a museum
12 and that is a possibility of a location for one (1). DOD in
13 statements that I've heard, not tonight but in other
14 meetings, it's going to cost them several millions of
15 dollars to do that three hundred (300) to four hundred (400)
16 acre piece of forest to make sure it's clear four (4) feet,
17 to a depth of four (4) feet. By giving it to Historic
18 Hoosier Hills they won't have to do that according to what I
19 remember, only to a depth of one (1) foot because there will
20 be no construction. It will be used like I say by all the
21 schools in the area, not just the three (3) counties, but
22 all the schools in the area. Basically that's all I have to
23 say on it. Our Historic Hoosier Hills we have one (1)
24 coordinator who is a USDA employee. We have one (1)

1 secretary who is a USDA employee. A car is furnished, office
2 space. We are non tax - we are non profit tax exempt 501C3.
3 Basically that's it.
4

5 **MR. PAUL CLOUD:**

6 I have received a letter that was sent to me
7 on this issue. We are currently, when I say we, the Army is
8 currently in the process of responding to a letter I
9 received. Copies of other letters have been sent to
10 Congressman Hill on this issue and the Jefferson County Park
11 Board. And we are as I said currently in the process of
12 responding to those. We can't tell you what the letter will
13 hopefully say at this date. However I will remind you that
14 one (1) of the issues that have to be resolved is the issue
15 that when the cantonment area was offered for public sale at
16 no minimum bid, in the invitation for bid, there is a
17 section that states that the successful bidder would have
18 basically what is referred to as the first right of refusal
19 on this parcel if it becomes available. And it's not
20 currently available. One (1) of the things that the Army is
21 currently looking at is the legal contractual obligatory
22 status of that statement on how - whether or not it is
23 legally binding on the Army to follow through on that. I
24 can't tell you right now whether or not it is. That is an

1 issue that has to be resolved. Should it be binding on the
2 Army because it is contract law then the Army will be
3 obligated to offer that to Mr. Ford before it goes anywhere
4 else. At this time that's all I can really tell you about
5 that.

6
7 **MR. WILLIAM CORNING:**

8 You know of nothing we can do?
9

10 **MR. PAUL CLOUD:**

11 Not at this current time no I do not. I
12 think you have already - based on our --
13

14 **MR. WILLIAM CORNING:**

15 That's where you are.
16

17 **MR. PAUL CLOUD:**

18 Based on the fact that we've discussed this
19 issue before, in fact you've taken some action by writing to
20 Congressman and seeing if there's anything he can do through
21 his offices there, there is always a potential to get
22 special legislation. And that's - that would obviously be
23 through Congressman Hill's office or Senator Coates or
24 Lugar's office. But that is a very arduous process and this

1 doesn't happen overnight and it takes a concerted effort
2 over a long period of time. Those are the only options I am
3 aware of right now.

4

5 **MR. WILLIAM CORNING:**

6 Because Jefferson County is one (1) of our
7 sponsors.

8

9 **MR. PAUL CLOUD:**

10 Un-huh (yes).

11

12 **MR. WILLIAM CORNING:**

13 The City of Madison is one (1) of our
14 sponsors. Ah there are - I'm sure there are ways that we
15 could figure out that if Jefferson County would accept that
16 property that we could use it for the things that we have
17 stated.

18

19 **MR. PAUL CLOUD:**

20 I understand.

21

22 **MR. WILLIAM CORNING:**

23 So we're open to any suggestions on what we
24 might do.

1 **MR. PAUL CLOUD:**

2 I understand. Right now I don't have any
3 more. I think you've taken about as much action as you can
4 by getting the attention of the Congressmen. We will
5 obviously keep you informed of the status of the property.
6 It is in fact required by federal law that before that
7 property can be transferred we would, regardless of who it
8 went to, whether it went to Mr. Ford who has expressed an
9 interest in obtaining it or should it go to the community,
10 there would have to be a UXO clearance. And quite frankly
11 this is my personal estimate, not an official Army or
12 Department of Defense estimate, but my personal estimate is
13 that it wouldn't matter whether a four (4) foot clearance or
14 a one (1) foot clearance were done in that area. If it were
15 done with a mag and flag that would - it would cost about
16 the same because it's so heavily wooded. It would have -
17 something would have to be done. That's why we were going
18 through this EE/CA process to see if there is another
19 mechanism, another process that can be used that will come
20 up with acceptable equivalent results that the Department of
21 Defense Explosives Safety Board will have reached. If they
22 agree to that then we can save several millions dollars. Not
23 saying that we won't spend a million dollars but we can save
24 several million. But before any property would be

1 transferred or could be transferred that would have to be
2 done. So that money would have to be spent anyway. We
3 already have the money to do at least a million dollar
4 (\$1,000,000) effort if in fact that is approved.

