

FORT MONMOUTH RESTORATION
ADVISORY BOARD

ORIGINAL

IN RE:

FORT MONMOUTH RESTORATION
ADVISORY BOARD

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) TRANSCRIPT OF:
) PROCEEDINGS
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Thursday, April 3, 2014
Fort Monmouth
Oceanport, New Jersey
7:00 p.m.

B E F O R E:

- BRIAN CHARNICK - Ft. Monmouth RAB
- RICHARD GRASKOS - U.S. Army Ft. Monmouth - Resident
- FRANK BARRICELLI - Ft. Monmouth RAB
- WANDA GREEN - Ft. Monmouth RAB
- JAMES ALLEN - Ft. Monmouth RAB
- LINDA RANGE - U.S. Army Ft. Monmouth - NJDEP Case Manger
- EDWARD DLUGOSZ - Ft. Monmouth RAB
- DIANE CRILLY - U.S. Army Ft. Monmouth - Resident

ALSO PRESENT:

- Robert Youhas - Chenega
- Frank Accorsi - Chenega
- Allyson Kriney - Parsons

Job No. NJ1828720

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TRANSCRIPT of the stenographic notes of the proceedings in the above-entitled matter, as taken by and before LYDIA F. McDONNELL, a Certified Shorthand Reporter and Notary Public of the State of New Jersey, held at FORT MONMOUTH, 455 Wade Avenue, Oceanport, New Jersey, on Thursday, April 3, 2014, commencing at 7:00 p.m.

Job No. 1828720

1 MR. ALLEN: I'd like to call the meeting
2 of the Restoration Advisory Board to order. Join me
3 in the Pledge of Allegiance to our flag.

4 (Pledge of Allegiance.)

5 MR. ALLEN: Thank you.

6 At this time, I would entertain a motion
7 that we review the minutes of the January 9th
8 meeting. Someone make a motion that we --

9 MR. CHARNICK: I have a correction.

10 MR. ALLEN: Okay. Well, we'll discuss
11 the minutes, then. Go right ahead, Mr. Charnick.

12 MR. CHARNICK: It's got the wrong date
13 on the -- right up front.

14 MR. ALLEN: The 9th is not correct?

15 MR. CHARNICK: It's got the wrong year.

16 MR. ALLEN: Okay. But the 9th, as I had
17 it, was correct; right?

18 MS. GREEN: Yes.

19 MR. ALLEN: But it was '14. Thank you,
20 Mr. Charnick.

21 Any other comments at this time?

22 MR. CHARNICK: No.

23 MR. ALLEN: Take a minute, please, to
24 review the minutes, and then when we're finish, we'll
25 press the motion to accept them as corrected.

1 (Board reviewing minutes.)

2 MR. ALLEN: Everyone had a chance to
3 review the minutes of January 9th. Hearing no
4 objection, I'll entertain a motion that we approve
5 the minutes as amended for January 9th, 2014.

6 Frank. Is there a second? And that's
7 Richard or you prefer Dick?

8 MR. GRASKOS: Richard's good.

9 MR. ALLEN: Richard's fine. Thank you.

10 All those in favor of approving the
11 minutes for January 9th, 2014, signify by saying "I."

12 (All in favor.)

13 MR. ALLEN: Opposed? So ordered.

14 Wanda, I think we can move on to you
15 right now. Any business?

16 MS. GREEN: Yes, the IRP program status.

17 Unfortunately, I do not have a report that's
18 finalized for public review. We have quite a few of
19 the drafts completed by Parsons, but there is
20 continued discussion with regards to CERCLA
21 requirements versus New Jersey DEP requirements. And
22 our legal office, they abide by the CERCLA
23 regulations and the risk assessment for CERCLA.

24 As you may or may not know, CERCLA is
25 different from the state; that there -- there's just

1 been a lot of discussion going back and forth. We do
2 think that we have come to an agreement and that
3 the -- at least some of the RI/FS reports should be
4 coming out very soon. The groundwater report also
5 had quite a bit of discussion and legal has finally
6 come to an agreement with me. So that report I'm
7 hoping to get out within the next week or so. And I
8 will email that to you, put it on the Website and in
9 the library. But you already have the results from
10 the groundwater report. It was in the last meeting
11 or the meeting before.

12 MR. DLUGOSZ: The last meeting.

13 MS. GREEN: The last meeting. So this
14 will just be a formal document with all of that
15 information.

16 MR. DLUGOSZ: Well, that document was or
17 I thought it was. That's why I --

18 MR. BARRICELLI: Use the microphone.

19 MR. DLUGOSZ: I'm sorry. Thank you.

20 Was the sampling plan, I guess. That
21 was in one of the DVDs that we got last time. I
22 guess you sent it to us. That was just a sampling
23 plan and not the results that were shown in the
24 briefing last time; is that correct?

25 MS. GREEN: They got them. I did give

1 you the results, but it wasn't the final baseline
2 groundwater report that you will be getting.

3 MR. DLUGOSZ: Okay. That was one of my
4 questions that I was gonna hold for the round table
5 portion. I had a discrepancy between the
6 presentation and that sampling report -- and the
7 written, and the results didn't seem -- I didn't see
8 any results in the sampling. So being a plan, it
9 might not be --

10 MS. GREEN: Oh, I know what you're
11 talkin' about. Yeah, that was the actual work plan
12 for sampling. That's what you're speaking of?

13 MR. DLUGOSZ: Yes.

14 MS. GREEN: Yes, that was approved. But
15 then they actually went out and took samples. We had
16 a presentation on it and I gave you the results, but
17 now you'll be getting a formal report that will
18 discuss --

19 MR. DLUGOSZ: Okay. But I didn't --
20 that's exactly what my problem was, I didn't see the
21 results in that plan and I guess I didn't look at the
22 meaning of the word "plan." I just saw much of the
23 same stuff and I have a question, but I can wait till
24 our round table to ask you. I guess that's all.

25 MS. GREEN: Okay. Anyone else? Any

1 questions regarding the IRP status?

