

**Paducah Gaseous Diffusion Plant  
Citizens Advisory Board  
Meeting Minutes  
September 20, 2001**

The September 20, 2001, Citizens Advisory Board (CAB) meeting was held at the Environmental Information Center in Paducah, Kentucky, at 5:30 p.m.

**Board members present:** Mark Donham, Judy Ingram, Vicki Jones, Merryman Kemp, Ronald Lamb, Rebecca Lambert, Linda Long, Doug Raper, Craig Rhodes, John Russell, Rosa Scott, Jim Smart, Bill Tanner and John Tillson.

**Board members absent:** Nola Courtney Judith Duff, Leon Owens, and Gregory Waldrop.

***Ex Officio* members and related regulatory agency employees present:** Jeff Crane, Environmental Protection Agency (EPA), Carl Froede, EPA, Tim Kreher, Kentucky Department of Fish and Wildlife Resources ( KDFWR), Jon Maybriar, Kentucky Division of Waste Management (KDWM), Gerald Morford, Kentucky Radiation Control Branch (RCB), Eric Scott, RCB, and Tuss Taylor, KDWM.

**The Deputy Designated Federal Official present:** W. Don Seaborg.

**The DOE Federal Coordinator present:** Pat Halsey.

**DOE-related employees present:** Gary Bodenstein, Rick Bonczek, Gaye Brewer, Bryan Clayton, Gordon Dover, Jim Ethridge, Bruce Gardner, Todd Hendricks, Bill Hevrdeys, Jill Holder, Steve Kay, John McClintock, Laila Lienesda, Glenn Van Sickle, and Stacey Young.

**Public:** Charles Jurka, Vicki Jurka, Ruby English, Kristi Hanson, and Andrew Smith

## Agenda

Donham called the meeting to order. Kay asked if there were modifications to the proposed agenda. Halsey said a call with DOE headquarters, concerning the Scrap Metal PEIS would occur at 6:15 PM and suggested modifying the agenda to include the call.

**The Board approved the modified agenda by consensus.**

## Minutes

Kay asked if there were any proposed modifications to the August draft minutes. Kemp noted two corrections on page 4. She suggested the following change at the top of the page: *Donham said he was able to attend the conference call on August 14, but 24 hours notice was not enough for the public to attend. He said the Anderson letter regarding the scrap metal scoping meeting in Ohio was written on August 3, but the board did not find out about it until August 13.* Kemp suggested changing the wording of the third paragraph to the following: *Donham asked about the C-746-U landfill document that EPA had hired Parallax, a subcontractor, to complete to assess whether or not the C-746-U Landfill could be used for CERCLA waste.*

Taylor suggested a change at the bottom of page 4. The words C-746-U Landfill were replaced with ***Hazardous Waste Permit***

At this time the conference call took place.

Kay asked if there were any other changes to the minutes. Crane noted a change on page 6, saying that the major portion of the waste he was referring to will not be hazardous. Crane suggested the following change: *Crane said the major portion of the hazardous waste is expected to be from inside the security fence.* **The Board approved the August minutes as corrected.**

## Conference Call

Dave Heizinger and Ken Picha, both from DOE Headquarters, were available via teleconference to discuss a possible scoping meeting for the Scrap Metal PEIS in the Paducah area. Heizinger said they are in the process of gathering comments and information from the public to use as input for the final PEIS. Halsey explained that the Board feels a scoping meeting is important because 20-25% of all scrap metal identified so far resides in Paducah.

Heizinger said there was a meeting in Cincinnati and that DOE tried to accommodate interested members of the PGDP CAB with a teleconference. Kemp said the Board did not get notice until the day of the conference. She added there was no time for public participation and that the meeting in Cincinnati should not substitute for a public hearing. Heizinger said that there have been suggestions to have a scoping meeting in every state.

DOE is considering all comments and suggestions. He said DOE has been criticized for having these meetings only near the DOE sites, so they also have tried to hold them in different places. Metropolitan areas were chosen because they are associated with alternatives that could affect the public at large.

Picha suggested an interactive teleconference in Paducah. Donham asked Heizinger about the possibility of having a public hearing in Paducah for the Draft PEIS Phase, if one could not be held for the scoping period. Heizinger said he would be an advocate for having a Paducah meeting concerning the Draft PEIS. Donham asked those in attendance to consider whether or not they would be able to attend an additional meeting besides the Board meeting during the same month. An interactive television conference will be scheduled on Oct. 17.

### **Deputy Designated Federal Official's Comments**

Seaborg said because of the present climate, DOE is on the highest level of security. The general public is currently not allowed in DOE's part of the Wildlife Management Area. He expressed appreciation for the cooperation of staff and recreational users. The cylinder yard construction on the south end of the facility now has restricted access and will soon be shut down. NSDD and Scrap Yard work could eventually be impacted by the situation.

Seaborg addressed action items from the August meeting. He said, because of the events of the last week, the white paper on the U-Landfill would be delayed. He added he would follow-up on the action item concerning the Open Net documents as soon as possible. The transcript of the Fernald PEIS meeting will be made available when the public comment period ends in November. He said he took the Englishes on a tour of the C-746-U Landfill in late August and suggested that interested Board members take the same tour.