5
6 **MR. WILLIAM CORNING:**

7 Well my understanding is that that area is
8 classified as a timbered wetland. So there could be no
9 construction on it on a wetland. And we would hate to, and
10 not just our group but lots of groups, would hate to see
11 that clear cut because it's bound to be over fifty (50)
12 years old, the timber.

13
14 **MR. PAUL CLOUD:**

15 Well I don't know what plans Mr. Ford has
16 specifically for that parcel. But if I were Mr. Ford and
17 given the fact as you've stated about the presence of some
18 weapons in that area, what I would look at doing with that
19 particular parcel would be use those weapons offsets to go
20 develop some other areas in the cantonment area that also
21 had weapons in it. I would you know see if I could do that
22 with the Department of Agriculture and Corps of Engineers
23 and the state if I were Mr. Ford. But I don't have any idea
24 what he's planning on doing.

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MR. WILLIAM CORNING:

Yeah.

MR. PAUL CLOUD:

He's mentioned in casual discussions his intent to use that as a buffer area and not develop it. But that's not binding him to that if he does acquire the property. He would obviously be required to comply with all state and federal laws that would impact that area. But it's not clear right now what the legal obligation or obligatory status of that statement of the invitation to bid, if it's binding on the Army to offer it to Mr. Ford. And we have asked that question and it's currently being researched by our attorneys.

MR. WILLIAM CORNING:

Well you know as well as I do that we have reason to have concern.

MR. PAUL CLOUD:

I understand.

MR. WILLIAM CORNING:

The airport was supposed to be the home of

1 the largest grouping of Henslow's sparrows until they mowed
2 it. This is a three hundred (300) or four hundred (400) acre
3 woodland and it will be until it's cut.

4
5 **MR. PAUL CLOUD:**

6 I understand.

7
8 **MR. WILLIAM CORNING:**

9 Then when it's cut you've got nothing to say
10 about anything. I thank you.

11
12 **MR. PAUL CLOUD:**

13 Okay. Any other comments, questions,
14 concerns, issues?

15
16 **MR. TIM MOORE:**

17 What's the cost on that now for federal
18 land?

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20 **MR. PAUL CLOUD:**

21 I beg your pardon?

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23 **MR. TIM MOORE:**

24 What's the planned cost now per acre?

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MR. PAUL CLOUD:

Is that specific for UXO or is it environmental? What's your question specifically?

MR. TIM MOORE:

The four (4) foot UXO clearance.

MR. PAUL CLOUD:

In the four hundred (400) acre parcel?

MR. TIM MOORE:

In all the parcels.

MR. PAUL CLOUD:

Well Laura asked that question on the eight hundred (800) acre parcel and the thirty-six thousand (36,000) mortar rounds we found and I called her back today with a figure on that particular parcel being three point eight eight (\$3.88) million dollars for that eight hundred (800), approximately eight hundred (800) acres. However it depends upon what you find. I don't have a specific figure for the airfield but the airfield is approximately six hundred and fifty (650) acres and it didn't cost anywhere close to the three million (\$3,000,000) plus or almost four

1 million dollars (\$4,000,000) on the east side. And the one
2 (1) reason why is if you look at the numbers of things that
3 were found and the fact that the airfield was much more open
4 and less forested, it's much easier to get in there and look
5 at those areas. Now if you go trying to apply some
6 prospective on what has - has been done right now to this
7 four hundred (400) acres we, the Army estimates that if we
8 were to do an intensive mag and flag four (4) foot removal
9 in that four hundred (400) acres, three hundred (300) or
10 four hundred (400) acres, it would cost ten (\$10,000,000) to
11 twelve million (\$12,000,000) dollars. And that's why We have
12 initiated this EE/CA process because we believe if in fact
13 there is another alternative that gets acceptable equivalent
14 results and is approved by the DDESB we can save from eight
15 (\$8,000,000) to ten million dollars (\$10,000,000) and get
16 the same results. One (1) of the things you have to remember
17 about this particular area, and it is somewhat unique, is
18 that it was not intentionally fired into. There's been no
19 activity. There's no buildings there. It's completely
20 forested. It's you know the classic buffer for safety area.
21 Now there may be the onesies or twosies there. We have found
22 a couple of things there. But regardless, and what I'm about
23 to say applies to all the areas that we have cleared of the
24 UXO, regardless of what has been done and how it's been done

