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01 CAMP CROFT RESTORATION ADVISORY BOARD MEETING  
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02  
02 PLACE: SC School for the Deaf and the Blind  
03 John E. Swearingen Conference Center  
03  
04 DATE: Tuesday, December 10, 1996  
04  
05 TIME: 7:00 p.m. to 7:40 p.m.  
05  
06 PRESENTATIONS  
06 GIVEN BY: Wayne Bogan  
07 Project Manager  
07 US Army Corps of Engineers  
08 Charleston District  
08  
09 BOARD MEMBERS  
09 PRESENT: George Mullinax  
10 Kathy Burrell  
10 Gary Hayes  
11 Sherry Wheeler  
11 William Littlejohn, Jr.  
12 David Mullinax  
12 Sanford N. Smith  
13 Fritz Hamer  
13 Gerard Perry  
14 Harold D. Osborne  
14 James B. Thompson  
15 Norma Borkowski  
15 Darwin J. Wilson  
16 W. Brownlee Lowry  
16 John E. Keith  
17 BOARD MEMBERS  
17 NOT PRESENT: Robert W. Powell, Jr.  
18 Dot Sloan  
18 Clary H. Smith  
19 Gerald T. Thurmond  
19  
20 ALSO PRESENT: Mathew M. Laws, III, P.E. and  
20 Carl E. Betterton, P.E.  
21 US Army Corps of Engineers  
21 Charleston District  
22  
22 REPORTED BY: Sandy Satterwhite Reporting  
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23 Roebuck, South Carolina 29376  
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01 BY MR. DAVID MULLINAX:  
02 Okay. If I could have your attention, please.  
03 I would like to welcome everybody to the December  
04 meeting of the Camp Croft Restoration Advisory Board.  
05 Does everybody have a copy of the Agenda that  
06 would like one?  
07 Okay. And I would like to remind everybody that

08 we will go by the Agenda. As we go through the items  
09 on the Agenda, if the speaker, when he's concluded  
10 making his statements, then we can ask questions.

11 And I'd ask for the stenographer here that if  
12 you're new and she's unfamiliar with your face, please  
13 state your name before you ask your question so that  
14 she can enter it into the record.

15 And anything that's not on the Agenda, let's  
16 hold it for the end under New Business that's not  
17 directly related to the subjects that we're discussing  
18 as we go through it.

19 And at this time, I'll turn it over to Wayne  
20 Bogan.

21 BY MR. BOGAN:

22 Thanks, David. All right. For the RAB members,  
23 I sent you a copy of the Status Report through Suzy,  
24 so you've got that. I've handed out three additional  
25 sheets to you, and I'll explain those a little bit

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01 later on.

02 Welcome back, and for everyone else here,  
03 welcome. We appreciate you being here. Hopefully,  
04 the switching rooms didn't cause too much trouble in  
05 finding it.

06 I know it's a little bit different from where we  
07 were before, but we thought this facility was a little  
08 bit better than the other room that we were in. It's  
09 a little more isolated. We've got the bathrooms back  
10 there in the back if you need those right behind the  
11 refrigerator. I know the last time I was here I  
12 couldn't find it, so in case somebody else needs to  
13 find it.

14 The first thing I want to talk about is Area  
15 00U7, which is the major recreation area within the  
16 State Park. That area has now been cleared. They  
17 found a total of 126 60 millimeter mortar rounds,  
18 seven 81 millimeter mortar rounds, five fragmentation  
19 grenades, hand grenades, one rifle grenade and 2.36  
20 inch rocket. That's right down inside your status  
21 sheet where it talks about 00U7.

22 All the areas are opened, with the exception of  
23 the fitness trail. The reason for doing that was that  
24 was an area that has been closed all along. All the  
25 other areas had been opened, and so we just reopened

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01 those areas. All right.

02 We would expect the fitness trail to get a  
03 clearance letter from the contractor by the first week  
04 of January. That's when we've asked for that. At  
05 that point, then the fitness trail, the hilltop area,  
06 will also open.

07 I didn't bring the sheet with the depths. I  
08 forgot that, but all the rounds that were found were  
09 between two inches and 18 inches. I think on some of  
10 the status sheets that I was trying to get to you on a  
11 weekly basis was just quick updates, indicated the  
12 depths on most of the rounds. The average depth that  
13 we're finding the rounds were about six inches.

14 Area 1B, as you know, has been cleared since the  
15 6th of August. All right.

16 Crews are now working in Area 00U2. As of  
17 yesterday, they found a total of 26 mortar rounds.  
18 They're primarily 60 millimeter rounds. I don't have  
19 the total count of the 60 versus 81, but it's mainly  
20 60 millimeter mortar rounds.

21 All right. OOU3 is the next area that they want  
22 to go to. This is Wedgewood. I'll just mention it,  
23 and a good many of you were there on the 14th of  
24 November, we had a meeting for the residents of  
25 Wedgewood. We had several to come out telling them

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01 that we've got two actions ongoing, which you know  
02 about, the Engineering Evaluation and the Removal  
03 Action, which is HFA. We're trying to work it so that  
04 on January 13th, when the Engineering Evaluation  
05 starts up, that they're going to sample that area  
06 first, Wedgewood.