2 MR. BARRICELLI: They're coming out
3 shortly?

4 MS. GREEN: I'm hoping. We believe --
5 well, for the groundwater report, definitely. But
6 the R -- the IRFS (sic) report, it has not been
7 totally finalized yet.

8 MR. DLUGOSZ: Can you spell that or say
9 what the "IRFS" is?

10 MS. GREEN: Remedial
11 Investigation/Feasibility Study.

12 MR. DLUGOSZ: Okay.

13 MR. GRASKOS: I had just one question.
14 Is it -- the items where you said there's a
15 difference between the CERCLA and NJDEP, can you give
16 us a short summary of that or just an overview or is
17 it not an appropriate question?

18 MS. GREEN: Well, yes, the CERCLA
19 requirement for risk assessment is 10 to the minus 6,
20 and the state is 10 to the minus 4.

21 MS. RANGE: Other way.

22 MS. GREEN: I mean -- yeah, vice versa.
23 The state is more stringent, 10 to the minus 6, and
24 CERCLA is 10 to the minus 4. And as a federal
25 facility, we are required to follow the CERCLA

1 federal regulation, but we aren't required to follow
2 the state risk assessment. So that's where it's been
3 a lot of discussion goin' back and forth.

4 MR. DLUGOSZ: That would be a good thing
5 to do.

6 MR. ALLEN: She can't hear you, Frank --

7 MR. DLUGOSZ: Ed.

8 MR. ALLEN: -- I don't think. And just
9 announce your name, so --

10 MR. DLUGOSZ: Ed Dlugosz.

11 MR. ALLEN: Sorry. Ed.

12 MR. DLUGOSZ: Seems like that was
13 somethin' that should have been brought up like six
14 years ago if it was that kind of a discrepancy.

15 MS. RANGE: It wasn't under discussion
16 six years ago.

17 MR. DLUGOSZ: I know. I'm glad it's
18 come up. But since I've been living in New Jersey,
19 the EPA gave, what do you call -- the RAB to the New
20 Jersey DEP, so we've been living under those rules.

21 (Reporter asks member to speak up.)

22 MR. DLUGOSZ: I said, when we formed
23 this RAB, the EPA gave the authority to review the
24 results and so forth to DEP rather than show it
25 themselves. That's what we were told.

1 MS. GREEN: Correct.

2 MR. DLUGOSZ: And it seems to me that
3 with that -- that handover and the fact that you are
4 going to be giving the property and the state is
5 taking the property at least for a very short time,
6 that the DEP's requirements should hold -- hold the
7 fort.

8 MS. GREEN: I know what you're saying
9 and I'm not the person who can make that decision.
10 I'm just bringing -- I'm just bringing information to
11 you to let you know where things stand and why
12 they -- you have not received the report. We need to
13 wait and see when we receive a report. And if you
14 have questions and if it's a thing where our legal
15 office says you are not required to do X, Y, Z in
16 accordance with BRAC law, then we will discuss it
17 then for each individual site and any information
18 that you want me to pass on, I will. But for right
19 now, that's where things are and that's why we're
20 going back and forth.

21 So legal looks at what the law says and
22 they are required to do what the law says and BRAC
23 law and CERCLA law and D-E-R-P, DERP law. So they're
24 looking at what they're -- we're required to do. And
25 it's not just lookin' at today, they're lookin' at

1 long term what will be the requirement for the
2 Department of the Army.

3 MR. DLUGOSZ: Okay.

4 MR. ALLEN: Richard, did you get the
5 answer to your question, sir?

6 MR. GRASKOS: Well, yes, this was --
7 basically, the points of discussion were related to
8 risk assessment, differences between the CERCLA
9 requirements, the BRAC, and the New Jersey DEP. I'm
10 just assuming they're kind of being reviewed point by
11 point as they impact each site. That's -- that's
12 kind of what I understood from the conversation.

13 MS. GREEN: Yes.

14 MR. ALLEN: Okay. Anyone else?

15 Okay. Moving on to the TAPP grant
16 application submission.

17 MS. GREEN: Yes.

18 MR. ALLEN: We just got that this
19 evening or this letter to Mr. Charnick?

20 MS. GREEN: Yes.

21 MR. ALLEN: I don't necessarily
22 understand all of it. Would everyone like to take a
23 look at it right now?

24 MS. GREEN: Yes.

25 MR. ALLEN: Everyone have a copy of it?

1 It's been placed in front of you earlier this
2 evening.

3 (Board reviewing report.)

4 MR. ALLEN: Did everyone have a chance
5 to review the letter dated April the 2nd, Department
6 of the Army?

7 MR. DLUGOSZ: No.

8 MR. ALLEN: No; okay. Go ahead. Sorry
9 about that. Take your time, sir.

10 (Mr. Dlugosz reviewing report.)

11 MR. DLUGOSZ: Okay.

12 MR. ALLEN: Okay. Brian, this was
13 addressed to you. Do you have any comment on this
14 letter, sir?

15 MR. CHARNICK: Well, I just received it
16 this evening. There'll be a thorough review of it
17 and perhaps another reclaimable. We'll see what
18 happens, but there's growing interest in this. But I
19 had a question for the record regarding the thing
20 called the "IRP program."

21 The Army rejection of the latest TAPP
22 grant seems to narrowly define the IRP program and
23 saying that any work in the Statement of Work for the
24 TAPP grant which has to be new work, because it's
25 funded for \$25,000, it can't be just no work, it has

1 to be something in there to justify the task, it says
2 it's outside the scope of the IRP program. So, for
3 instance, these minutes that we just approved and the
4 documents that come out of these meetings that are on
5 file for the public to see, are those documents part
6 of the IRP program? Are these minutes part of the
7 IRP program?

8 MS. GREEN: The RAB is -- is part of
9 the --

10 MR. CHARNICK: No, the thing called the
11 "IRP program." You said reviewing documents that are
12 outside of the IRP program are not considered for
13 TAPP funding.