1 any transfer of that property that we have done, Unexploded
2 Ordnance Removal, the Army will reserve the right in the
3 deed document that if anything is ever found we have to be
4 allowed to come back in and address it and take care of it.
5 That is a very specific statement and a requirement in any
6 transfer document and it's very similar to environmental
7 contamination. If for some reason five (5) years from now
8 after we transferred that twelve hundred (1200) acres to Mr.
9 Ford they find some environmental contamination that we
10 didn't know about, and we documented and proved that the
11 Army caused it, they have to allow us to come back in and
12 take care of it. That is a requirement that would be in the
13 deed. The UXO would be the same.

14
15 **MR. TIM MOORE:**

16 To a degree decided by you all?
17

18 **MR. PAUL CLOUD:**

19 Say that again?
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21 **MR. TIM MOORE:**

22 To a degree decided by you all huh?
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MR. PAUL CLOUD:

Whatever will meet the requirements. Like right now the Army has made the commitment to clean up the Proving Ground, whether it's environmental contamination or UXO, to a life time reading. The UXO is four (4) foot criteria. The environmental would be depending on the location. Might be agricultural, commercial, light industrial, might be residential. Depends on the specific area of the Proving Ground. Obviously different areas and different reuses have different levels of clean up. So it depends that if something was found that we didn't know about we may have to do very little, we may have to do a lot. We don't know. We're not expecting that because we think we know where everything was. But those are requirements by law that you have to be allowed to come back in and address those issues if you find something at a later date that you didn't know about. And no process is perfect so there might be something out there at a future date. So this is to cover that you know possibility.

MR. TIM MOORE:

The - the process that's been used so far you just take a metal detector and then just dig in the areas where you get a hit?

1 **MR. PAUL CLOUD:**

2 Well in its simplistic form yes. But what
3 they do is they calibrate those instruments on a daily basis
4 to a known level of ordnance that was based on the Archives
5 Search Report that was done by the Corps of Engineers. So
6 they have a pretty good idea of what should already be out
7 there. Now there may be some surprises and there may not be.
8 They already have a pretty good idea. And these people are
9 very highly qualified and trained. You can't - if you want
10 to go out there right now unless you are EOD qualified they
11 would have to stop work. If I go out there or if I take the
12 state or the EPA, which I have done, they have to stop work,
13 we have to be escorted, we have to be given a safety
14 briefing, you can't go out there when they're doing the work
15 because you're not EOD qualified and trained. And they stop.
16 And you go out and do whatever you want to do. If you want
17 to look at something, if you want to see something, then
18 you're escorted out and then they can start working. So it's
19 - you know you would think it's kind of like the people go
20 on the beach or in the parks and they just go along with
21 their metal detectors. That's a very simplistic you know
22 analogy. It's similar but it's not anywhere close to the
23 same thing. The actual detectors are much more
24 sophisticated. And the level of training that the people

1 have that perform that operation takes many months to go do.
2 And then that's just to do the very basic operation. The
3 supervisors have years and years of experience before
4 they're allowed to supervise operations.

5

6 **MR. TIM MOORE:**

7 So I guess basically what I'm saying though
8 are they strip mining the area?

9

10 **MR. PAUL CLOUD:**

11 No.

12

13 **MR. TIM MOORE:**

14 Or digging holes?

15

16 **MR. PAUL CLOUD:**

17 No. In most of the areas they are digging
18 holes. Now in one (1) particular area where most of these
19 mortars are found on ten (10) acres, although it wasn't a
20 strip mine it was dug up with an excavator because of the
21 vast numbers of things that were being found. But the soil
22 is still all there. It's just that it was turned over to
23 pick up all those items.

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MR. TIM MOORE:

Once they remove that four (4) feet do they take another survey?

MR. PAUL CLOUD:

Yes.

MR. TIM MOORE:

And see what was below that?

MR. PAUL CLOUD:

Yes.

MR. TIM MOORE:

Did they get any hits below the four (4) feet?