07 Okay. We're going to turn around and on the 7th  
08 of February, HFA is supposed to come in. So if we  
09 find any additional ordnance in that area, which are  
10 the hand grenades, then we'll try to include those in  
11 the current contract for removal. All right. So that  
12 way we get the whole area cleared in one quick shot  
13 instead of waiting to sample that area after they done  
14 a removal and then coming back later on and doing  
15 another removal, which doesn't make sense.

16 All right. the next we go to OOU6. Right now  
17 we've got a design through Parsons Engineering that  
18 should start tomorrow. The contractor is going to  
19 show up. They'll have their trailer on site by  
20 Thursday the way they've got it set up. The crews  
21 coming in right now are going to do nothing more than  
22 brush clearing, putting in the grids the way they're  
23 going to get that set up.

24 I brought a copy of the work plan with me that  
25 has a picture of the -- excuse me -- the map, how all

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01 that's going to work for you to look at. I've got  
02 copies in the car that I'm going to carry and put in  
03 the library if anybody else wants to look at those,  
04 also.

05 All right. We're trying to work on OOU6.  
06 That's where we know there is some contamination. We  
07 know that we're trying to do a removal contract after  
08 that. All right. The way -- this is kind of like  
09 EE/CA goes through, you sample, then you do a design,  
10 but in the process we're going to try and do an  
11 interim removal in combination with the design.

12 In other words, we already know that  
13 contamination was found there on OOU6 in one of the  
14 grids, so we're going to see if we can't set it up so  
15 that after the sampling and this design takes place,  
16 which will go through about the middle of February,  
17 we'll turn around shortly thereafter and try to put a  
18 contractor in to remove the areas where we know  
19 there's already ordnance. Then the areas that are  
20 sampled January to February, if they show that we've  
21 got additional areas where there is ordnance, we can  
22 come back with another contract and clear those.

23 So, instead of trying to wait and do everything  
24 at one time, we're going to try and get some of it now  
25 to alleviate some of the present ordnance and then

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01 come back and finish up. All right.

02 The design right now scheduled to complete is  
03 June to July. All right. Once we do that, and then,  
04 hopefully, shortly after the design is complete, we  
05 can come back with a second removal contract and get  
06 everything in OOU6 cleared up by sometime in the fall.

07 The next thing I want to mention is the upcoming

08 Engineering Evaluation. As I mentioned earlier, we're  
09 going to try and start that on the 13th of January,  
10 right after the New Year's holiday. They're going to  
11 start first in Wedgewood, and then they're going to  
12 kind of move clockwise down Dairy Ridge Road and back  
13 around the southside of the Former Camp Croft  
14 facility, hit all those areas with the high priority,  
15 medium priority and low priority areas in order.

16 All right. We'll do some combination of moving  
17 them around to some of the areas, but, still, we've  
18 got two additional areas in the State Park. We'll  
19 make sure that there is no interference between the  
20 Environmental Science and Engineering, ESE, doing that  
21 sampling with any of the removal actions that are now  
22 taking place with HFA within OOU2.

23 All right. Any questions so far on any of those  
24 items? I know I've kind of thrown a bunch at you real  
25 quick.

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01 BY MR. SANFORD SMITH:

02 Wayne, what was the quantity found on OOU2  
03 through 12/9. You mentioned so many.

04 BY MR. BOGAN:

05 Through yesterday, the 9th, was 26 rounds. I  
06 think I had in the letter 15. That was based on the  
07 previous week.

08 BY MR. THOMPSON:

09 Have they made an projection on how much they've  
10 find? Do you have any idea?

11 BY MR. BOGAN:

12 No, sir, they haven't made any projections. The  
13 only thing that I've projected so far is they're doing  
14 approximately 15 grids a day for the clearance.  
15 That's surface clearance only. All right. And I  
16 think I put on there how many they had cleared as of  
17 last Friday.

18 This is going to go a lot quicker than OOU7 did.  
19 However, we've got more grids to clear, so it may end  
20 up taking them just about the same time, but they're  
21 working in that.

22 The other point that I want to bring out about  
23 OOU2 -- I'm going to kind of bounce back for a second  
24 -- we had in the contracts to clear the horse trails  
25 within OOU2 down to two foot, the 30 foot width, so

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01 that those horse trails would be clear. When we out  
02 there and actually used the GPS equipment, we found  
03 out that the horse trails were not actually in OOU2.  
04 They were between OOU2 and A39, and A39 is the area  
05 right along the cool road, McFadden Road.

06 All right. So what I'm trying to do is take the  
07 5,000 or so feet we've got set up for OOU2 for  
08 clearance, the Park has proposed trails that they want  
09 to put in that area, and after we've gone through and  
10 done most of the clearing in OOU2, come in and use  
11 that 5,000 feet of clearance for the proposed trails  
12 that they're going to build in the future.

13 All right. Any questions so far through the  
14 current contract with FHA, what they're doing within  
15 the State Park, Area 7, 1B, Area 2. Area 3 we'll go  
16 to in Wedgewood in February. The upcoming EE/CA.

17 BY MR. THOMPSON:

18 Is the money holding out?

19 BY MR. BOGAN:

20 Yes, sir. The contract for FHA, of course, is

21 awarded. That money is obligated. The contract for  
22 Parsons Engineering to work on OOU6 has been awarded,  
23 so that money is there. The contract for ESE has been  
24 awarded, so all that money is set aside.