14 MS. GREEN: Yes.

15 MR. CHARNICK: So if I asked somebody to
16 review these minutes, this is outside the IRP
17 program?

18 MS. GREEN: No.

19 MR. CHARNICK: Okay. What about when
20 the county health department presents a report or
21 comments on the FOST and those are presented and
22 stored in the archives 'cause they're made part of
23 the minutes. How could it say that that report is
24 not part of the IRP program?

25 MS. GREEN: It's part of the RAB. It

1 was part of the RAB meeting. You could bring
2 anything in here, but that doesn't make it part of
3 the IRP program. The IRP program is the Installation
4 Restoration Program for Fort Monmouth. When a
5 document has been presented that comes from another
6 entity, that its their own sampling that was
7 performed, everything that came from them, it was
8 just a matter of, Can we present that to the RAB?
9 Yes, the county was able to present they information,
10 but that doesn't make that an actual IRP program.

11 MR. CHARNICK: Okay. So you're
12 officially saying in the minutes tonight that the
13 county health department report delivered in this
14 public session --

15 MS. GREEN: It was part of the RAB.

16 MR. CHARNICK: -- was not -- is not
17 stored in the archives, it was made part of the
18 minutes, though.

19 MS. GREEN: It's part of the RAB
20 minutes, yes.

21 MR. CHARNICK: And are those in the --
22 for the public to see and they're -- they're not part
23 of the Installation Restoration Program? That
24 document reads --

25 MS. GREEN: No, just like when you --

1 you may speak of --

2 (Feedback from the speaker system.)

3 MR. CHARNICK: Okay. So where are we?

4 MS. GREEN: We talked about if someone
5 comes in here and -- they can talk about anything,
6 but it doesn't make it part of the Fort Monmouth IRP
7 program. It's not -- you can talk about another
8 site, but it doesn't make it part of the IRP program
9 site here at Fort Monmouth.

10 MR. CHARNICK: No, I know about the
11 sites. I'm talkin' about documents. If I asked
12 somebody to review --

13 MS. GREEN: It's the same thing.

14 (Feedback with the speaker system.)

15 MR. CHARNICK: Okay. Most of the
16 rejection of the TAPP grant is saying that the things
17 that we wanted to pay somebody to read and give an
18 objective view to the citizens of Eatontown, those
19 documents are in addition to what the Army produced
20 themselves. Like other documents. And they're not
21 part of the thing called the "IRP." But I mentioned,
22 like, minutes or comments on the FOST or a county
23 health department, a public -- who's a member here.
24 The county is a member, RAB member. They delivered a
25 report that was part of the minutes. And to have a

1 third person review that and another Army document,
2 you're saying is out of the scope of the thing called
3 the "IRP."

4 MS. GREEN: The TAPP grant is for you to
5 understand documents that were presented for our IRP
6 sites. You can get further assistance on reviewing,
7 understanding those reports. It is not for you to
8 bring reports from other entities and for the
9 government to then pay someone to come in here and
10 explain those reports from other entities. It might
11 be easier if you talked to the county and asked them
12 to explain to you their report.

13 MR. CHARNICK: No, I understand their
14 report. Their report challenges the Army's report.

15 MS. GREEN: But, no, you're asking the
16 Army to review it so that you can understand it.
17 That's what you have in your TAPP.

18 MR. CHARNICK: No, the basic thing is
19 very simple; right? You produced a sewer treatment
20 plant report by the Army that said there were spills
21 and heavy metals in the area and sludge was presented
22 on the -- and moved on the golf course without
23 standing (sic) operating procedures to help the grass
24 grow green. The county health department has a --
25 the environmental health section wrote a report

1 questioning that sludge which contained these same
2 heavy metals that we're concerned about. And the DEP
3 sampling apparently did not show up anything on the
4 golf course.

5 So as the citizens of Eatontown, we're
6 asking the question: Where did the sludge go? How
7 could it have possibly disappeared? Is it old sludge
8 that might have moved? Did it go down into the
9 ground? So there's a DEP thing that's part of the
10 IRP and the golf course, which is part of a parcel
11 for sale, and the county health department questioned
12 the sewer treatment plant report that you presented
13 where it -- the Army admitted, without standard
14 operating procedures, spread this sludge all over the
15 golf course that apparently is not there now.

16 So one of the things we asked for here
17 is somebody to explain, where did it go? So you're
18 saying we can't study that because the county asked
19 the question and that's not part of the IRP.

20 MS. GREEN: That's not what I said.

21 MR. CHARNICK: Their report -- they
22 wrote a report saying -- okay.

23 MS. GREEN: I said that we would not --
24 as part of the TAPP, you could not ask for funding to
25 study someone else's report other than the report

1 that we have here. The TAPP is for you to understand
2 our reports.

3 MR. ALLEN: Can we move forward?

4 MR. CHARNICK: Okay. That's the only --

5 MS. RANGE: May I?

6 MR. ALLEN: Go right ahead. Just for
7 the record, your name.

8 MS. RANGE: Linda Range.

9 MR. CHARNICK: Wait a minute. So what
10 was the answer? That these minutes are not part of
11 the IRP documentation?

12 MR. ALLEN: She just said they were.

13 MS. GREEN: The minutes are part of the
14 RAB. The RAB is part of the IRP program.

15 MR. CHARNICK: So the documentation
16 produced by the RAB is part of the IRP program?

17 MS. GREEN: The way that you're tryin'
18 to make it sound is that the -- what I'm hearing from
19 you, and I could be totally wrong, you're saying that
20 if someone bring a document into this RAB meeting
21 that is now part of the IRP program. No, it isn't.
22 Our IRP program documents go to the state, they go to
23 our BRAC office, they -- they are part of the
24 library. I would not take that health department
25 report and put it in a library and say it is part of

1 my IRP program.

2 MR. CHARNICK: Is it in the library?

3 MS. GREEN: It's -- it's part of the
4 minutes. It's not an IRP record for the program
5 here.

6 MR. DLUGOSZ: I just want to --

7 MR. ALLEN: No, wait. This young lady
8 had a comment.

9 MS. RANGE: Just real quickly, I wanted
10 to make a clarification. I'm not aware of any DEP
11 sampling, so they're -- the DEP sampling that you're
12 referencing I believe was just the Army sampling
13 results.