MR. PAUL CLOUD:

(Nods head no). And we will know more specifically on that when we get that Clearance Report. As I said they just finished work last week. And we will know - you know when they put out the report we will know if there's anything suspected below that. And if there is there may be an excavation restriction before we transfer the

1 property. If there's not they may recommend that there's no
2 excavation.

3

4 **MR. TIM MOORE:**

5 Do they calibrate those instruments for four
6 (4) feet?

7

8 **MR. PAUL CLOUD:**

9 They calibrate it to four (4) feet on the
10 particular level or the type of ordnance that we expect to
11 find there yes they do.

12

13 **MR. TIM MOORE:**

14 Ah then that's what - that's what causes the
15 variance in the amount of money spent to clear an acre is
16 the amount of hits they get obviously? More holes, more
17 money?

18

19 **MR. PAUL CLOUD:**

20 That's true. But it also depends on the type
21 of property that you've going to. If the property is open
22 like this room is it's very easy - what they do is they go
23 lay off grids, two hundred (200) foot squares. And then
24 within those two hundred (200) foot squares they divide each

1 square up into five (5) foot lengths. And then all they do
2 is they will come by in that five (5) foot length and they
3 will sweep their magnetometer and anytime they get a hit
4 they will flag it. And they will come back and excavate each
5 one (1) of those by hand. Or in the case of the mortar area
6 they used the excavating. It's very easy to do when you've
7 got open land. But when you've got trees (indicating) you
8 know this size or bigger right next to each other it's very
9 difficult. And that's why when you get into more wooded and
10 vegetated areas the cost goes up even higher. The people
11 have, you know they're basically placing their life on the
12 line. I'm - not to be melodramatic or anything but it only
13 takes one (1) of those to go off when they're digging it up.
14 And the person that's digging it up might have a real
15 problem. That's why they get paid a lot of money. And they
16 are able to take those risks but they take them based upon
17 education and experience. They don't take them just because
18 you know they were out there with a metal detector one (1)
19 day and got a hit and I'll dig it up to see what it is. And
20 then when they find it they don't go beat on it.

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22 **MR. TIM MOORE:**

23 That's good.
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MR. PAUL CLOUD:

We hope they don't.

MR. TIM MOORE:

What - the Army - one (1) of the comments you made earlier that the Army has committed itself to cleaning the Proving Grounds. Does that include the north area?

MR. PAUL CLOUD:

The cantonment area. Just the cantonment area.

MR. TIM MOORE:

Okay. Just the cantonment area?

MR. PAUL CLOUD:

See what the --

MR. TIM MOORE:

At the present time is the only property the Army will clean?

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MR. PAUL CLOUD:

And that - there are a couple of reasons for that. One (1) is that the only property that is being accessed, offered for re-development, either resale to Mr. Ford or in the case of the community for the park, or sold to the Madison Port Authority for the railroad, that's all within the cantonment area. Everything north of the firing line has not been accessed. It's not going to be provided to some agency outside of the federal government. It will always be owned by the Army or Fish and Wildlife at some future date might own it or the Air Force or the Air National Guard might want it. But it will not leave federal hands. That's the current position.

MR. TIM MOORE:

Okay. What date did the Army commit to that policy?

MR. PAUL CLOUD:

That was back long before my time. Between the time that the Proving Ground was identified for closure and when I arrived on the scene in January of '94.

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MR. TIM MOORE:

So you can't tell me if it was before or after the bids for the property?

MR. PAUL CLOUD:

Oh it was clearly before. The bids for the property didn't exist until the end of '95. The Army has always stated that they have not the money or the means or the mechanisms to go clean north of the Proving Ground. I mean physically we could go do it. We could go clean fifty-one thousand (51,000) acres.

MR. TIM MOORE:

But you're saying before the bids were put out?

MR. PAUL CLOUD:

Oh yeah.

MR. TIM MOORE:

The Army had a policy that they would clean the --

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MR. PAUL CLOUD:

The cantonment area.

MR. TIM MOORE:

For the purchaser of the property?

MR. PAUL CLOUD:

Whoever got it. Whether it was the community, the state, a private individual it made no difference to the Army who got it and didn't make any difference what the amount of money was. The commitment was to clean it to a certain standard. If it cost "X" dollars then it was costing "X" dollars. And whoever got the property got the property. That was the way the process worked out.

MR. KEN KNOUF:

Time that was a promise made when either an assistant secretary under --

MR. PAUL CLOUD:

Susan Livingston is assistant secretary of the Army.