25 The only money that I don't have in hand at the  
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01 moment, but it's on our work plan for us to receive  
02 in, what we call, third quarter fiscal year '97 is the  
03 money that we've got set aside for the next removal  
04 contract. All right. That's not supposed to get here  
05 for another couple of months, anyway, until the April  
06 time frame, or it's not supposed to be set aside for  
07 us, but we haven't had any problems with the money so  
08 far.

09 All right. No other questions on that. The  
10 next thing I want to do is talk about the potential  
11 gas site. I gave you three pieces of information.  
12 One is an electronic mail message that I sent to David  
13 just to notify him right after I found out about it.  
14 The other are just two digital photographs that I took  
15 at the site which kind of shows you the potential area  
16 and it points out Highway 150 and it points out the  
17 176 bypass, and that's just more for your orientation  
18 so you can see.

19 I put in the status sheet to you that by  
20 December 20th -- yeah, December 20th, we would have  
21 someone to come and look at the site. Okay. And then  
22 in the process of being on the road last week, I got a  
23 phone call about Thursday, and they said, "We're going  
24 to be here Tuesday of next week."

25 All right. So this morning we had two personnel  
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01 to come in from Huntsville. They've had the chemical  
02 experience. They were to come in to advise us on how  
03 we needed to proceed on that site.

04 They walked over it with a magnetometer, again,  
05 as we had already done. We walked over it before.  
06 There is something metal under the ground on the  
07 potential site. We don't know that it is chemical  
08 related. All right. There's a good chance that it's  
09 just ammunition or something that was buried.

10 The way this came about is we had Mr. Coleman to  
11 come up. He indicated that he had a memory or  
12 remembered coming home to this piece of property,  
13 which he now owns, when he was teen-ager. He saw the  
14 site, and after the soldiers left one day, he saw a  
15 sign that said, "Canister, gas," all right, on one of  
16 three mounds that were on this piece of property.

17 All right. Based on that information, knowing  
18 that there is always a potential, we decided to go  
19 ahead and look at and investigate this as a potential  
20 site; but after the two Huntsville reps showed up  
21 today, and we looked at the site, we've -- we're  
22 trying to formulate our best approach to look at the  
23 site.

24 The information that gave me is, number one,  
25 they didn't do any sampling, other than just walking  
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01 over it with a metal -- metal detector. All right.  
02 So we haven't sampled for chemicals, ground water,  
03 soil or anything. All right.

04 Based on the information in the Archive Search  
05 Report, their walk over today, what we're going to  
06 look at trying to do is include Mr. Coleman -- Mr.  
07 Coleman's property in the upcoming EE/CA. Now I

08 haven't gotten this clarified through Huntsville and  
09 haven't got anybody agreed on it yet, because, again,  
10 they were just here today and they're going to try and  
11 work out the details.

12 We want to come in and look at that within the  
13 next month, two months, three months, sample for any  
14 potential ordnance, and look to see if there is  
15 anything that might be buried there.

16 One of the reasons that we're going to try and  
17 include this with the EE/CA is if we come in and try  
18 to look at this site as a known chemical site, then we  
19 have to prepare safety plans for chemical  
20 contamination. I've never done that before, but based  
21 on the comments from the two chemical personnel we had  
22 here today, to get that plan approved, going back and  
23 forth between us, Huntsville, headquarters up in  
24 Washington, we were looking at two to three years to  
25 get that plan approved.

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01 Reason being is if you do have a chemical, for  
02 example, mustard gas or leucite or one of the others,  
03 the chemicals are extremely dangerous. A lot of  
04 safety precautions have to be taken to deal with those  
05 chemicals, and that's why they come in with the  
06 problems with a safety and submission plan.

07 Now we're not going to do anything to put ESE's  
08 contractor or their contract crews in any harms way  
09 when they come in and look at it for the sample.  
10 We're going to look at it strictly for an ordnance  
11 point of view. We'll look at it and see if we need to  
12 do any ground water or soil sampling and do that if we  
13 need it in the next couple of months.

14 If it just turns out to be ammunition or  
15 something else buried, then we'll just remove the  
16 ammunition as part of the next removal contract. If,  
17 however, we do run into a chemical, at that point a  
18 unit that I mentioned to you before, Technical Escort  
19 Unit, would be called in if we find an actual  
20 chemical.

21 I know there are a lot of rumors running around  
22 that we've already dug up mustard gas. We've already  
23 dug up a lot of other things. We haven't put a shovel  
24 in the ground on the property or anywhere around it.

25 Any questions on this site?

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01 BY MR. GEORGE MULLINAX:

02 When you're talking about canisters, is this  
03 metal or is this stainless steel containers, or how  
04 would they -- how would they package it? I mean, are  
05 they just talking about it being in glass containers?

06 BY MR. BOGAN:

07 The most common occurrence of actually having a  
08 mustard gas like chemical on most of the training  
09 bases during World War II was in a glass vile. Those  
10 were in what we call test kits, and I think I've  
11 mentioned once before.

12 The test kits contained mustard gas or leucite  
13 or whatever the chemical was in extremely diluted  
14 forms. All right. To explain how diluted it was, if  
15 you were to take a drop of actual mustard gas, the  
16 pure form, put it on your arm, it would immediately  
17 form a blister about the size of a softball.

