

# **Paducah Gaseous Diffusion Plant**

## **Site Specific Advisory Board**

### **Meeting Minutes**

*July 16, 1998*

The July 16, 1998, Site Specific Advisory Board (SSAB) meeting took place at the Information Age Park Resource Center in Paducah at 5:30 p.m.

The following board members were present: Nola Courtney, Mark Donham, Edward Duff, Vicki Jones, Ronald Lamb, Ray McLennan, Craig Rhodes, and Gregory Waldrop. The ex officio member present was Jimmie Hodges. Representing ex officio member John Volpe was Todd Adams. The facilitator present was Steve Kay. The United States Department of Energy (DOE) federal coordinator present was Myrna Redfield. Also present were the following members of the public and contractors and sub-contractors of the DOE: Judith Bradbury, Jeannie Brandstetter, Brad Davis, Shelley Hawkins, Dennis Hill, Stan Knaus, and Steve Rayner.

Steve Kay called the meeting to order and asked if there were any modifications to the agenda. Ray McLennan proposed adding a discussion of current bills in Congress that fund cleanup. A discussion of the pending budget was added after the Environmental Management and Enrichment Facilities (EMEF) project updates. Vicki Jones proposed adding a discussion of the low-level waste seminar. This item was added under the information update.

The next item on the agenda was the introduction of Judith Bradbury and Steve Rayner from Pacific Northwest National Laboratory (PNNL) in Washington, D.C. Bradbury said they came to the meeting to follow up on the annual survey evaluation of SSABs across the DOE complex. The DOE acting director asked PNNL to visit and observe all of the boards and talk with members, the DOE, and regulators about their opinions on the effectiveness of the boards. Bradbury said she and Rayner would like to set up appointments for these discussions, which could take place in person or over the phone. She said their findings would be summarized in a report and distributed to the SSABs in early September. Bradbury said she hoped the reports would encourage cross-communication among the boards.

The information update was the next item on the agenda. Jones said she had received information on a low-level waste seminar set for August 16 through August 19 in Las Vegas. Jones said topics for the seminar included low-level waste issues such as transportation, site capabilities, and limitations. Jones said she thought it would be good for someone from the board to attend. Edward Duff said he might be interested in attending.

The SSAB received a copy of the EMEF project updates. Mark Donham asked when final determination was expected on the Northwest Plume Five-Year Review. Jimmie Hodges said the Five-Year Review was released last week. Hodges said the DOE has signed a letter stating the pump and treat operation for the Northwest Plume will continue. McLennan said that after seeing the data, he was not convinced that the operation is meeting its purpose. Hodges said the original intent of the operation was to contain the hot spot for the plume. McLennan said his concern was whether the operation was getting its dollar-for-dollar value. Hodges said he would be glad to let McLennan see any data that he might not have already seen. He said that based on the modeled projections versus the plume today, the

operation has been effective. Donham said that Carl Froede had stated in a previous meeting that, even if it wanted, the DOE could not stop the operation. Hodges said that if the DOE decided the operation was not effective, the regulators and the DOE would go through a period of negotiation. Donham asked what type of ongoing studies are being done to determine the effect of the plume on the Ohio River. Hodges said various studies have taken data from the river. He said that any data the board wants to see can be gathered for the discussion of the plume in the September meeting. Donham and Craig Rhodes asked to hear the DOE's and other agencies' perspectives on plume/river data. Hodges said the plume would eventually reach the river; however, it is not likely for the plume to flow under the river. Rhodes questioned if the plume would make it into the water supply for Metropolis. Hodges said for the plume to get into the water supply, it would have to reach the deepest aquifers of the river. He said that historically contamination has not been seen in these aquifers.