14 MR. CHARNICK: Okay.

15 MS. RANGE: There is no DEP --

16 MR. CHARNICK: I apologize. But it was
17 claimed that samples were made and there is no
18 remaining sludge in the sludge bed and where the
19 sludge was spread. So the question we had in the --
20 in the TAPP grant --

21 MS. GREEN: When you say there's no
22 sludge, are you saying that there's no contaminant
23 from the sludge --

24 MR. CHARNICK: Yeah, I'm sorry.

25 Contaminant.

1 MS. GREEN: -- because the sludge didn't
2 disappear, it was spread across the golf course in
3 various areas as in our reports. But there was not
4 contamination at the site where the sludge was stored
5 so that's why -- 'cause I think one of your questions
6 in one of our previous RABs is why don't we sample
7 the entire golf course, and we sampled where it would
8 be most concentrated.

9 MR. CHARNICK: No, I understand.

10 MS. GREEN: So -- but -- you say you
11 understand, but you're sayin' that sludge
12 disappeared --

13 MR. CHARNICK: No.

14 MS. GREEN: -- and you want someone to
15 comment and explain to you how the sludge
16 disappeared.

17 MR. CHARNICK: Not the sludge, the --
18 your report that you delivered as part of the IRP
19 program had a sewer treatment plant report that we
20 reviewed and discussed which showed that your own
21 engineers admitted a heavy metal spillage. Yes.

22 MS. RANGE: Not in the sludge. There
23 were no sludge samples that showed --

24 MR. CHARNICK: No, not -- not what was
25 spread on the golf course, across from it.

1 MS. RANGE: No, any-- anywhere. There
2 was no sludge sampling results that showed --

3 MR. ALLEN: We are -- Ed, your comments,
4 please.

5 MR. CHARNICK: Can I finish?

6 MR. ALLEN: Well --

7 MR. CHARNICK: Why can't I?

8 MR. ALLEN: Well, I didn't say you
9 couldn't finish, but at least and finish because I
10 heard the same thing three separate and distinct
11 times.

12 MR. CHARNICK: So there was a -- that's
13 what the county reviewed, that Army sewer treatment
14 plant report by an engineer. It was pretty old, like
15 20-years-old. But when they had to apply for
16 permission to connect up to the regional sewer plant,
17 and they said that there were spills and heavy metal
18 contamination in the sludge around the area of the
19 sewer treatment, that's what Bill Simons identified,
20 then there was concern about where that sludge was
21 placed and it was placed in a drying bed, and then
22 spread on the golf course. There didn't seem to be
23 any doubt about that at all.

24 MR. ALLEN: Okay. The young lady had
25 her hand up. What was the problem?

1 (Reporter asks for clarification.)

2 MR. CHARNICK: She said DEP didn't make
3 the samples, the Army made the samples.

4 So just following the logic, then, Bill
5 Simons, as the county health department member of the
6 RAB, wrote a report and questioned -- he read in
7 detail the Army's sewer treatment plant spill report
8 with the heavy metals and asked if there were
9 standard operating procedures how it was spread, and
10 then there was a discussion about an Army sampling, I
11 guess, to show that none of those metals remain on
12 the golf course, which I accept. There's no doubt.

13 So the question I had to be educated as
14 a layperson here is: How did that -- how did that
15 contamination move? What's the mechanical process by
16 which it goes from being there? Does it just
17 disintegrate and disappear, you know, over time? So
18 that was -- that was the purpose --

19 MR. ALLEN: That's your question
20 Mr. Charnick; right? We're gonna try to answer it.
21 You had a comment, Linda?

22 MS. RANGE: Yeah, my comment is I am not
23 aware of any sludge sampling that showed any
24 exceedances of any metals.

25 MR. CHARNICK: I understand. Not even

1 in the sewer -- in the report that the Army
2 delivered?

3 MS. RANGE: Correct.

4 MR. CHARNICK: Well, I'll show it to
5 you.

6 MR. ALLEN: Okay. Ed, you had a
7 comment?

8 MR. DLUGOSZ: Most of my comment was --
9 I think Brian finished dually, but there was one
10 point, I think, I was gonna make that as
11 representatives, we comment on reports all the time
12 in this meeting. The fact that Bill Simons had an
13 official document that had his organization's
14 approval to comment on that just as if I was -- if I
15 reviewed it and gave you my comments, it should be
16 part of -- part of the record and I just don't
17 understand why that isn't part of the record.

18 MS. GREEN: It's part of the RAB.

19 MR. ALLEN: It's in the RAB records.

20 MS. GREEN: It's in the RAB record.

21 What records are you speaking of?

22 MR. DLUGOSZ: Well, I was speaking of
23 the IRP program minutes. And you -- I did -- I
24 did -- the first part of the sentence -- my sentence,
25 or the first part of my comment was -- one of the

1 things was that those set of comments were the same
2 as if I, without a piece of paper in front of me,
3 commented on -- on the golf course what they -- Bill
4 Simons, with a -- with a paper that he composed and
5 was approved by the health department has the same
6 standing as any -- anything that we've done in here.

7 MR. ALLEN: It's made part of the record
8 to my recollection. Go ahead.

9 MR. GRASKOS: I just have a question.
10 Some of these things predate me, but the issue, like,
11 with the IRPs, that if it's not work that was done by
12 the Army or RAB through the normal vetting process
13 and review of information, you know, control,
14 planning and such, that it's just viewed as a suspect
15 document? Is that the basics of what you want in a
16 sense? Like between the NJDEP and the Army, those
17 are the only, let's say, considered legitimate
18 reports that would be for consideration under the
19 IRP? Is that a fair summary or -- I'm not wording
20 that well, but you could reword it to your --

21 MS. GREEN: Maybe -- yeah, you said
22 quite a few things there. The reports that we
23 distribute as part of the Fort Monmouth IRP program
24 are the reports that we can stand by. I can't stand
25 by what the county or anyone else does because I

1 wasn't part of the process. "I" being the Army. The
2 Army wasn't part of the process of creating that
3 report. When we had Bill Simons present his report,
4 there was a lot of questions on -- well, no, that was
5 in -- in his late report, of how -- what units did
6 they use in their sampling. There was a lot of
7 questions that couldn't be answered by him. Things
8 like that is the reason why you can't expect or you
9 shouldn't expect the Army to take someone else's
10 report and try to explain it to someone else,
11 especially if it's your report and you can't explain
12 it to us.