Seaborg said they are working on a budget update, but he does not know what DOE will get in light of the relief bill passed in response to the terrorist attacks.

He said that a tour of the Barnes Creek area would be scheduled soon.

He mentioned the action item from August referencing the margin of error method used by the Kentucky Radiation Control Branch to qualify environmental sampling data used to generate maps released to the public in October 2000. He asked the Board to field questions to Scott.

Regarding the MAP Assessment discussion, Eric Scott, representing the Kentucky Radiation Control Branch, explained the 4 qualifiers that were used to judge a radiation sample's reliability. He explained that they were trying to filter out unreliable data and map out the data they thought was most reliable. There were questions regarding the distribution, quality control, and reliability of the data. It was agreed to send this back to the community concerns committee for clarification and further review.

Seaborg mentioned the reports of PCBs found in fish and said that DOE uses FDA guidelines and the state uses a different set of guidelines. He said DOE is working with the Commonwealth on a notice of violation of the C-404 Wells. The C-746-U Landfill is not accepting any waste and a temporary cap has been placed on the facility. The NSDD Proposed Remedial Action Plan has been signed and the public comment period could take place as early as October.

### **Board questions**

Tillson referenced page 3 of the draft August minutes. He had asked about correspondence on a list of things accepted in the C-746-U Landfill and wants to see if the proper documentation was submitted.

Kemp said the Board had discussed training classes at the last meeting and also asked about copies of the sediment control recommendation comments. Halsey said there are no classes scheduled at this time for September and October. Halsey said this could be kept as a standard action item. Seaborg referenced in the notes where Donham asked for copies of items sent to the task forces. Tanner said he had given this information to Donham.

### **Ex-Officio comments**

Scott addressed the radiation map data assessment and passed out information. He stressed that data was provided at face value and that some of the companies used to collect data have gone out of business or changed names. Seaborg said there were questions about methods used to weed out valid and invalid data. He added that the Board wanted to clarify the methods used by researchers.

Kay suggested that Scott communicate with the Community Concerns Committee to clarify information. The committee could then present this information to the Board.

Froede said the Core Team recently discussed the C-746-U Landfill and the 2002 schedule, recognizing DOE may be under some budget constraints.

Crane said the NSDD comment period begins October 1 and ends November 15.

Taylor said a plan is under review to address sources of groundwater contamination in at the PGDP.

Maybriar said work was done in March to sample PCBs in fish tissue. The levels were about 2.5 times greater than the state of Kentucky allows. Data was forwarded to DOE and the Kentucky Division of Water. A notice may be posted along the entire stretch of Big Bayou Creek.

Seaborg asked if there was a difference in levels of PCBs depending upon location.

Maybriar said there were more elevated levels close to the facility but PCBs were also detected above the facility. More work needs to be done to see if PCBs are coming downstream that may not be a result of work at the site.

Tillson said it would be difficult to pinpoint the cause, because fish travel. Maybriar said they look at fish that do not migrate a great distance.

## **Public Comments**

Hanson said she was concerned about the fault survey in the seismic assessment because some historical features may be damaged by heavy equipment. Froede said that the EPA is looking for the worst fault for study of the CERCLA Waste Disposal Call project. There are faults that go into the sides of the creek and they have to find out if the faults cross the Holocene layer. The site for study will be chosen and heavier equipment may be used if smaller tools will not perform the task. Hanson said that if this area is taken away, it cannot be used for future study. Froede mentioned that farmers mine for gravel in this area. Hanson asked for the name of the state geologist doing the study.

Jurka said the state's public landfill meeting was cancelled, but wanted questions answered in order to submit comments. Taylor said the meeting has been rescheduled and the comment period extended.

## **Presentation**

Bodenstein gave a presentation on the Proposed Remedial Action Plan for the Groundwater Operable Unit. Once the Groundwater Feasibility Study is approved, the document will be available for public comment. The goals of the plan are to reduce contaminant volume, reduce migration to groundwater and to reduce technetium migration to the Northeast Plume Treatment System.

Five Records of Decision are planned for the GWOU. The first is for source removal at the C-720 building, the C-747 Oil Land Farm and the C-746-D Kellogg Pad. Bodenstein outlined DOE's proposal for the action.

Tillson asked about contamination at the Kellogg Pad. Bodenstein said the Tc-99 could have come from materials stored on the pad. Tillson also asked about the C-720 Building contaminants and whether the trichlorethylene that came from there should be classified as a RCRA listed waste. Bodenstein said they have asked Bechtel Jacobs to do an evaluation of the TCE in the building.

Tanner asked about a site-wide water budget. He said it would be better to stop the contamination at the source. Bodenstein said no formal water budget has been done. If the funds are available, a plant-wide water budget could be done within a year.

Donham asked about the disposition of the soil that will be excavated. Bodenstein said

that an estimated 50 percent of the soil is proposed to go to the C-746-U Landfill. If the landfill cannot accept the material, it will be shipped off-site, increasing the project cost by \$1.7 million.

