

***Final Minutes
Restoration Advisory Board
Former Lowry Bombing and Gunnery Range
September 21, 2005***

The September 21, 2005 meeting of the Restoration Advisory Board (RAB) was held at the Aurora Public Library at 14949 E. Alameda Dr., Aurora, CO. The meeting started at 6:20 p.m.

Welcome and Opening Remarks

Ms. Bonnie Rader, Community Co-chair for the RAB, opened the meeting at 6:20 p.m. Ms. Rader asked all in attendance to introduce themselves.

Attendance

The following RAB members were present:

- Bonnie Rader, Community Co-Chair
- Jerry Hodgson, U.S. Army Corps of Engineers, Omaha District (USACE), Co-chair
- Jeff Swanson, Colorado Department of Public Health and Environment (CDPHE)
- Joe Freund, Citizen
- James Schrack, City of Aurora
- Melissa Feeder, State Land Board

Other attendees:

- Tim Blume, Army Environmental Center
- Richard Rader, Citizen
- David Rathke, U.S. EPA Region VIII
- Keith Wegner, Correlation Corp.
- John Dalton, EPA
- Morey Engle, Shaw Environmental, Inc.
- John Mullen, Shaw Environmental, Inc.
- Teri Farrell, Shaw Environmental, Inc.
- Chris Sundeen, Shaw Environmental, Inc.
- Gary Foster, CH2MHill
- Jerry Jacobs, LRP, LLC.
- Catherine Rafferty, Elbert County
- Mark Hutson, Weston Solutions
- Tracie White, Sky Research, Inc.
- Melissa Rivera, I-70 Scout

GENERAL RAB ITEMS

Ms. Bonnie Rader, Community Co-chair, suggested that the May 18, 2005 RAB meeting minutes await approval for the November RAB as the majority of the RAB members were unable to attend this meeting.

Mr. James Schrack, City of Aurora, introduced himself as the new RAB member in replacement of Jim Ives.

STATE LAND BOARD UPDATE

Ms. Melissa Feeder, State Land Board (SLB), gave an update regarding an incident that occurred on May 6, 2005 which was initially discussed at the May 18, 2005 RAB meeting. The May 2005 incident involved the ignition of an M23 white phosphorous igniter inside a lessee's concrete crushing machinery. Ms. Feeder stated that no other incidents have occurred since that time. Additionally, the SLB is currently working on developing proposed water

resources and the contained development strategy for their property. At this point, it is unknown if future development of the SLB property will be residential, commercial or a mixed use.

FORMER LOWRY TRAINING ANNEX

FIELD WORK UPDATE

(presentation posted on the web)

Mr. Jerry Hodgson, United States Corps of Engineers (USACE), presented a status update regarding the Former Lowry Training Annex (FLTA) project. He mentioned that the primary circular boundary for the FLTA (Areas A, B, and C) was 100% cleared as of the end of December, 2004. In total, 62 live items were found during clearance activities.

Mr. Hodgson stated that post-removal verification (PRV) is complete inside the primary circular boundary on randomly selected transects. The PRV was performed to ensure that there is a 99% level of confidence that 99.5% or more of the site does not have any remaining ordnance hazards. During the PRV, eight munitions-related items were found that should not have been left at the site. As a consequence, the resulting data are currently under review. A determination has not yet been made as to whether or not there is a high enough concern to re-enter the area and perform more clearance activities. However, it is possible these items came from demolition operations and belonged to scrap piles that simply were not cleaned up. No live items were found during the PRV.

100% map-and-dig munitions response activities have also been conducted in the northern and eastern extension areas of the FLTA using 10-foot wide transects. Mr. Hodgson stated that no items were found during the activities conducted in the northern extension grids and site data are currently being evaluated to determine if the northern boundary of the FLTA has been reached. However, several anomalies were encountered and subsequently investigated within the eastern extension area. These activities resulted in a number of munitions related items being discovered. Mr. Hodgson stated that it is possible that Mr. Jeff Swanson, Colorado Department of Public Health and Environment (CDPHE), will recommend a full munitions response for the eastern transect area based on the number and type of items found during the geophysical mapping. Mr. Hodgson also mentioned that it may be difficult to gain Military Munitions Response Program (MMRP) funding to perform a full clearance of the eastern geophysical transect area.