18 All right. That's why it's so dangerous. The  
19 materials that they used during the time -- and I only  
20 have one report of any chemical ever being used and

21 that was the gentleman that I talked to that lives in  
22 New Jersey now. He said they went through the line  
23 and they put a drop of chemical on each wrist. On one  
24 wrist they put the antidote. On the other wrist they  
25 did not. The wrist they did not put the antidote on

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01 formed just a small blister. Okay. Obviously, if it  
02 forms just a small blister versus the pure form that's  
03 going to form something the size of a golf ball, then  
04 you have a big difference in the concentration of the  
05 chemicals.

06 The whole purpose of putting it on the wrists,  
07 the way he explained it to me, and he said that this  
08 was at the end of the time when he was at basic  
09 training there. It was toward, you know, the '45 and  
10 '46 time period right before the Camp Croft shut down,  
11 was to prove to them that the antidote that they were  
12 being given, and in the wartime situation, would  
13 actually work on the chemicals.

14 Just as with the -- if you go through a tear gas  
15 chamber today in a basic training facility, all right,  
16 they have the soldiers walk in, they take off the  
17 masks, and all of a sudden you start choking from the  
18 tear gas and you walk back outside. Well, before they  
19 took off the masks, they -- you know, there was a  
20 little bit of difficulty breathing through the masks  
21 just because you're breathing through filters, but  
22 they could breathe; and as soon as they take off the  
23 masks, they start crying, coughing, etcetera, and they  
24 go out and it proves to them that the mask works.

25 So we'll try and look at it. If it was a little

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01 gas vile from the test kits, then those will not pop  
02 up with the metal detector. All right. And that's  
03 when we sample for the ordnance. If we find those,  
04 then we'll move into dealing with chemicals.

05 BY MR. LITTLEJOHN:

06 But there were actual chemical shells that they  
07 had available such as a .105 shell or a .155.

08 BY MR. BOGAN:

09 Before the war there was, but we don't have no  
10 records of any of that being used. Even in training  
11 at Croft, there's nothing that I've seen.

12 BY MR. STONEWALL STEWART:

13 Where about on 176 are you describing?

14 BY MR. BOGAN:

15 Do you know where Highway 176 and Highway 150  
16 cross?

17 BY MR. STONEWALL STEWART:

18 Yes.

19 BY MR. BOGAN:

20 If you take Highway 150 to the left and go up  
21 the road a little ways, it's right -- it's not more  
22 than a couple hundred yards from Highway 176.

23 So, hopefully, by going and including this site  
24 in with the EE/CA, we can get it sampled, and we'll  
25 know a lot quicker than if we go in and assume, worse

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01 case, that it is a chemical.

02 There is in the Archive Search Report the  
03 information that I mentioned once before about a dump  
04 of some type, a burial of a potential chemical. All  
05 right. It was -- after being evaluated, they said  
06 that there was a good chance that there had been  
07 mustard gas buried, and in talking with the two people

08 from Huntsville today, they said that more than likely  
09 what was buried there may have been the test kits.

10 The way the report reads is they're based on  
11 several letters in the Archive Search Report. When  
12 the property was being sold from the Army back to the  
13 public, all right, the Farm Management Land Bureau, or  
14 one of those agencies, was doing that, somebody walked  
15 up and said, "We have seen a sign that said, 'Drum of  
16 mustard gas buried here,'" and it gave the date.

17 They went to the site where the mound was  
18 supposed to be, dug up the entire mound. They tested  
19 it with the chemical paper. They got no results.  
20 They tested it with some, what they call, pump tubes,  
21 no results; and so they concluded from that that there  
22 was no chemical left if any had been buried there, but  
23 they did notice two things. There were empty  
24 containers of bleach in the hole. There was, I  
25 believe it was, lime at the bottom of the hole or the

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01 pit, and the lime had charcoal on top of it. Two ways  
02 that were commonly used to decontaminate chemicals  
03 were bleach and fire. Just based on the fact that  
04 there were bleach containers in there, and based on  
05 the fact that there was charcoal in there, they said,  
06 "Okay. This may have been a mustard gas burial site."  
07 And that's the only one that we have any record of on  
08 the post.

09 BY MR. SANFORD SMITH:

10 Where was that located, do you know?

11 BY MR. BOGAN:

12 I can pull out the map in the Archive Search  
13 Report and show you. It's in there. It was tract 91.  
14 It was sold. It's just off the State Park property.  
15 I think -- in talking with Gary Henderson, I said that  
16 I thought it was, and I went back and read and it was  
17 just off the property. As you take a left on Dairy  
18 Ridge Road, you go a little ways and it was off to the  
19 left, back in towards the center of the Former Park --  
20 not Park -- the training facility.

21 BY MR. SANFORD SMITH:

22 There was another one, a sign, down in the  
23 vicinity of White Stone Springs close to Mt. Lebanon  
24 cemetery.

25 BY MR. BOGAN:

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01 Okay.

02 BY MR. SANFORD SMITH:

03 As you went -- go down the road from 295 or  
04 Southport Road past Mt. Lebanon cemetery, and there  
05 was a road that turned to the right that went down to  
06 White Stone Springs. There was also a dump down there  
07 that was -- had a sign on it, but they came back at  
08 some point in time and dug it up at the same time they  
09 dug up the one off of Dairy Ridge Road.

10 BY MR. BOGAN:

11 Do you know what the sign said or ---

12 BY MR. SANFORD SMITH:

13 Either "gas burial site" -- I believe it had  
14 "mustard gas" on it.

15 BY MR. BOGAN:

16 Okay. If you'll get with me afterwards so I can  
17 write it down where it was and get the location so  
18 that we can do some double checking on that one, also.