The pending federal budget for cleanup was the next item on the agenda. McLennan said that \$385 million from the privatization of the United States Enrichment Corporation (USEC) was earmarked for the conversion of depleted uranium hexafluoride at Paducah and Portsmouth. He said the administration proposed to leave \$50 million of that cleanup budget and take \$335 million out and put it in the general fund. McLennan said Kentucky congressmen have proposed leaving the entire \$385 million in the cleanup budget. Donham asked if the \$385 million related to the cylinders. McLennan said yes. Hodges said there was roughly \$400 million in the budget paid by customers of USEC to take care of the disposal of USEC cylinders. Hodges said there was also a decontamination and decommissioning fund, which is intended for cleanup of the DOE sites. Hodges said what has been proposed is that the \$400 million should become the property of the DOE after USEC privatization because the DOE will also take ownership of the cylinders generated by the USEC to this point. McLennan said they need to make sure the money proposed for cleanup in Paducah stays in Paducah. Hodges said the Clinton administration is probably looking at the money as a credit against debt. McLennan said the key is to let other states understand what is involved in the process of obtaining funding. He proposed sending a letter to the congressmen stating that the SSAB supports the passage of the bill proposed by United States Senator Mitch McConnell. Donham said one of the problems he had with the environmental impact statement for the cylinders was that it cut off further analyses. Kay asked when the bill would be available for the SSAB to see. Hodges said it would probably be passed before the end of the fiscal year or in late August. Hodges clarified that the legislation requires the DOE to come up with a plan for the money. Donham said something needs to be done with the cylinders and it is going to take lots of money. He said he would not want to be cut out of the budget planning process as a citizen. McLennan proposed drafting a letter stating that the SSAB supports any funds that have been marked for cleanup or for cylinders in Paducah and it supports keeping that money in Paducah. He said the letter can be worded so it is noncommittal. The proposal was adopted and McLennan agreed to draft the letter. Donham asked when the Record of Decision for the Programmatic Environmental Impact Statement (PEIS) will be released. Hodges said there were still a series of industry meetings taking place and they are working on comments. He said it might be the middle of next year and said he would try to get an exact date on the document's release.

With the presence of a quorum, the minutes from the previous meeting were reviewed. Nola Courtney had two revisions that were submitted by John Volpe for clarification on Page 4. The revised minutes were approved by consensus.

The National Environmental Policy Act (NEPA) categorical exclusions (CXs) were discussed. Donham

had questions about the CX for the crushing of drums at Drum Mountain. He said it seems that CXs are used a lot and asked how they are justified. Stan Knaus, Bechtel Jacobs Company LLC NEPA specialist, said on that particular CX, they were trying to issue a contract to have a company perform those activities. He said the DOE must complete a NEPA review before a contract can be issued. Donham said since the waste is under the barrels and the barrels would have to be removed, the CX is a connected action. Knaus said the cumulative impacts would be covered under the Comprehensive Environmental Response, Compensation, and Liability Act action. Donham said he did not agree with the DOE's interpretation of how the categories work. He said the same thing was happening with the shipment of waste to Idaho in that they are connected to treatments and disposals. Donham said a CX does not allow an overview of the total impact. Hodges said that locally, the DOE is trying to implement what it can under the DOE's system. Donham said with the CX, the public is left out of the loop. Hodges asked Knaus if there was some anticipation on what is being considered for a CX, at least locally. Knaus said he could probably provide advanced notice; however, some of the CXs have a short time frame. Knaus described the process for the determination of a CX locally. He said it goes through a checklist internally and is then sent to the DOE in summary form. Knaus said Bechtel Jacobs Company cannot make NEPA decisions as a contractor. Gregory Waldrop asked if the SSAB could get a copy of the summary that is sent to the DOE. Donham said it would be helpful to see the summary ahead of time to make sure it fits in the category. He said the DOE made a rule that it can categorically exclude certain actions, but it keeps the public from knowing if the action is significant to the environment. Kay said the two concerns that have been presented are the CX process at this site and the DOE's rulemaking process. He asked if there was an interest in the board receiving a list of significant CXs from the DOE in a timely fashion (or before a decision is made) with the DOE's recommendation included. Knaus said the checklist for a CX is basically an internal tool for him to decide if there are certain sensitive areas; it is not a final analysis of impacts. Donham asked if Oak Ridge actually makes the decision on environmental assessments (EAs) and Knaus replied yes. Donham suggested that Oak Ridge also get SSAB recommendations. Donham said he would like to pinpoint a time in the CX process when the SSAB can get involved. Hodges said the DOE can provide the SSAB with a list of projects that are expected to be CXs. The proposal that the SSAB receive the list of CX projects in a timely fashion for recommendation was approved by consensus. Donham said the SSAB might want to talk about DOE's rulemaking process in the future. He said that part of the whole CX discussion is rulemaking.