Mr. Swanson stated that on a positive note, there was sufficient funding available to collect and evaluate transect data from the area to demonstrate to the Air Force that there is a valid reason to suggest a 100% clearance effort. All of the items found in the transect area were dropped incendiary bombs of World War II vintage.

TECHNICAL ASSISTANCE FOR PUBLIC PARTICIPATION (TAPP) UPDATE *(presentation posted on the web)*

Mr. Keith Wegner, Correlation Corp., reported on his activities with the Former Lowry Bombing and Gunnery range (FLBGR). Mr. Wegner stated that he has reviewed the March 2005 Work Plan, Parts I & II, Revision 1, for Bombing Target 5 and has provided his comments to the USACE, the RAB citizen co-chair, and CH2MHill. He has also reviewed the July 2005, Revision 2, Work Plan. Mr. Wegner's upcoming activities will include reviewing the final field investigation results of the Wide Area Assessment, Areas of Interest for the Flexible Gunnery Targets.

DISCUSSION REGARDING LENNAR CASE

Mr. Hodgson gave an update regarding the Lennar Homes settlement. In summary, the case was settled with a \$4.55 million dollar award from the Corps of Engineers to Lennar Homes to compensate them for the private munitions clearance activities conducted on their property. Ms. Rader asked if Lennar Homes was satisfied with their \$4.55 million dollar settlement. Mr. Swanson replied that Lennar may be pleased, but he could not speak directly on their behalf. He also mentioned that the Corps of Engineers also feels the settlement is fair, as the Corps has received notice that there will be no need for them to perform any future munitions response activities in that area.

Ms. Rader also asked if this was a precedent setting settlement. Mr. Swanson responded that it was not, to the extent that Lennar did not get everything they asked for and the court did not rule entirely in their favor. Especially in light of a relevant December 2004 U.S. Supreme Court ruling inhibiting the voluntary clean up of superfund sites. Mr. Hodgson clarified that this ruling is not a Corps of Engineers ruling, rather a ruling from the Court.

Richard Rader, citizen, asked if any person or company can perform their own private clearance of land and then request a refund for their cost of service. Mr. Swanson responded that as a result of the December 2004 U.S. Supreme Court ruling, that is not necessarily the case. He also stated that the Lennar Homes settlement was for \$4.55 million; and as a result of the actual costs incurred to perform the property clearance and the cost of representation during litigation, it is feasible that Lennar Homes may not have recuperated their whole cost.

Lennar Homes has also had an issue regarding the eastern boundary of their property that is shared with the State Land Board (SLB). In order for Lennar to perform private munitions response activities on their property, construction personnel moved the fence line on this eastern boundary approximately 50 feet into the SLB property. Construction personnel were not aware that this encroached upon the SLB property and as a result, some dirt piles will need to be removed from the SLB property.

The owner of Butterfield Trails (approximately 250-300 acres) is currently in discussions with TetraTech Foster Wheeler, who performed the munitions response for Lennar Homes, to clear their land. Mr. Hodgson stated that possibly by next month he may receive formal notice from Butterfield Trails about having their land privately cleared.

**FORMER LOWRY BOMBING AND GUNNERY RANGE (FLBGR)
FIELD WORK UPDATE**

(presentation posted on the web)

Mr. Jerry Hodgson presented an update of the FLBGR project status. The presentation included a summary of activities completed to date, ongoing activities, and anticipated future efforts. As of the RAB meeting, 3 munitions response teams were currently working at Bombing Target 6, four teams at the Rocket Range, and one geophysics team was collecting data at the Jeep and Demolition Range (JDR).

Since the last RAB meeting on 18 May 2005, 50 additional grids have been completed in Bombing Target 6, 42 grids in the JDR, 5 grids in the Rocket Range, and 14 grids have been completed in Bombing Target 7. The overall estimated percent complete to date is 29% for the entire FLBGR. This is a 2% increase since the previous RAB meeting. Mr. Hodgson stated that currently, there are approximately 50 people working at the FLBGR. Mr. Hodgson also stated that the project had now worked at least 1,790 days without a lost-time injury.