19 BY MR. SANFORD SMITH:

20 Okay.

21 BY MR. BOGAN:  
22 And you have to understand, a lot of what I'm  
23 having to deal with is what is documented.  
24 BY MR. SANFORD SMITH:  
25 Right.

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01 BY MR. BOGAN:  
02 Okay. We only have that one documented case.  
03 We're going to go in and do our best to prevent  
04 anything from happening, and I believe by doing the  
05 sampling through the EE/CA, getting it done a lot  
06 quicker, that we can put at ease everybody's minds  
07 whether something is there or not.  
08 If it's not, then it makes everybody feel more  
09 comfortable. If it is, then we'll do with it and  
10 we'll get rid of it.  
11 BY MR. SANFORD SMITH:  
12 And I remember two sites. Signs and fences  
13 around two sites. One being off of Dairy Ridge Road  
14 and one being down in the White Stone area.  
15 BY MR. BOGAN:  
16 All right.  
17 BY MR. SANFORD SMITH:  
18 And they came in at some point and time and  
19 cleared them out, tore the fences down, lowered the  
20 mounds and did away with the signs.  
21 BY MR. BOGAN:  
22 All right. So I've learned something else new  
23 tonight, so I'll get that from you.  
24 BY MR. THOMPSON:  
25 I understand that there's a big service station

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01 at this intersection. Do you know what side it's on?  
02 BY MR. BOGAN:  
03 No, sir, there's not one that I know of.  
04 BY MR. DAVID MULLINAX:  
05 That's the blinker light on 176 and 150.  
06 BY MR. THOMPSON:  
07 Yeah. There's supposed to be a service station  
08 there, isn't there?  
09 BY MR. DAVID MULLINAX:  
10 No. No.  
11 BY MR. THOMPSON:  
12 Where is that supposed to be? The next one?  
13 BY MR. DAVID MULLINAX:  
14 No, I'm sorry, not the blinker light. That's  
15 the red light.  
16 BY MR. THOMPSON:  
17 Red light.  
18 BY MR. DAVID MULLINAX:  
19 There is no service station.  
20 BY MS. WHEELER:  
21 There's nothing there.  
22 BY MR. THOMPSON:  
23 Not now, but there's supposed to be one built.  
24 BY MR. DAVID MULLINAX:  
25 Oh, I don't know.

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01 BY MS. WHEELER:  
02 There isn't anything there now.  
03 BY MR. THOMPSON:  
04 I was just wondering if it was on this side,  
05 because it's right there. It has to be.  
06 BY DR. LOWRY:  
07 Well, the land has been sold for that, yes, but

08 I don't think ---

09 BY MR. BOGAN:

10 Okay. Yeah, actually, if you try -- if you can  
11 let me know who to get in touch with to check about  
12 the service station being built, then I can find out  
13 what area, because any potential construction actually  
14 will affect how we do sampling and that type of stuff.

15 If they're not going to do it for another year,  
16 then it won't be a problem. If they're going to do it  
17 tomorrow, then we need -- we probably need to talk to  
18 them to see where they're building.

19 BY MR. THOMPSON:

20 I don't know which side 150 it's on, but I know  
21 it's at that intersection.

22 BY MR. BOGAN:

23 Yes, sir.

24 Okay. Any other questions?

25 (NO RESPONSE)

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01 BY MR. BOGAN:

02 You all are making it easy on me tonight.  
03 Before I forget, and I'm remiss in doing this, I want  
04 to introduce -- I brought with me tonight two people  
05 from my District Office. Because things are going to  
06 be so busy in January, February, and March, so that  
07 they would understand what's going on, I brought with  
08 me -- I shouldn't say brought with me -- they came  
09 with me and are telling me what to do. This is our  
10 Chief of Project Management, Carl E. Betterton, and  
11 our Chief of Engineering Division, Mat Laws, and so  
12 I'm going to give them a view of the site, like the  
13 tour that I gave you all that one time, tomorrow  
14 morning, so that when I come back and start talking  
15 about it on a regular basis, they can picture in their  
16 minds what's where.

17 BY MR. HAMER:

18 These shells and mortars that have been found,  
19 have those been removed and exploded or what has  
20 happened to them when they were removed?

21 BY MR. BOGAN:

22 Which area?

23 BY MR. HAMER:

24 All of them.

25 BY MR. BOGAN:

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01 All of them?

02 BY MR. HAMER:

03 Yeah.

04 BY MR. BOGAN:

05 Every round that they have found, they've dug a  
06 hole around them, left the mortar rounds in the ground  
07 -- they don't even pull it out of the ground -- and  
08 they're using a little explosive, a detonator that  
09 it's called -- it direct a charge in one direction.  
10 The little container looks similar to the old ink  
11 wells where you had your -- where you dipped your pen  
12 in the ink and drew that. They stick on the side. It  
13 blows a hole in the mortar.

14 If there's nothing in the mortar, you know, then  
15 it just blows a hole in the metal. If there's  
16 explosive in that, then that, of course, ignites the  
17 explosive powder inside and it's blown right there on  
18 the site.

19 BY MR. HAMER:

20 How many explosives have there been or have

21 there been any?

22 BY MR. BOGAN:

23 You add in just for this work, 140-so explosions  
24 in Area 7. There would be 11 in Area 1B, and then 26  
25 up to this point for Area 2.