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MR. KEN KNOUF:

Yeah. Came to the Proving Ground like '90, '91, '92 and that's when they thought the south end was going to go to the county and she publicly made that promise. And people like Laura were writing down every word she said. So we've got to generally follow what the assistant secretary promises to do at that point.

MR. WILLIAM CORNING:

Paul?

MR. PAUL CLOUD:

Sir?

MR. WILLIAM CORNING:

Back at the beginning they told us that fifteen hundred (1500) feet of the fence - within fifteen hundred (1500) feet of the fence all the way around the Proving Ground they thought they could clean it. Everything inside that would never be open to the public. It would never be touched because it was too expensive. And then later after we had spent years haggling over this thing then they decided that not even within fifteen hundred (1500) feet of the fence they didn't think they could clean it all

1 the way around.

2

3 **MR. PAUL CLOUD:**

4 When those discussions occurred that was
5 before the Archives Search Report had been done. The
6 Archives Search Report discusses north of the Proving
7 Ground basically says that any land north of the firing land
8 is considered to contain UXO. Now obviously yes there are
9 going to be areas within that thousand (1,000) to fifteen
10 hundred (1500) feet that is around the perimeter that is
11 going to have very little ordnance in there. However you're
12 familiar with that property as well as I do and it's not
13 flat.

14

15 **MR. WILLIAM CORNING:**

16 No.

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18 **MR. PAUL CLOUD:**

19 And it's not open.

20

21 **MR. WILLIAM CORNING:**

22 No.

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MR. PAUL CLOUD:

And it would be very expensive to go prove what we think. And it is required by law that before we can transfer it we will have to go prove that the current position, because that property is not being accessed, that the Army will retain it unless the Fish or Wildlife or the Air Force take it at some future date and it will stay in federal hands and it will not be in clearance right now.

MR. WILLIAM CORNING:

Well there was questions locally about the fact that they said fifteen hundred (1500) feet and some of the farmers that live on the east side of the Proving Ground and on the east side of 421 had found projectiles in their fields when they plowed.

MR. PAUL CLOUD:

I understand that and don't disagree.

MR. WILLIAM CORNING:

So there's no way you could guarantee it.

MR. PAUL CLOUD:

You have to understand that when those areas

1 were identified as buffer or safety things they were not
2 intentionally shot into.

3
4 **MR. WILLIAM CORNING:**

5 That's right.

6
7 **MR. PAUL CLOUD:**

8 Or targeted. But that doesn't mean that
9 something didn't ricochet or go there. Because one (1) of
10 the things that Jefferson did on a regular basis was to take
11 production lots of ordnance and to test and see if they
12 would make - met specifications. It's just like a car or any
13 other product. You don't take one (1) off the assembly line
14 and say okay does this meet what you designed and built it
15 for? Now a lot of them are. But you're going to get those
16 onesies and twosies that didn't. And after you've fired
17 twenty-five million (25,000,000) rounds the onesies and
18 twosies start to add up.

19
20 **MR. WILLIAM CORNING:**

21 Well that's why --

22
23 **MR. PAUL CLOUD:**

24 So things are going to go you know places

1 that you don't expect them to go. They're going to operate
2 like you didn't expect them to operate. That's why you have
3 that buffer area so you can allow for that to occur.
4

5 **MR. WILLIAM CORNING:**

6 That's right.
7

8 **MR. PAUL CLOUD:**

9 That's - that's where it stands right now.
10 Are there any other comments or questions?
11

12 **MR. WILLIAM CORNING:**

13 I have one (1) thing here I was supposed to
14 say and I didn't. This JPG Heritage Partnership they're - I
15 won't call it a motto, I don't know what you want to call it
16 - it established to further the public awareness of the
17 people's sacrifice for freedom. That's their statement. And
18 I was - it was suggested that somebody talk to you. I might
19 say that.
20

21 **MR. PAUL CLOUD:**

22 I appreciate that.
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MR. WILLIAM CORNING:

So I met the requirements.