A discussion of Waste Area Group (WAG) 22 was the next item on the agenda. The comment response summary for the WAG 22, Solid Waste Management Unit (SWMU) 2 Feasibility Study (FS) was mailed to the members before the meeting. Courtney said there are areas where the Kentucky Department for Environmental Protection (KDEP) and the United States Environmental Protection Agency are still in disagreement such as modeling, sampling areas, and risk-based calculations. Courtney said she spoke with Jeannie Brandstetter and she suggested Courtney get in touch with Bob Pratt, Bechtel Jacobs Company project manager, to correspond regularly concerning WAG 22. Courtney said the D2 FS has been extended to 30 days past comment resolution. Courtney said she had just received comments from the Radiation Control Branch on SWMUs 7 and 30. Hodges said one of the issues the DOE and the state have is the detail of characterization. He said that this was a generic issue and that it is an issue on which the SSAB may want to focus. Courtney asked if the DOE responds to comments from the Radiation Control Branch. Myrna Redfield said the DOE does reply and that the comments are not singled out, but incorporated into the comments from the KDEP. Donham said the final Accelerating Cleanup Plan had been released and it became the final assumption to keep landfills capped.

He said he had received a response to his personal comments, but not an entire comment response summary to the document. Brandstetter said DOE Headquarters called and asked where to send the entire comment response summary and she had it sent to the SSAB office.

The DOE's response to SSAB comments was next on the agenda. Hodges said the Vortec EA is back from the subcontractors and is in the legal office at Oak Ridge starting an internal review. He also said that the Accelerating Cleanup Plan comments are being mailed directly to the SSAB members. Courtney asked about the depleted uranium hexafluoride workshop scheduled for August 27. Hodges said the plans have not been finalized for this yet, but it is going to take place in Paducah. Waldrop informed the board that the WAG 6 Remedial Investigation (RI) Report has been delayed until the middle of August. He said he had been in contact with Bryan Clayton and he handed out an e-mail from Clayton on the oxidation of trichloroethene. Waldrop said he would like to be provided with more documents or information on WAG 6.

Administrative issues were discussed. Dennis Hill said the SSAB office had been secured and each member could have a key. The computer for the SSAB has been ordered and should be in next week. The SSAB received a handout on two printers, one for \$400 and one for \$800, and the members chose to order the printer that costs \$400. Hill said he would provide the board with a financial update and spreadsheet in the next mailing. Hill also handed out a letter from James Owendoff, Acting Assistant Secretary for Environmental Management. The letter discussed how the DOE should respond to site board recommendations and also discussed funding. Hill said that, at the most, the SSAB has spent \$50 to \$60 thousand and a \$200 thousand budget for Fiscal Year 1998 cannot be justified for the budget next year. He said they would still ask for \$100 thousand for next year's budget.

The SSAB's draft work plan was revised. The discussion on WAG 6 was moved from September to October. WAG 22, SWMUs 2, 7, and 30, were also put back on the agenda in August. Donham proposed the final Accelerating Cleanup Plan be put on the agenda in August. He said the discussion on DOE rulemaking could be held until a time corresponds with an event such as a new rule. Jones proposed a discussion of training options be on the agenda in August. She said she would be responsible for gathering information on training. Hill said he contacted Karen in Ed Whitfield's office and he wants to come talk with the SSAB and is working on a time. The members agreed they would allow time for him in the agenda when he was available.

Waldrop asked that all the board members receive a copy of the executive summary of the WAG 6 RI Report when it is released. Hodges also added that John Sheppard, who currently works for the Portsmouth Site Office, will be transferring to Paducah. Hodges said he would be relieving some of the duties for Redfield and would take over some of the activities with the board.

The next meeting will be held August 20, 1998, at the Information Age Park at 5:30 p.m. The meeting was adjourned.

Tentative agenda for the August 20, 1998, meeting:

- Minutes
- Information (Handouts)
- EMEF Project Updates
- WAG 22, SWMUs 2, 7, and 30 (30 minutes)

- Accelerating Cleanup Plan, Paths to Closure (30 minutes)
- Depleted Uranium Hexafluoride PEIS, review of budget (30 minutes)
- Training Options for SSAB (15 minutes)
- DOE Response to SSAB Recommendations (15 minutes)
- Administrative Plans for the Board
- Review of the SSAB Draft Work Plan (10 minutes)
- Financial Update (10 minutes)

#### Action Items

- Provide SSAB members with the issue date of the final environmental impact statement on depleted uranium hexafluoride.
- Contact DOE Headquarters to see if the SSAB can be provided with a complete list of comments and responses on the Oak Ridge Operations Accelerating Cleanup Plan.
- Provide a financial spreadsheet and update to SSAB members in the August mailing.
- Provide SSAB members with a copy of the executive summary for the WAG 6 RI Report.