13 MR. GRASKOS: Right. Or if it was
14 something where you feel it was inadequately
15 prepared, vetted, planned, executed, something to
16 that affect; right?

17 MS. GREEN: Correct.

18 Now, this report -- I mean, the TAPP
19 grant is for reviewing all of the documents that we
20 have here and getting those documents explained to
21 you. It's not for reviewing outside documents, it's
22 not for doing additional sampling or anything like
23 that.

24 MR. GRASKOS: Okay.

25 MS. GREEN: There is a document that --

1 what I've given everyone to help -- help you
2 understand, I've given you a copy that's -- I gave
3 this to you before.

4 MR. ALLEN: The package tonight?

5 MS. GREEN: Yes. It's a two-page, what
6 I call a little cheat sheet of what has happened and
7 what you can submit as part of the TAPP. I've also
8 given you the Army's TAPP guidance, I've given you a
9 copy of the CFR, which is -- what's -- 32 CFR,
10 Section 203 that goes into further detail about
11 federal requirements. I've given you a copy of --
12 now, the Army accepted the way that the TAPP grant
13 was submitted, but it's actually supposed to be on
14 this form. So if you decide to resubmit that, you
15 will follow what the Army and the Federal CFR has
16 outlined as what can be accepted as a TAPP grant
17 requirement or -- and also things that aren't.

18 So in this letter, it spells out what is
19 and what isn't. And that TAPP grant application,
20 there were several different things that were said
21 that you would like to have, and then when you get to
22 the actual scope of work and the task, it's worded
23 differently. So if you look at it, look at the
24 actual federal requirement and you'll see why there
25 was disparity.

1 Any other questions?

2 MR. CHARNICK: Okay. Thank you.

3 MR. ALLEN: So that on Item No. 4, the
4 discussion on TAPP, are there any further discussions
5 right now? And if I may, I would like to ask for a
6 motion to put the letter dated April the 2nd into the
7 record of this RAB meeting. Do I have a motion to do
8 so?

9 Richard raised his hand. Ed was second,
10 or was it... is there discussion on this letter? I
11 think it's appropriate to put it in the file so
12 therefore, seeing no other discussion on the letter,
13 all those in favor of putting -- placing this letter
14 dated April the 2nd, the TAPP grant application into
15 the record, signify by saying "I."

16 MR. CHARNICK: The TAPP grant
17 application or the rejection letter?

18 MR. ALLEN: Yes, sir, rejection letter
19 as I said it clearly. I said it was on -- dated
20 April the 2nd. You just got it.

21 MR. CHARNICK: Okay.

22 MR. ALLEN: I had a motion, seconded to
23 go into tonight's record. All those in favor of
24 putting it in the record, signify by saying "I."

25 (All in favor.)

1 MR. ALLEN: I think we have it. Those
2 who want Nay?

3 Hearing no "Nays" the motion is
4 approved. Thank you very much.

5 Round table discussion. Here we are.
6 Ed, you want to start out, please?

7 MR. DLUGOSZ: Yeah, in reviewing the
8 sampling test plan that we discussed at the beginning
9 of the meeting and last -- last month -- last
10 meeting, this 2/13 baseline groundwater sampling
11 event that was in this briefing, I was unclear of how
12 many wells were tested. In the -- in the diagram, it
13 shows that there were -- for example, M-2. The
14 landfill on the border of Eatontown and the Fort had
15 something on the order of 22 -- 22 test wells, and
16 only one of the test wells were cited for having
17 exceedances for VOCs.

18 My recollection of last month's meeting,
19 it seemed to me that the -- there was less than the
20 full, what do you call, testing of all the wells.
21 And in the sampling plan I think I read that all of
22 the wells were to be tested. So I was wondering,
23 were all the wells in M-2 -- and I know it's very
24 specific. But in general, were all of the wells
25 tested or were some smaller sample size of the wells

1 tested and the results we've seen?

2 MS. GREEN: Prior to closure, we had a
3 sampling plan that showed all of the wells that we
4 normally sampled at every site. All of those were
5 sampled, and then there were additional wells that
6 had not been sampled because they were new wells that
7 were installed at M-68, which is Building 700, there
8 were additional samples that were performed at 1122,
9 which is M-59.

10 MR. DLUGOSZ: Right.

11 MS. GREEN: So in the report that you
12 will be getting within the next week or two, you'll
13 see exactly how many wells were sampled at each
14 location and what the results were. But this wasn't
15 a small sampling at each site, it was the actual
16 normal wells that were sampled, and in some
17 instances, additional samples were taken.

18 MR. DLUGOSZ: Okay.

19 MS. GREEN: Additional wells.

20 MR. DLUGOSZ: The -- the other question
21 with them being specific on M-2, it said -- it said
22 in the preparatory things, that M-2 would be tested
23 for groundwater, surface water, soil and -- what is
24 the other one? Groundwater. In the -- in the
25 report -- in the -- let me see if I can find it.

1 Okay. On Page 7 of the sites sampled it
2 said, "At least 14 sites were sampled via LFPS.
3 Sites were analyzed on a case-by-case basis for VOCs,
4 SVOCs, metals or pesticides." Is this saying that
5 there were no, what do you call, metals found in the
6 groundwater or there were no metals found at the
7 site?

8 MS. GREEN: You're talking about M-2 in
9 particular?

10 MR. DLUGOSZ: Yes. I know -- I know
11 it's specific, but, you know, in the -- in this here
12 thing, I think the title of the whole thing is -- is
13 "Groundwater," and I was wondering if one, was there
14 any metals in the groundwater?