Mr. Hodgson then gave a brief status for the 4 Areas of Concern (AOCs) that were worked since the last RAB meeting:

Three munitions response teams are currently working at Bombing Target 6. The northern part of Bombing Target 6 will soon be completed and these teams will then move either to the JDR or the Rocket Range. It was noted that the north-eastern extension area of Bombing Target 6 is very dense with anomalies, with the majority, if not all of these anomalies not related to munitions. This area in particular, is in close proximity to an old homestead site and anomalies are thought to be primarily related to home construction or old fencing. A total of 9 demolition shots have been performed since the last RAB meeting.

One geophysics team is collecting data at the Jeep and Demolition Range (JDR). The geophysical investigations are on-going activities to supplement mag-and-dig operations. There are a significant amount of low anomaly density grids in this area to make it more cost effective to perform geophysical operations than conventional mag-n-dig operations. A total of 5 demolition shots have been performed since the last RAB meeting.

Four munitions response teams are currently working at the Rocket Range. Work at the Rocket Range will become a priority as teams are freed up from Bombing Target 6 and the JDR. A total of 10 items were vented since the last RAB meeting.

Characterization work has been ongoing at Bombing Target 7. Characterization activities will help with picking an appropriate test site for helicopter magnetometer (HeliMag) data gathering and to further calibrate the HeliMag data. Only one live item was found during the characterization activities, though a significant amount of scrap and small arms were located. It is important to note that the HeliMag surveys will not detect very small items. The HeliMag data is also being used to further define the target boundaries for the Air-to-Ground Gunnery Range (AGGR). The

AGGR is a large block of land (approximately 1,260 acres), and it is currently uncertain where the actual targets lie within this area.

Mr. Hodgson then discussed the concept of Airborne Magnetometer Characterization at the FLBGR. The objective is to aid in defining the relative extent of the AOC target boundaries on the project site which will help refine the project cost and schedule estimates. A magnetometer has been mounted to a helicopter and is being flown to achieve 100% data coverage of the AOCs on the range. The data will provide a good estimate of anomaly densities and a better edge-of-target delineation. By using this information, it will be easier to make informed decisions regarding whether or not an area should undergo mag-and-dig operations or map-and-dig. This has the potential to save a significant amount of money over the life of the project. Mr. Hodgson stated that all AOCs will be evaluated, with the exception of Bombing Target 1, JDR (already have a good handle on the extent of this AOC), and the 20mm Range Fan (munitions are likely too small). Bombing Target 5 will also be excluded from the airborne operations as it falls under a different contract. Sky Research, Inc. has been contracted to perform the data collection.

Lastly, Mr. Hodgson asked if the RAB would like to revisit site prioritization at the November 16, 2005 RAB meeting. Ms. Rader suggested that the prioritization only be revisited if the majority of RAB members are present. Teri Farrell, Shaw Environmental, Inc., will email all RAB members as a reminder of the intent to revisit prioritization at the next RAB meeting.

Bombing Target 5, FPRI Munitions Response

Activities at Bombing Target 5 commenced on July 11, 2005. Approvals for the Work Plan and Explosive Safety Submission (ESS) were issued on July 29, 2005. A HeliMag survey of approximately 750 acres at Bombing Target 5 was performed and Digital Geophysical Mapping (DGM) operations of Bombing Target 5 started on September 6, 2005. CH2M Hill has two teams performing munitions response activities at the center of the AOC and to date they have completed 15 acres.

Mr. Swanson mentioned that this is the first AOC where a full-up live explosive has been found (MK1 – 100 lb. demo bomb HE). Mr. Hodgson stated that over 10,000 pounds of munitions related scrap has been collected at Bomb Target 5. The actual boundary of Bombing Target 5 still needs to be determined, but the hope is that the HeliMag data can help with this. Bombing Target 5 appears to have a well defined center as there is a rapid drop off in the number of items found laterally, away from the center. The plan forward is to continue with DGM operations with the intent to complete intrusive activities this calendar year. During the next calendar year, there will be follow up to any work performed, to include a Quality Control/Quality Assurance effort.

Adjournment

Arrangements were made for the next meeting to be held on November 16, 2005 at the Aurora Public Library; 14949 E. Alameda Dr., Aurora, Colorado.

The meeting notification for the next RAB meeting should be sent on or around November 7, 2005.