

**Site Specific Advisory Board
Meeting Minutes
October 21, 1999**

The October 21, 1999, 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: Kit Atkinson, Nola Courtney, Mark Donham, Edward Duff, David Fuller, Judy Ingram, Vicki Jones, Merryman Kemp, Ronnie Lamb, Linda Long, Craig Rhodes, Jim Smart, Bill Tanner, and Gregory Waldrop. The facilitator present was Steve Kay. *Ex Officio* members present were: Carl Froede, Environmental Protection Agency (EPA), and Dale Jackson, Department of Energy (DOE). The DOE federal coordinator present was John Sheppard. Todd Adams of the Kentucky Radiation Control Branch and Brian Baker, Gaye Brewer, and Jon Maybriar of the Kentucky Division of Waste Management (KDWM), were present. Also present were the following members of the public and employees, contractors, and subcontractors of the DOE: Bruce Gardner, Kristi Hanson, Norm Jetta, Jackie Kittrell, Walter Perry, Al Puckett, Myrna Redfield, Shirley Speer, Debbie Wattier, and Corrine Whitehead.

Agenda

Steve Kay called the meeting to order and asked if there were any modifications to the agenda. It was suggested that the minutes for the past three months be considered so they can be sent to the Federal Register and web page. The regular items would be held till next meeting for the discussion of the update on DOE EH investigation. The amended agenda was approved.

Minutes

The July 15, meeting minutes with revisions were approved by consensus. The August 19, 1999, meeting minutes were approved with revisions to be clarified per phone with Donham. The September 16, 1999, meeting minutes are to be revised per notes and resubmitted to board at the November 18, 1999, SSAB meeting.

Donham commented that while working on amending previous meeting minutes, he discovered that the meeting minutes taken by Ms. Speer were being further edited by the Bechtel Jacobs public relations office. Donham commented that the meeting minutes are being shortened too much. He said they are being edited so much that there is too much dialogue left out. He questioned the fact that the board has a minute taker and yet the minutes are not reflecting a lot of the comments. Sheppard said whatever serves the board best is what DOE wants. Kemp stated that some organizations do have the kind of minutes that the board has been getting but that it is up to the board how they want the minutes recorded. Waldrop said the minutes should not be edited by Bechtel Jacobs Public Relations. Sheppard explained that they are edited for correctness of names and such. Wattier noted that the minutes were edited so that if someone not present, they would know what went on at the meeting. After additional discussion, Kay suggested that the notes from the meeting be used for the minutes, and if the need were there, we would address

this further. A proposal was made to that effect; this will be tried for 2 months, at which time it will be determined if this is a better solution to the problem. Proposal was approved.

The July meeting minutes were approved by consensus. The August meeting minutes were approved with revisions to the Environmental Reports, cumulative impacts, Rick Bonzek issue, and Sheppard's comments regarding the ITRD meeting. The revisions are to be clarified per phone call to Donham. The September meeting minutes are to be rewritten to expand per notes and resubmitted to board at November 18, 1999, SSAB meeting. Some noted revisions were: Donham's comments regarding scientific uncertainty and Rhodes' request that the transcript of his Vortec discussion with Norm Jetta be included in the minutes. Proposal was made and approved to have the September minutes revised and brought back to the board.

Smart asked how much a transcriptionist would cost? Kay said approximately 4 hours per 1 hour of meeting. Fuller suggested going with the proposal as stated. Donham said a lot of people are reading the minutes and that was his motivation for wanting them to be complete?.

Public Comments and Questions

Jackie Kittrell, a citizen from Oak Ridge complimented the board for the way it handles its meetings and added that this is the only cleanup site that has had an active board in place during an investigation of this size. She said she is involved with an environmental group in Oak Ridge – some of whose members formerly were members of the Oak Ridge SSAB but resigned in protest – and that the group would like to meet with the Paducah SSAB.

Plant neighbor George Benton asked why he did not have DOE-provided city water yet. Ronnie Lamb commented that in the Investigation Report all residents in a certain area were to have water provided and that Benton lives within that area. Ingram asked Sheppard why Benton did not have water. Sheppard said he did not know, but would find out???. Tanner explained that the landowner where Benton lives? did not want to give up water rights to the rest of his farm. Waldrop asked if the landowner would approve. Rhodes asked what could be done while DOE was getting approval from landowner. Jackson said he would buy drinking water for Benton but DOE could not go against the landowner's rights. Lamb said he suggested that Benton be signed up tomorrow. Jones asked if this was going to cause problems with other people who have signed away rights to get water. Benton said the landowner agreed to let him have the water. Plant neighbor Al Puckett urged that not just drinking water be considered but all of the water they use was important. Waldrop said this needed to be high priority by the weekend. Smart added that the board could not ignore legal obligations to the landowner. Sheppard asked Bechtel Jacobs' representatives if the well was contaminated; he was told they would have to check. Tanner said if anything conflicts with the Water District he has to abstain in a vote. He said if Benton would sign the papers, the Water District would hook up his water on Friday. After discussion of the implications with the landowner, it was approved to recommend/request having Benton's water hooked up and have DOE work with landowner to work out location of the line. Donham questioned why DOE could limit anything regarding the water. Tanner explained that water is paid for by DOE no matter how much a resident uses. Kemp clarified that DOE provides clean water and does not want people to use the contaminated water for anything. Jones asked to