15 MS. GREEN: I don't have the report with
16 me --

17 MR. DLUGOSZ: Okay.

18 MS. GREEN: -- so I don't want to answer
19 that without having the report.

20 MR. DLUGOSZ: Okay.

21 MS. GREEN: This was just a quick
22 briefing that Jim had put together. It doesn't have
23 all of the information. So I don't know if it was a
24 thing where there weren't any metals detected or --
25 or what. I don't want to speak on that because I

1 don't have the report in front of me, but you will
2 have all of that information.

3 MR. DLUGOSZ: Okay. Thank you. That's
4 all.

5 MR. ALLEN: Thank you, Ed.

6 Anyone else for discussion in the round
7 table?

8 MR. GRASKOS: I just had one --

9 MR. ALLEN: Go ahead, Richard.

10 MR. GRASKOS: -- one question. Just a
11 general topic. The definition of "sludge" as I
12 understand it, it's like a sandy residue left over
13 after sewer treatment. Things like that. It's
14 primarily dirt, things like -- can you give a better
15 definition now, Linda? Just so...

16 MS. RANGE: No.

17 MR. CHARNICK: It's whatever -- there's
18 liquids and solids from this process.

19 MS. RANGE: You would probably give a
20 better definition.

21 MR. CHARNICK: There's liquids and
22 solids when you treat sewerage. Anything other than
23 the liquids is called "sludge."

24 MR. GRASKOS: When it's all done being
25 digested.

1 MR. CHARNICK: Well, when it comes out
2 of the treatment plant.

3 MS. RANGE: Yeah, and different
4 treatment plants, of course, use different levels of
5 treatment, you know, primary, secondary, tertiary,
6 whatever. So the sludge is gonna look different
7 coming out of the various types of treatment. I have
8 no idea what this sludge looked like.

9 MR. GRASKOS: And that's what I was sort
10 of wondering. I mean, like what -- compared to
11 things that I've seen elsewhere.

12 MS. RANGE: I don't know. Some are very
13 fine. But no, I have no idea what it looked like.

14 MR. CHARNICK: It's like when you go to
15 Lowe's and you buy Milorganite. It's fertilizer.
16 That comes from treatment plants.

17 MR. GRASKOS: Okay. That was just
18 something.

19 MR. ALLEN: Thank you, sir.

20 MS. GREEN: I had a report that
21 discussed the sludge in one of our previous meetings.
22 April 4, 2013.

23 (Pause.)

24 MR. ALLEN: You want to move on?

25 MS. GREEN: Yeah, you could move on.

1 MR. ALLEN: Any other discussion for the
2 round table? If not, I'll move on to Item No. 6, the
3 meetings for the balance here of 2014.

4 July 10th you'll note that that's a
5 Tuesday. The second Tuesday.

6 MR. DLUGOSZ: It looks like a Thursday
7 to me.

8 MR. ALLEN: What are you saying here?
9 This is the second Tuesday of the month; right?

10 MR. BARRICELLI: Mine says Thursday.

11 MS. GREEN: Thursday.

12 MR. ALLEN: And yours says Thursday.
13 I'm reading it wrong, forgive me. I marked it wrong
14 in my calender. I may be away for that, but that's
15 another thing. Anyone having a problem? Are we
16 having a multiple problem with July 10th? Anyone?

17 MR. DLUGOSZ: No.

18 MR. ALLEN: October 2nd. Anyone having
19 a major problem? I'm not. Nothing on that? Okay.
20 Good. I just may be in Tennessee on the 10th day of
21 July this year, God willing.

22 Okay. With regard to the other note.
23 The Army will not send personal emails.

24 And No. 7, moving right on. Questions
25 from the public. I have just one person who has

1 signed up. Is there anyone else who would like to
2 sign up? And that gentleman is Mr. Tom Nahedy.

3 Tom, you're gonna step aside and let
4 this lady speak for you?

5 MR. NAHEDY: First. First. I'll go
6 second.

7 MR. ALLEN: Oh. May I get your name,
8 please?

9 MS. BRESLOW: Sara Breslow,
10 B-r-e-s-l-o-w.

11 MR. ALLEN: Thank you. And your town?

12 MS. BRESLOW: Eatontown.

13 MR. ALLEN: Thank you, ma'am.

14 MS. BRESLOW: Just a comment. Ms. Green
15 said that the Army can't stand by reports that are
16 presented by others, yet you expect the public to
17 stand by reports that are created by the Army,
18 prepared by companies that are hired by the Army,
19 that are reviewed and altered by the Army before they
20 are ever presented to the public. It is
21 inconceivable. And my question really goes to the
22 DEP because you are the only authority who stands
23 between the Army controlling all this and protecting
24 the public. What is your job here? Because it seems
25 you just accept the findings of the Army. Do you do

1 any original testing? Do you see do any critical
2 assessment? There are obvious things that have been
3 changed in some of these reports. Do you pick up on
4 them? How are you protecting us from them?

5 MS. RANGE: Can I answer now?

6 MR. ALLEN: Can she answer now?

7 MS. BRESLOW: Sure.

8 MS. GREEN: Well, I would rather you ask
9 your questions so that we won't take up your five
10 minutes in answering questions, so...

11 MR. DLUGOSZ: Do you have any additional
12 questions?

13 MS. BRESLOW: I may have a back-up
14 question.

15 MR. DLUGOSZ: A follow-up.

16 MS. GREEN: Is that your only question,
17 though?

18 MS. BRESLOW: I don't know.

19 MS. GREEN: Because you have five
20 minutes.

21 MS. BRESLOW: I know.

22 MS. RANGE: My job is to receive the
23 reports submitted by the Army, review them and
24 compare them to the requirements of the technical
25 regulations. I make sure that the areas of concern

1 have been identified based upon the site history, I
2 make sure that each -- and most of this was done
3 prior to -- to my taking the case over, but my
4 predecessors would have done the same thing. We make
5 sure that each area of concern is properly sampled as
6 far as frequency of samples, sample locations, the
7 parameters that were selected, sample depth. We make
8 sure that the minimal detection levels were met by
9 the laboratory, we review the analytical results and
10 compare them to our clean-up criteria and now our
11 clean-up standards to see what exceedances there are.