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01 BY DR. LOWRY:

02 Do you sandbag those?

03 BY MR. BOGAN:

04 Yes, sir. Yeah, they sandbag on top of them so  
05 that the -- it taps down the explosion.

06 Thank you.

07 BY MR. DAVID MULLINAX:

08 Okay. The next item on the Agenda is the  
09 selection of the nominating committee. I'd just like  
10 to ask the Board if they would nominate -- if we would  
11 nominate from the floor, and if the nominee is willing  
12 to be placed on the ballot, he'll be placed on the  
13 ballot -- he or she will be placed on the ballot at  
14 the next meeting and then we'll vote at that time.  
15 So at this time we'll accept nominations from the  
16 floor.

17 BY MR. STONEWALL STEWART:

18 Can I ask you, will you repeat that for me,  
19 please?

20 BY MR. DAVID MULLINAX:

21 Well, I've asked the Board to nominate members  
22 to serve as chairman for the upcoming year.

23 BY MR. THOMPSON:

24 Do we need a nominating committee?

25 BY MR. DAVID MULLINAX:

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01 No, sir. That would -- that would be my choice,  
02 and ---

03 BY MR. THOMPSON:

04 My first motion is we don't have a nominating  
05 committee.

06 BY MR. DAVID MULLINAX:

07 That was my choice, and I'll take nominations  
08 from the floor.

09 BY DR. LOWRY:

10 I'd like to nominate James Thompson.

11 BY MR. THOMPSON:

12 I'm going to nominate David, again.

13 BY DR. LOWRY:

14 Well, then I'll withdraw it if you don't want  
15 it.

16 BY MR. THOMPSON:

17 Yeah.

18 BY MR. LITTLEJOHN:

19 Did you nominate David, again?

20 BY MR. THOMPSON:

21 Yeah.

22 BY MR. LITTLEJOHN:

23 I'll second it.

24 BY DR. KEITH:

25 I move the nomination be closed.

00028

01 BY DR. LOWRY:

02 Second.

03 BY MR. DAVID MULLINAX:

04 Okay. So I guess we will not vote next year,  
05 and I will accept to do it for one more year.

06 The next item on the Agenda is new business.

07 Let me start with the Board. Do we have any new

08 business?

09 (NO RESPONSE)

10 BY MR. DAVID MULLINAX:

11 And anybody, members of the audience, do we have  
12 any new business?

13 BY MR. MCBAIN:

14 I may bring up two things for you to consider.  
15 I enjoyed your conversation about chemicals, and, of  
16 course, we are familiar with the tech service people.  
17 Are you familiar with the possibility that there might  
18 be a chemical well down on the old chain gang site,  
19 which we have two houses on either side of it with  
20 their own deep wells off the White Stone Road. Has  
21 that been brought to your attention?

22 BY MR. BOGAN:

23 No, sir, it hasn't.

24 BY MR. MCBAIN:

25 You might want to look into that. Perhaps Mr.

00029

01 Osborne has mentioned it. The second thing is you're  
02 talking about these minor explosions. Who is doing  
03 all the exploding in the middle of the night that is  
04 someplace in the south part of the camp area around  
05 the bridge in Stone Station and back up in the  
06 cantonment area and so forth? It's anywhere from  
07 11:00 to 2:00. They start in the early morning.

08 BY MR. BOGAN:

09 Sir, all the crews that we have working leave in  
10 the afternoon. I think their time to knock off is  
11 about 5:00.

12 BY MR. MCBAIN:

13 I see. Is Bomb One any part of your  
14 organization?

15 BY MR. BOGAN:

16 I've never heard of them, sir.

17 BY MR. MCBAIN:

18 You've never hear of them. You've never seen  
19 any of their trucks around here?

20 BY MR. BOGAN:

21 If you have to understand, of course, I'm only  
22 up here ---

23 BY MR. MCBAIN:

24 I know that, but my question is open to anybody  
25 who wants to comment on it.

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01 BY MR. SANFORD SMITH:

02 What was the name?

03 BY MR. MCBAIN:

04 Bomb One. Sometimes they have Tennessee on  
05 their trucks. They move a lot of stuff late at night.

06 BY MR. LITTLEJOHN:

07 Have you ever called the Sheriff's Department in  
08 regards to this?

09 BY MR. MCBAIN:

10 No.

11 BY MR. LITTLEJOHN:

12 Why not?

13 BY MR. MCBAIN:

14 It's a senseless operation. Sometimes the  
15 trucks have been seen going out with a black and  
16 white.

17 BY MR. THOMPSON:

18 Who all has seen the truck besides you?

19 BY MR. MCBAIN:

20 Not anyone who will come forward. That's the

21 unfortunate part of it. That's why I was asking the  
22 question.

23 BY MR. LITTLEJOHN:

24 Well, have you seen the truck with the Sheriff's  
25 Department escort?

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01 BY MR. MCBAIN:

02 Uh-huh (affirmative response). On Dairy Ridge  
03 Road.

04 BY MR. LITTLEJOHN:

05 Can you give me a date or a day?

06 BY MR. MCBAIN:

07 Not without going back through my notes, I  
08 couldn't.

09 BY MR. LITTLEJOHN:

10 Would you please refer to your notes and give us  
11 a date or give it to David.

12 BY MR. MCBAIN:

13 I'll try to do that.

14 BY MR. GEORGE MULLINAX:

15 I make another suggestion to you to call my son  
16 at the Fire Department. He's the new chief and he's  
17 there every day, so call him as soon as you see it.  
18 He's the chairman of this project, so get in touch  
19 with him.