what page in the report Lamb was referring. Waldrop asked that a weekly update regarding this issue be sent to Rhodes. Proposal approved. The board also asked that DOE refund Mr. Benton any fees he pays to the Water District while final details are being negotiated with the landowner.

Courtney asked why this had not been taken care of in six years. Sheppard agreed to provide data. Maybriar asked to be provided with same data.

Update on DOE EH investigation of environmental, health and safety concerns

Jackson stated that the issues revolve around the lack of progress in the cleanup of the site, and that DOE has to move forward, systematically -- they have to accomplish cleanup at this site. He stated that DOE needs to harness the momentum that is started and move with it. Drum Mountain and storage areas need to be cleaned up and accomplished in a worker-sensitive way. He said he intends to get it done.

Rhodes asked what Jackson's intentions were as far as the board is concerned. He would like the board to be consulted during decision making-- not after the fact. Jackson said in his capacity he would like to hear from the board in the near future, that he would like to have the board's input. Sheppard asked if there could be a subcommittee that could meet and then report back to the board. There was some discussion regarding the fact that the time was so short for turnaround of input. Donham asked how 40 years of problems were expected to be solved in 30 days. He asked why the board did not get the annotated list of documents the investigation team had requested. He said 30 days is not enough time, that DOE was moving too fast, and that he was worried that the agency might be trying to get around environmental regulations. Jackson said that DOE has to respond in a short time when there is money appropriated or it goes somewhere else. He said the board does not have to respond; he was merely requesting??? the board participate. The site office has to respond to the EH team report and make recommendations for the money within 30 days, Jackson said. He said he knew nothing about anyone seeking an exemption from environmental regulations.

Waldrop said it would be good if the board participated in a monthly project planning meeting.

Kay explained the priority of how the board needed to decide how it could be involved in the next 30 days. Donham asked if the decision had been made to invest in Drum Mountain. He asked, "Why can it not be discussed now?" Sheppard said DOE has to have a corrective action plan. Jackson added they would include short-term and long-term actions for funding now. He explained that he was just using Drum Mountain as an example. DOE has to go forward with this "plus-up money." He said he is willing to send to the board what is being evaluated and solicit the board's input. Duff said the board needs a subcommittee and he volunteered to serve. Donham asked why C-340 and Drum Mountain must be prioritized and was Jackson thinking of those in particular. Jackson said he was citing specific projects as an example. He explained that cleanup was very expensive for Drum Mountain and that someone had suggested that fencing would be cheaper and work on something else. There has not been a decision yet, he added, and this is what DOE would like input from the board on in the next 30 days. Kay asked if the board is interested in having a subcommittee meet with Jackson and report back to the board. Atkinson and Donham volunteered. Fuller asked if the subcommittee would be making recommendations for the board or coming back to the board to present what was discussed.? Corrine Whitehead asked if DOE had

considered the New Madrid Fault situation. Jackson said there are seismic upgrades being done. Waldrop said the subcommittee could get public input. Tanner asked what the time frame was for meeting. Jackson offered to meet and explain where DOE was as far as suggestions. Tanner suggested having a special meeting before November SSAB meeting. He said the priority is to protect the people. Donham asked if DOE, EPA, and the State are going to identify certain projects or procedures. He asked Jackson if he was anticipating the government to specify on what the extra funding is to be spent. Jackson said the money would have to be 'earmarked' for certain projects. Donham said if DOE is doing things the same way, why does a decision have to be made in 30 days?