12 The exceedances that we see, we make
13 sure they are addressed in some manner whether that's
14 excavation or capping, for instance, if -- if that's
15 appropriate for that particular area of concern or
16 constituent. You obviously have not seen my response
17 letters or you would realize that I do not just
18 accept everything as is. I have written voluminous
19 response letters.

20 MS. BRESLOW: Where are those posted?

21 MS. RANGE: Where are they posted? I
22 have no idea. If you did an OPRA request, then you
23 would be able to find them.

24 MS. BRESLOW: How would I know to get an
25 OPRA request if I didn't know you filed something?

1 MS. GREEN: Have you seen any of our IRP
2 reports?

3 MS. BRESLOW: Are they on your line?

4 MS. GREEN: Have you seen any of our IRP
5 reports?

6 MS. BRESLOW: I don't know.

7 MS. GREEN: You don't know if you've
8 seen them?

9 MS. BRESLOW: No.

10 MS. GREEN: Oh. Well, they're in the
11 IRP report.

12 MS. BRESLOW: But are those online?

13 MS. GREEN: Yes.

14 MS. BRESLOW: Are they available online?

15 Well, then, my question, then, would
16 become if you -- if you are checking that things are
17 properly sampled, you're satisfied that there are
18 only, what, two, maybe three places on the golf
19 course that were sampled? And nothing that was
20 sampled in the unknown stream -- in the unnamed
21 stream --

22 MS. RANGE: Two -- two questions.

23 First --

24 MS. BRESLOW: -- be found that --

25 MS. RANGE: The first one: As far as

1 the golf course, yes, the determination was made that
2 it was the worst case location -- locations that were
3 sampled. Those samples came up with no exceedances.
4 So, yes, we were satisfied.

5 MS. BRESLOW: But you were satisfied
6 that those were the points of highest -- that they
7 were --

8 MS. RANGE: We determined that those
9 were the -- the areas that would have shown --

10 MS. BRESLOW: And how could you
11 determine that if there's an unknown stream that led
12 directly --

13 MS. RANGE: That's the second question.

14 MS. BRESLOW: -- into it?

15 MS. RANGE: The second question that I'm
16 tryin' to answer, the unknown stream, was sampled. I
17 forget how many locations, either two or three sample
18 locations were collected. They came up with no
19 exceedances.

20 MS. BRESLOW: Were they sampled, Ed?

21 MR. DLUGOSZ: There were -- there were a
22 couple of sites that were -- were placed on the
23 stream up -- upstream from the -- from the sludge
24 site.

25 MS. RANGE: Downstream from the former

1 sewerage treatment plants, up -- possibly upstream of
2 the --

3 MR. DLUGOSZ: Upstream from the
4 sludge --

5 MS. RANGE: -- golf course.

6 MR. DLUGOSZ: -- what do you call,
7 location on the -- the holding place where the sludge
8 was -- was downstream from those sampling sites. So
9 they -- they took their samples, you know, closer to
10 the road than --

11 MS. BRESLOW: Than from the origin.

12 MS. RANGE: They were -- the origin
13 should have been the sewerage treatment plant
14 discharge point.

15 MR. DLUGOSZ: Yeah.

16 MS. RANGE: So the sampling point
17 measured should have caught anything that was
18 discharged by the sewerage treatment plants, which
19 you would think would have been the worst case
20 location sample.

21 MR. ALLEN: Ms. Breslow, you have about
22 30 more seconds.

23 MS. BRESLOW: I just would like to know
24 because -- I would like to know if Ed agrees with
25 what is being said right now and I think I told you

1 that off line.

2 MR. DLUGOSZ: I can say that there were
3 sampling upstream of this sludge treatment plant, but
4 nothing downstream from the sludge -- sludge holding
5 plant.

6 MS. RANGE: Because there were no
7 exceedances at the sludge holding areas and
8 therefore, there was no trigger to sample
9 downgrading.

10 MR. DLUGOSZ: Is there -- is there -- I
11 guess over time does sediment migrate downstream?

12 MS. RANGE: Well, it depends on the --
13 the situation, yeah.

14 MR. ALLEN: Okay.

15 MS. BRESLOW: The bottom line is the
16 public isn't taking the Army's word for this.

17 MR. ALLEN: Thank you, ma'am.

18 Mr. Nahedy, you're up. And I'm sure,
19 Tom, you know the rules by now, sir.

20 MR. NAHEDY: It's N-a-h-e-d-y, Tom
21 Nahedy. www.foramerica.usfnerpa.

22 And boy, I'm glad the police are here
23 today. Gentlemen, I'm so glad you're here today
24 because your barracks have not been tested for soil,
25 for air contamination even after the hurricane came

1 over the toxic dumps and came right up to your
2 barracks and I've asked for months and months for
3 them to test it and you should ask them to test it,
4 too, and you should ask the DEP to test it 'cause
5 maybe they'll listen to you. But whoever's sleeping
6 in there is most likely being contaminated from air
7 quality which is contaminated, water which is
8 contaminated, and I sure as heaven hope that you're
9 not drinkin' the water.

10 Has Wanda told you not to drink the
11 water? Because by golly, if you're doin' it, you're
12 being contaminated. And if you think this is a
13 shock, look at Agent Orange. Look at the uranium.
14 Look at the -- the Navy, the USS Reagan who just ran
15 right through Fukushima. They're most likely using
16 you as guinea pigs. So I would not stay there. I
17 would demand that they test it. Test the soil. And
18 also, if you're walkin' around, leave your shoes.
19 Don't go into your house with it because you're
20 bringing it to -- to your children as well. And once
21 again, you are being treated as guinea pigs so I hope
22 that you will -- you will address this because what's
23 happening tonight is a cover-up.