20 BY MR. MCBAIN:

21 Okay.

22 BY MR. GEORGE MULLINAX:

23 Now he has connection with the Sheriff's  
24 Department, or he can get his fire truck and he can go  
25 check it out.

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01 As soon as you see it, you let him know.

02 BY MR. MCBAIN:

03 It doesn't seem it should be that loud in the  
04 middle of the night.

05 BY MR. BOGAN:

06 There should be nothing related to our work  
07 going on at that time.

08 BY MR. MCBAIN:

09 That was my question.

10 BY DR. LOWRY:

11 I can promise you that on my land they never  
12 worked past 5:00, and they were there for six months,  
13 so, I mean ---

14 BY MS. FRETWELL:

15 I would imagine for safety reasons they would  
16 have to, because ---

17 BY DR. LOWRY:

18 Never worked past 5:00.

19 BY MS. FRETWELL:

20 I mean, you couldn't see.

21 BY MR. DAVID MULLINAX:

22 Any other questions?

23 BY DR. LOWRY:

24 Could I -- could I very quickly bring something  
25 -- I've been presented with a new Right of Entry form,

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01 and it was confusing to me, and I didn't like it.

02 So after consulting with three lawyers, there  
03 were some things they didn't like, but I was advised  
04 by these three lawyers to go ahead and sign it. That  
05 there was really no difference in it, and that it was  
06 not a harmful thing for me to sign.

07 I don't -- this is not in the form of advice to

08 anyone, but just simply as knowledge that I have gone  
09 to the trouble to get other legal advice on it, and  
10 they saw no harm in it, so I went ahead and signed it.  
11 And anybody else who has questions about it, has the  
12 right to do the same, but it might save you a lot of  
13 trouble just to know that at least one person has been  
14 foolish enough to sign it.

15 And you're kind of caught. If you don't sign  
16 it, they're -- you're not going to get your stuff  
17 cleaned, and they really saw nothing in it legally  
18 that was troubling to them, so if anybody has  
19 questions about it, I've already been through that.  
20 This is not to say that I'm giving you legal advice.

21 BY MR. STONEWALL STEWART:

22 What is this pertaining to, now?

23 BY DR. LOWRY:

24 Sir?

25 BY MR. STONEWALL STEWART:

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01 What is this pertaining to? I'm not quite  
02 familiar with what you mean?

03 BY DR. LOWRY:

04 The Right of Entry form for those property  
05 owners that want the Corps to come on their property,  
06 they have to sign a form giving the government rights  
07 to do certain things, and there's a lot of things that  
08 you're giving permission to do with a lot of legal  
09 ease terminology that I didn't understand.

10 BY MR. STONEWALL STEWART:

11 All right. Thank you.

12 BY DR. KEITH:

13 Is this just selective areas that they're now  
14 getting entries? They're not doing them for the whole  
15 property. Do you know if that's just a ---

16 BY MR. BOGAN:

17 Before ---

18 BY DR. KEITH:

19 Go on.

20 BY MR. BOGAN:

21 Before we can do any work on anyone's property,  
22 you have to allow us to come on your property.

23 BY DR. KEITH:

24 I understand that, but what I'm asking is he  
25 knows about his property being -- are there other

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01 properties? Are they doing this for all the  
02 properties?

03 BY MR. BOGAN:

04 What we ran into is sometime this summer there  
05 was a decision in Washington to change some of the  
06 wording in the Right of Entry form that we've been  
07 using all along, and it just happened that the next  
08 person in line when the implemented the change was Dr.  
09 Lowry. All the new right of entries have been signed.  
10 If I go up to anyone's house now and request that --  
11 that we want to work on their property, they have to  
12 sign this form and that was the new one.

13 BY MR. THOMPSON:

14 Are you going to do that on Wedgewood?

15 BY MR. BOGAN:

16 Yes, sir.

17 BY MR. THOMPSON:

18 Every household?

19 BY MR. BOGAN:

20 Well, everybody that wants us to come and look

21 at their property. If someone doesn't want us to come  
22 on the property, then, obviously, we don't go. At the  
23 meeting with Wedgewood that night, what we did is we  
24 came in here and we asked if anyone wanted us to look  
25 at their property, and we had about three or four

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01 people that said, "Yeah, please come and look at my  
02 property. I don't think anything is there," or "I  
03 think something is there," and so we're going to do  
04 those additional site surveys there.

05 BY MR. THOMPSON:

06 All right.

07 BY MR. LAWS:

08 Wayne, you might explain what the difference  
09 between the old Right of Entry and the new one is and  
10 what happened when we challenged some of the wording  
11 to folks. It kind of tells the whole story.

12 BY MR. BOGAN:

13 Sure. The Right of Entry is a two page form,  
14 and actually I'll get a copy to Suzy so she can get  
15 copies to all of you and send it you.

16 They essentially said in paragraph four is what  
17 changed. And one of the problems that we ran into was  
18 you come in here and it talks about -- well, let me  
19 just read it and you'll understand.

20 It says, "If any action of the government's  
21 employees or agents in the exercise of this Right of  
22 Entry results in the damage to the real property, the  
23 government will, at it's sole discretion, either  
24 repair such damage or make appropriate settlement with  
25 the owner."