MR. PAUL CLOUD:

Thank you. Does anyone else have anything they would like to ask or comment on? I have one (1) last piece of information. Just so I cover the last base and I'm sure if Richard were here he would have asked the question. As I'm sure a number of people know there has been an on-going discussion between the Army, the U.S. Fish and Wildlife Service and the Air Guard for activities north of the firing line. The current status of that issue is as follows: We the Army are continuing to discuss the issue with both the Fish and Wildlife Service and the Air Guard. No one (1) has been excluded. No decisions have been made. It's my understanding that at the highest level of both - all three (3) agencies will be meeting this Friday to further discuss that issue. We have no decision on that particular issue. We have representatives here from the Air Guard and the Fish and Wildlife Service. If either one (1) of you gentlemen have any additional information feel free to comment. That's my understanding right now. And I guess we will all, kind of as the guys on the ground at the facility level, or myself at one (1) level above them, we

1 will just have to wait and see what all these policy people
2 finally decide and then go tell us what they do. That's
3 where it stands right now. No one (1) has been excluded. No
4 decisions have been made. We are continuing to discuss the
5 issue with all parties. And Congressman Hill's office has
6 been actively involved in the process and he's been using
7 his offices to further and continue those discussions.

8

9

MR. TIM MOORE:

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There's no other viable options then?

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MR. PAUL CLOUD:

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Not at the current time. One (1) thing I will mention is that there is another regulation that will be coming up probably next year and be final. It's called the Range Rule. The Range Rule is a rule that will address unexploded ordnance to closed, transferred and transferring bases. That obviously includes Jefferson. Although we're not going to transfer and it hasn't been transferred it's closed. Now under the Range Rule as it currently exists, it's not final, but I don't think a lot of this will change. Under the Range Rule there will be a requirement for the Army to come back periodically and to go look at the area north of the firing line. Right now it would fall under a

1 category under the Range Rule it's called technically and
2 feasible to go clean up. I mean practically we could go do
3 it. But we could have a fifty-one thousand (51,000) acre
4 hole in the ground. And where are you going to put all this
5 stuff? Are you going to go put it you know in the next
6 county over? They're going to have a fifty-one thousand
7 (51,000) acre pile. So that's not going to work. So right
8 now we would devastate that area. We would have to deal with
9 Fish and Wildlife with the federal endangered species, the
10 Indiana bat. So right now it's just not technically and
11 feasible to go clean up that fifty-one thousand (51,000)
12 acres. But under the Range Rule when it becomes final
13 agencies like the Army or the Air Force or the Navy will
14 have to go back at periodic intervals, three (3), five (5),
15 ten (10), fifteen (15) years to see if there has been any
16 development that would allow some level of clean up by a
17 mechanism or process that is feasible. So it's just not a
18 one (1) time well it's not technically feasible, we're off
19 the hook, we're going to go our way, have a nice day, we're
20 out of here. You have to go back and you keep going back
21 until you can do something. That's the way the Rule is
22 written right now.

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MR. TIM MOORE:

What if it becomes technically feasible to clean the area? Then what happens with the scope of the land?

MR. PAUL CLOUD:

Don't know. That would be something that we would have to develop when it occurred because it would be something new. Probably never been done before. And like a lot of things that have happened at Jefferson that's where we would write that part of the book. We've written a lot of the book here because it was never done anywhere else. We were one (1) of the first. And a lot of follow up BRAC facilities in '91, '93, '95 have gained a lot of advantage from that. Made their life a lot easier. But because we did so many things here first there wasn't any book. So we had to figure out how to do it. And that's one (1) of those we would have to figure it out. If there are no more comments or questions I would like to point out that our next RAB meeting is scheduled for November 3rd. It's a Wednesday, 7 P.M. and the location is the Madison-Jefferson County Public Library in Madison. And I hope to see everyone there. Again we expect to have Dr. Henshel, the TAPP provider there. We also expect to have on the agenda the public hearing for the

1 EE/CA and if possible I would like to have the NRC there.
2 But I can't guarantee them. They are a separate federal
3 agency. So if there are no further - Kevin?
4

5 **MR. KEVIN HERRON:**

6 Since they're meeting this Friday the Fish
7 and Wildlife, the Army and the Air Guard people, do you
8 think maybe there might be some kind of update on that issue
9 then at this - at the next meeting?
10

11 **MR. PAUL CLOUD:**

12 Almost assuredly there will be some update
13 at our November meeting. Hopefully it will be more than
14 we're still talking.
15

16 **MR. KEVIN HERRON:**

17 Right.
18

19 **MR. PAUL CLOUD:**

20 Any other questions or comments? Thank you
21 very much. Appreciate your coming.
22

* * * * *

23 CONCLUSION OF HEARING
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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 September 22, 1999 in the Jennings County Public Library, North Vernon, 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 12th day of October, 1999.

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

My Commission Expires: July 2, 2007