Tillson said sources are the key to what can be done with waste and this has been ignored by DOE. He said he wants to see if TCE was used for things other than degreasing and that DOE should interview operators who used to work at the plant. He said the TCE is a listed waste. Bodenstein said he has seen a letter from the State of Kentucky saying the waste is not listed. He added that BJC has a milestone to conduct interviews and review historical information concerning this area. Tillson said he would like to see a compendium of sources, such as reference documents, interviews and standard operating procedures. Bodenstein said some information might be available by the CAB meeting in November.

Donham said he believes he was told that technetium was extremely soluble in water and wondered if it could be expelled into the air during the 6-Phase Heating Process that DOE proposes to use. Bodenstein said the technetium will stay in water and be captured at the end of the process.

### **Chairs Meeting Report**

Linda Long reported on the Santa Fe Chairs Meeting, recommending that the members attend one if they have a chance. Halsey mentioned that the next chairs meeting would be moved to March or April and be at the Fernald site. Long suggested that the PGDP CAB become more involved in studying the budget. Halsey said there will be a chairs meeting next fall in Oak Ridge, and encouraged the Board to participate.

### **Groundwater Operable Unit Task Force Report**

Smart said the task force met on September 7. Regulators were available via teleconference. He said Bodenstein covered most of the issues in the presentation given earlier. It has been discovered that the Northwest Plume is surfacing in Bayou Creek. Regulators are trying to decide which method will properly address the situation. Kentucky regulators gave DOE permission to use PVC in the lining for monitoring wells. Smart mentioned the groundwater workshop is to be held in November. Young asked if another CAB member would like to attend.

### **Surface Water Operable Unit Task Force Report**

Tanner reported that the task force met September 4. Dave Dollins, DOE, gave a presentation concerning the NSDD. He said the dispute has been resolved. A basin will be built to hold a 10-year, 24-hour storm event. There may be short term flooding in the plant, but the NSDD should not be recontaminated. DOE will build a sedimentation basin and plug the pipes and replace the pumps. This would eliminate any discharge to the NSDD.

## **Landfills/Waste Operations Task Force Report**

Kemp said the task force met September 12. They had a teleconference with Crane. They discussed sources of contamination to the NSDD, regulations that apply to excavated material, the extent of NSDD sampling and cleanup, as well as the 746 S&T Landfill and the Kentucky DEP letter on seismic limits and waste acceptance criteria for the C-746-U Landfill. She said they would like to contact other CABs and find out how their M&I contracts are set-up.

The task force will recommend that the Board ask DOE that the next M&I contractor provide a cost structure. The task force also wants to make internal documents accessible under the Freedom of Information Act. The second recommendation is that waste disposal costs are open. The task force also requested a presentation on fraud law. Tillson said they were curious if the contracts were implemented in the same way as other sites.

## **Budget, Finance and Administration Report**

Raper said the bylaws will have to be worded differently in order to elect a co-chair. He mentioned that other CABs are deeply involved in budget issues.

## **Community Concerns Report**

Rhodes said they are waiting for the maps. Donham said that Scott had presented some information earlier in the meeting.

## **Public Involvement Report**

Ingram encouraged participation in the writing of the newsletter. She suggested members who attended the Chairs meeting may want to write an article.

## **Training and Programs**

No report.

## **Membership**

Ingram said there was a list of task forces and subcommittees as well as descriptions in the packet so that members could choose an area of involvement.

Halsey said that Owens has missed the last four consecutive meetings. She added that the board needed to consider an action and whether to go back to the organization he represents and ask for another member. She said Owens had a significant workload. Kemp said he kept in touch with the Waste Task Force by e-mail and she feels strongly about union representation. Halsey said the final action would be made by DOE after the board makes a decision. A proposal was made to send a letter to Owens and that the

Board should wait for a response before taking a vote. Halsey said that it would be appropriate for DOE to make the contact. Donham said that, in the event the union sends a representative to replace Owens who is not a minority, the Board might want to actively recruit a minority. Ingram said she would like to see the Board document a procedure for dealing with members who have significant absences.

Ingram said Courtney sent an e-mail letting her know that nominations had been received for Tanner and Donham. Kay asked for additional nominations for chairman. Donham and Tanner said they were willing to serve as chairman. The Board reelected Donham as Chairman by a 6-5 vote. Kay asked for vice-chair nominations. A motion was made to nominate Raper as a vice-chair. Raper was elected as vice-chair by acclamation.

### **Review of Workplan**

Kemp said the Waste Task Force would like a presentation on fraud law. Tillson suggested that a basic informational sheet might be enough. It was decided that the task force would research this information.

### **Review of Agenda**

The October agenda was approved by consensus after a discussion period on the North-South Ditch was added.

### **Federal Coordinator Comments**

Halsey said the public review period for the North-South Diversion Ditch currently ends November 15. The C-410 D&D EE/CA is out for comments and a PRAP is scheduled for December. She suggested giving this to the subcommittee. Halsey said Young was making draft workplans for the task forces and subcommittees. Halsey mentioned that the Board might want to revisit the idea of activating the Long-Range Strategy and Administration Task Force. This would cover issues such as budgets, the Land Use Control Assurance Plan and stewardship.

Meeting adjourned.