Fuller said priorities will be set at congressional hearings next week. There was discussion about coordinating with DOE, EPA, and the State. Froede said the state and EPA were trying to get more money rather than having it go to Oak Ridge, and that the SSAB could help get this done. Kristi Hanson of Brookport, Ill., asked if waste had to be characterized. Froede said for a removal action a "full blown" characterization is not required. Jackson said the best proposal will get the money; if DOE can say that the SSAB concurs or partly concurs, it helps. Kemp said Tennessee and Ohio have congressmen who are knowledgeable about the situation and have been involved and that now because of media involvement Kentucky's delegation might get more involved. She said we need to take advantage of the opportunity. Donham said he thought it was a good idea for the SSAB to meet with DOE, EPA and the state. Jackson said he did not think that a meeting involving all parties could be arranged on such short notice. Fuller said EPA would do its own prioritizing. Tanner made a motion that the board have a subcommittee to offer ideas to DOE, that they meet once a week, and that they have a special meeting of the subcommittee? for the entire board. Smart asked if the board could empower the subcommittee to make suggestions? to the board. Fuller said he had a problem having a subcommittee not coming back to the whole board for suggestions. Kay reiterated the proposal to have a subcommittee. Proposal was approved. Volunteers were: Atkinson, Donham, Duff, Jones and Tanner. Tanner will serve as chairman of the subcommittee. The subcommittee would attempt to meet the week following the SSAB meeting. Jackson offered to meet with members individually if necessary.

Atkinson asked Froede if the EPA had a time limit on completion of ??? one suggested project or the funding?. Donham said there was in the Site Management Plan. Froede said cost was DOE's responsibility.

Rhodes said he had spoken with Pat Worthington and Bill Eckroad of the investigation team and that they were willing to discuss the report with the board. He said he will call and invite them to the November 8 meeting.

Froede made a presentation on the state and federal EPA recommendations for cleanup objectives. He broke it into two categories – Federal Facility Agreement Requirements and Non-FFA Requirements.

FFA Requirements

(not in order)

1. Remove radioactive burial grounds
2. Demolish abandoned buildings
3. Additional actions on groundwater plumes
4. Drum Mountain removal
5. Tar removal at C-746-T
6. Addressing groundwater sources

Non-FFA Requirements

1. Legacy low-level waste drums
2. Depleted UF6
3. Seismic upgrade on USEC buildings
4. Landlord costs

He also spoke about the possibility of getting Paducah more money through the D&D Fund and said SSAB input would put the “strong arm” on Congress and the Oak Ridge Operations Office to get money to Paducah and keep it there.

A special meeting was set for 6 p.m. on Monday, Nov. 8.

Membership

Fuller recommended Leon Owens to replace himself on the board on behalf of the worker’s union. He is to be sent an application

ATSDR

Courtney said everyone would be getting a draft Of the Agency for Toxic Substances and Disease Registry report on the Paducah site and wanted to know if the board would like an representative to come to a SSAB meeting. Redfield said information would be provided to the board.

Land Use Control Assurance Plan

Froede noted that he had included a handout in the packet that was very thorough.

ITRD

Donham commented on the ITRD meeting. He said there were two documents handed out that should be included in the next packet. He recommended that the board have representation at the meetings. Sheppard said that there had been comments on ITRD on other projects.

WAG 6

Waldrop said he would put document about C-400 in the SSAB office. Donham said a lot of money was going to be spent on WAG 6 and that SSAB really should keep up with it.

Stewardship Conference

Sheppard said this meeting was significant and hoped someone from the board could go.

November 18, 1999, Agenda

Tanner gave a briefing of what to expect on the November 18, 1999, SSAB meeting planned for Metropolis, IL. There will be a 2-hour public meeting with presentations, followed by the regular board meeting. Groundwater issues and air issues of interest to southern Illinois will be presented. John Sheppard is to get someone to do presentation on groundwater. USEC and Vortec will be there to present on air issues. Gardner is to come up with a questionnaire for the public. Donham questioned Vortec getting to present. Kemp said she thought it would be an endorsement. Tanner said he could introduce the presentations and make sure the attendees knew it is just information. Lamb said the board traditionally had a hands-off approach to USEC. Why do they get to comment? Fuller asked why have someone speak on a subject the board could not comment on. Jackson said it sounds like information that the board could use later. Donham suggested having John Tillson, Dr. Cochran or others present opposing views. He does not think the meeting as proposed is a balanced presentation. Tanner said the agenda could be changed. Sheppard said he thought the Metropolis meeting discussion??? was taking up time the board needed for other items. Waldrop said he thought the air and water were desirable presentations. Donham said he was not against presentations on air and water, that he was against a one-sided meeting. He does not think it is fair or right and said he was concerned about giving a forum to Bechtel Jacobs, DOE and USEC without having a DOE critic talk. Fuller asked why the board had to be the vehicle. Tanner said it is part of the SSAB's mission to do public outreach. There was a suggestion to postpone the meeting or let both sides be heard; it was decided to not let Vortec present. The proposal was made to set the time limits to one hour for each subject including time for questions or comments from the floor.

Community Outreach

Ingram explained logo information and choices were passed around for vote. The logo the board decided on was the bird in the circle, with the slogan: "Working for the future."

Agenda for next month's meeting

Items not discussed tonight and held over for the November 18 meeting included: LUCAP, WAG 3/8/28 Data Gaps information, other subcommittee reports.

Meeting adjourned at 11:17 p.m.