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01 And then it goes on. What it looks like when  
02 you first initially read it is that -- of course, this  
03 is at the government's sole discretion to do the work.  
04 In other words, we come on your property. If we  
05 destroy something, then it's up to us whether or not  
06 to fix it.

07 What it -- what our lawyers have told us and  
08 when we challenged it, based on some of the problems  
09 that Dr. Lowry had, which were valid points that he  
10 wasn't sure about some of the wording "sole  
11 discretion," we went up and challenged it with our  
12 attorneys, on up the line, and they told us that sole  
13 discretion means one of two things.

14 If we do damage to your property, we have two  
15 actions we can take. Number one, we can come in and  
16 pay you, what they call, as the fair market value of  
17 the property if we've destroyed it that way, or we can  
18 pay to have it repaired.

19 All right. When you first read it, it looked as  
20 if we had two options. One we can repair it, or two,  
21 we don't have to repair it, but the way it's ---

22 BY DR. LOWRY:

23 What that means, essentially, if you don't have  
24 the money, it doesn't matter, you're not going to fix  
25 it.

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01 BY MR. BOGAN:

02 Right. And then it comes in, it says, "All this  
03 is subject to availability of funds," which the income  
04 then, is what they tell me, is that if we come in and  
05 you've got 200,000 acres of tree farm and we've burned  
06 it all down, all right, the amount of money that it  
07 will probably take to pay for all of that, will be

08 more than we have immediately available, so we  
09 wouldn't be able to come in right away and pay it.

10 However, the Right of Entry says that we will  
11 either pay fair market value or repair.

12 All right. Which means that, yeah, you might  
13 not get it right away, but we still have to come up  
14 with the funding.

15 Now in the situation with the government  
16 nowadays where there's tight money in funding, I can't  
17 guarantee that you're going to get it right away. You  
18 may get a portion of it, etcetera, and that then gets  
19 into the attorneys, and then I don't want to try and  
20 talk to them when I'm not an attorney and don't have  
21 the degree.

22 All right. But that was a problem that Dr.  
23 Lowry had, and then some of the people that we had  
24 read it understood and kind of agreed that this looks  
25 like -- it looks like when you first read it that

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01 government has two options, either you don't clean it  
02 up or you clean it up; and then if it's available for  
03 funding, we'll clean it up if there's monies  
04 available.

05 But the Right of Entry requires that, one, we  
06 have to clean it up. We just have one or two options:  
07 Pay the fair market value or fix it, and then if we're  
08 short on money, we have to wait on money to come in  
09 before we can either pay it or fix it.

10 BY DR. KEITH:

11 And the money is still in there?

12 BY MR. BOGAN:

13 Yes.

14 BY DR. KEITH:

15 If they don't have the money, they don't do  
16 anything until they get the money.

17 BY MR. BOGAN:

18 Until they get the money.

19 Any further questions on the Right of Entry?

20 (NO RESPONSE)

21 BY MR. BOGAN:

22 Let me -- excuse me. Let me bring up one other  
23 point. Even though the Right of Entry says that, you  
24 know, if we destroy something, that it's subject to  
25 availability of funds, we have it written in contracts

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01 now that any damage we're doing as we go through, they  
02 have to repair. So that's money that's already set  
03 aside to fix.

04 In other words, they dig a hole and blow up an  
05 explosive, they have to fix it back. All right. If  
06 they're digging a hole and they knock down a tree in  
07 the process, they've got to replant the tree or do  
08 something to that effect.

09 What the no funding comes into is when you do  
10 something large that's outside of the scope of work of  
11 the current contract. If they're out there and the  
12 contract calls for them to be digging, and they do  
13 burn down the whole forest, then that's outside of  
14 what the contractor is supposed to be doing, and  
15 that's where you run into -- go up against the Right  
16 of Entry to get payment.

17 BY MR. DAVID MULLINAX:

18 If there's no other comments or questions --  
19 Doctor.

20 BY DR. LOWRY:

21 Move to adjourn.  
 22 BY MR. DAVID MULLINAX:  
 23 Move to adjourn.  
 24 BY MR. THOMPSON:  
 25 Second.

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01 BY MR. DAVID MULLINAX:  
 02 Second. All those in favor?  
 03 (ALL RESPOND)  
 04 BY MR. DAVID MULLINAX:  
 05 I's have it. Thank you.  
 06 (MEETING CONCLUDED AT 7:40 P.M.)

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01 STATE OF SOUTH CAROLINA )  
 01 ) CERTIFICATE  
 02 COUNTY OF SPARTANBURG )  
 02  
 03  
 04  
 05

06 This is to certify that the within meeting was  
 07 taken on the 10th day of December, 1996;  
 08 That the foregoing is an accurate transcript of  
 09 the meeting;

10 That copies of all exhibits, if any, entered  
 11 herein are made a part of this record;

12 That the undersigned court reporter, a Notary  
 13 Public for the State of South Carolina, is not an  
 14 employee or relative of any of the parties, counsel or  
 15 witness and is in no manner interested in the outcome  
 16 of this action.

17 IN WITNESS WHEREOF, I have hereunto set my Hand  
 18 and Seal at Spartanburg, South Carolina, this 1st day  
 19 of January, 1997.

20  
 20  
 21  
 21  
 22

\_\_\_\_\_  
 Notary Public for South Carolina  
 Commission Expires: 8/26/97

24 (SEAL)