24 I've been here for eight years. I was
25 cut off from the environmental committee because I've

1 exposed fraud, corruption and cover-up.

2 MR. ALLEN: Could you explain what
3 environmental committee, sir? You weren't cut off
4 from this committee.

5 MR. NAHEDY: I was cut off from the
6 FIMERA Environmental Committee. I was cut off
7 because I -- I was exposing the contamination on
8 base.

9 MR. ALLEN: I see.

10 MR. NAHEDY: The Army doesn't care. The
11 Army wants to get as much money as they can from
12 this. They don't want to clean things up. Again,
13 I've been doing this for eight years, I have no
14 financial ties here.

15 As far as what's going on tonight is
16 only the tip of the iceberg of what's been happening.
17 I have a friend who was -- was killed by an Army base
18 because there was contamination, leaving three
19 children under the age of five. That's why it's a
20 personal issue for me. And -- and I told them, the
21 family, I would do all I can so the same thing
22 wouldn't happen here at Fort Monmouth. The Army
23 refuses to do testing. The testing they have done --
24 I know a person who worked for the testing here in
25 the Fort. They got the wrong, quote, answers and

1 they were told to go back out and get some different
2 answers to it.

3 So as far as the air, water and soil,
4 start with the barracks for the State Police. Show
5 them that you care for them. And if they don't care
6 for you, think about whether they care for the people
7 who live on the edges of -- of the base who just
8 outside the fence they refuse to test. They refuse
9 to do any testing. They refuse to do any type of
10 looking, testing of what's happening in the
11 neighborhoods. A lot of people are gettin' cancer
12 just outside the base outside the fence. The Army
13 says they're not responsible for anything outside the
14 fence which -- which is a sin. It's nothing but a
15 sin.

16 So as far as air, water and soil, it's a
17 crime to knowingly poison people and I hope the State
18 Police will bring this up with -- with Governor
19 Christie, who I brought these things up at least two
20 times and I handed him all sorts of information. He
21 said, Oh, yeah, I'm -- I'm aware of it. I'm taking
22 care of it. Baloney. He has Mr. Gorman from FIMERA,
23 who if you bring up any of this, the people are taken
24 out. And the State Police are put under a very
25 difficult situation because they know it's wrong.

1 MR. ALLEN: You have 60 seconds.

2 MR. NAHEDY: Well, I have a lot to say
3 and will I be arrested?

4 MR. ALLEN: Sixty seconds.

5 MR. NAHEDY: It isn't even seven o'clock
6 yet and you're once again --

7 MR. ALLEN: It's your time, sir.

8 MR. NAHEDY: Okay. I want to know -- my
9 question: Wanda, have you asked them to test the
10 barracks? Have you asked -- asked them to test the
11 barracks for soil? For water? For air? For
12 contamination? Has the Army done it? And if they
13 haven't, why not? Start with that, and then we'll
14 talk about all the other contamination that -- that
15 has occurred.

16 As far as the -- the dumps. The dumps
17 have no -- no barrier from the top to the bottom.
18 They -- they continue to -- to contaminate. So
19 there's a huge cover-up goin' on. I hope the State
20 Police will bring this back. Will bring it to the
21 Attorney General. But you know what, there's also a
22 problem with the Attorney General's office 'cause I
23 brought it up with them, and they're part of the
24 cover-up as well. So I know they're under a very
25 difficult situation because they're told to be quiet

1 and to cover-up and to do whatever you can so it
2 doesn't look bad for the -- excuse me. I'm still
3 speaking, Wanda.

4 MS. GREEN: I can still hear you.

5 MR. ALLEN: And your time has expired,
6 sir.

7 MR. NAHEDY: All right. So, please
8 answer those questions, Wanda.

9 MR. ALLEN: She's trying to get
10 something out. Bear with us. He wants an answer to
11 the question. His time has expired.

12 MS. GREEN: Has the soil been tested non
13 77? No. Has the air in the building been test
14 (sic)? No. Has the drinking water been test? Yes.
15 What else?

16 MR. NAHEDY: And?

17 MS. GREEN: What else?

18 MR. NAHEDY: The results.

19 MS. GREEN: The results of the water is
20 that it's fine.

21 MR. NAHEDY: Why is everybody told not
22 to drink the water at Fort Monmouth?

23 MS. GREEN: I don't know who your
24 "everybody" is, so...

25 MR. ALLEN: Mr. Nahedy, your time has

1 expired, sir. Please.

2 MR. NAHEDY: I'm just asking, could they
3 at least address the police face-to-face and tell
4 them point blank that you believe it's totally fine
5 to live in these barracks?

6 MR. ALLEN: Your time has expired.
7 You've done this many, many times here, sir. We give
8 you --

9 MR. NAHEDY: Will I be arrested now
10 because I'm trying to advocate for them?

11 MR. ALLEN: Gentlemen.

12 MR. NAHEDY: So be it. This is how it
13 works, gentlemen. And you're arresting the wrong
14 people.

15 MR. ALLEN: Is there any other
16 discussion in the meeting? If not, I'll entertain a
17 motion that we adjourn. You all have knowledge of
18 the July 10th meeting starting at 7 p.m. We assume
19 in the same building?

20 MS. GREEN: Yes.

21 MR. ALLEN: Thank you. Meeting is
22 adjourned -- motion to adjourn? Frank and Brian.

23 All those in favor of adjourning the
24 meeting at 7:55 p.m., signify by saying "I."

25 (All in favor.)

1 MR. ALLEN: Opposed? So ordered.

2 Thank you very much, folks.

3 (Proceedings adjourned at 7:55 p.m.)
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CERTIFICATE

I, LYDIA F. McDONNELL, a Certified Shorthand Reporter and Notary Public of the State of New Jersey, do hereby certify that the foregoing is a true and accurate transcript of the testimony as taken stenographically by and before me at the time, place and on the date hereinbefore set forth.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.



Notary Public of the State of New Jersey
License No. 30XI00155900
My Commission expires June 30, 2014
Dated: April 7, 2014

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