

**Paducah Gaseous Diffusion Plant
Citizens Advisory Board
Meeting Minutes
June 20, 2002**

The June 20, 2002, Citizens Advisory Board (CAB) meeting was held at the Environmental Information Center in Paducah, Kentucky, at 6:00 p.m.

Board members present: Nola Courtney, Mark Donham, Merryman Kemp, Ricky Ladd, Ronald Lamb, Linda Long, Douglas Raper, Craig Rhodes, John Russell, Rosa Scott, Bill Tanner, and John Tillson,

Board members absent: Vicki Jones, Rebecca Lambert, Jim Smart, and Gregory Waldrop.

***Ex Officio* members and related regulatory agency employees present:** Brian Begley, Linda Martin, and Tuss Taylor, Kentucky Division of Waste Management (KDWM) and Jim Lane, and Tim Kreher, Kentucky Department of Fish and Wildlife Resources (KDFW).

The Deputy Designated Federal Official present: Don Seaborg.

The DOE Federal Coordinator present: Pat Halsey.

DOE-related employees present: Jim Ethridge, Greg Felts, Fraser Johnstone, Steve Kay, Lynn Link, Glenn Van Sickle, and Stacey Young.

Public: Richard Dyer, Colette DeGarady (SIU), Ruby English, Richard Halbrook (SIU), Mary Hall, Kristi Hanson, Charles Jurka, Vicki Jurka, Moira McKernan (SIU), Al Puckett, and Andrew Smith.

Agenda

Kay called the meeting to order. Tanner requested to modify the agenda by adding a short presentation and comment regarding the Accelerated Cleanup Plan after the Long Range Strategy/Stewardship Task Force report.

The Board approved the modified agenda by consensus.

Minutes

Kay asked if there were any modifications to the May draft minutes. Seaborg said the first sentence on Page 2 under the ES&H Issues topic should read, "Seaborg said workers at the C-612 building, the building that contains treatment steps for the Northwest Plume pump and treat system, were sprayed with water from a tank." **The Board approved the amended minutes by consensus.**

Deputy Designated Federal Official's Comments

Presentation of Plaques for Outgoing Board Members

Seaborg presented a plaque to Nola Courtney for her years of service and dedication to the board. Judy Ingram was also recognized by unable to attend the meeting.

Budget

Seaborg said he hoped some of the Board's questions had been answered as a result of the meetings this week with William Murphie. He delayed further comment until the Board begins discussion later in the meeting on the Accelerated Cleanup Plan.

ES&H Issues

Seaborg stated there was a hydraulic fuel spill in the cylinder yards on Wednesday. Between 50 and 55 gallons of fluid spilled when there was a mechanical malfunction with a concrete pumper truck. The spill was immediately reported to the state, contained, and resulted in no insult to the environment. The recordable incident was classified as off-normal.

Project Updates

Seaborg indicated the updates were included in the board packets. Seaborg said the state has conditionally approved the Remedial Action Work Plan for the Scrap Metal Removal Project. Since the condition requires the Department Of Energy (DOE) to install additional monitoring around the sediment basin that it doesn't believe is necessary since the outfall is under a monitoring system, DOE has invoked formal dispute in an attempt to resolve the issue.

The D1 Action Memo on the C-410 Decontaminating and Decommissioning (D&D)

project has been sent to the state. Neither the memo nor the Remedial Action Work Plan have been signed. Preparation is proceeding and as soon as agreement is reached, fieldwork will begin.

The Six-Phase project is going well. The installation of the first electrode began today.

Cylinder yard construction is also going well. DOE is working in three of the yards on the south side of the plant.

The underground storage tank in the cylinder yard has been remediated.

Waste repacking continues in preparation for shipments.

Recommendation Status:

Since the Site-Wide Sediment Control recommendation involves ongoing negotiations, there won't be a final response until the negotiations are settled.

DOE Project Manager, Gary Bodenstein, has been assigned to the Sewer Rehabilitation Repair recommendation. An answer will be forthcoming.

Seaborg recognized the Environmental Management (EM) workers at the Paducah site that have logged more than three million hours of work without a lost time accident. DOE continues to focus on the safety of the EM workforce as well as the public health and environment.

Questions

Donham asked about the Permeable Treatment Zone (PTZ) project, and if there was any written documentation regarding the future of the project other than the Accelerated Cleanup Plan. Seaborg stated the project was still pending the Top-To-Bottom Review, but that the current recommendation was to abandon the project.

Tillson asked if jack struts in the Scrap Metal yards had been identified in the Scrap Metal Removal plan. Seaborg said that if they were in the scrap yards, the normal process would be followed for identifying and removing material.

Donham asked about the location of shipments of hazardous waste mentioned in the CAB Updates. Van Sickle answered that transformers, capacitors, and non-radioactive hazardous materials had been shipped to various locations.

Ex-Officio comments

No comments from ex-officios.

Public Comments

Hanson asked if a presentation on the findings of the Barnes Creek Seismic Study, mentioned in the April issue of the Oversight News, would be available in the future. Seaborg responded it could be arranged if the CAB requested it. The Board agreed they would like to see a presentation on the findings of the study when it is available.

Puckett asked if the United States Enrichment Corporation (USEC) and DOE had been involved in the seismic study drilling efforts around Bethel Church Road by the University of Kentucky. Seaborg responded that DOE and USEC were not involved.

Action Items

Halsey reported \$759 million of the Accelerated Cleanup Plan Fund has been appropriated for letters of intent, which does not include the Savannah River Site. She reported the Office of Management and Budget (OMB) has not given an official response yet regarding the additional \$300 million requested by the Secretary. She stated Jessie Roberson intends to have letters of intent from all of the sites for funding, including closure sites.

Donham asked which fiscal year the \$800 million for the Accelerated Cleanup Plan covers. Halsey explained the money is for fiscal year 2003.

Halsey reported research is continuing regarding DOE's history on paying damages to property owners with contamination. She expects to have an answer by the July board meeting.

Halsey reported the search/review for blueprints Tillson had requested was underway.

Donham said the Community Concerns Subcommittee has not yet created a survey for residents

Rhodes said the Community Concerns Subcommittee has not yet redrafted their recommendation.

Presentations

Three presentations were given by Southern Illinois University students:

- 1) "Reproductive Success and PCB Contamination in European Starlings at the Paducah Gaseous Diffusion Plant," by Moira McKernan
- 2) "Health and Distribution of Amphibians Around the Paducah Gaseous Diffusion Plant," by Colette DeGarady
- 3) "A Sediment Toxicity Assessment at Paducah Gaseous Diffusion Plant Using Benthic Invertebrates," by Scott Meister (presented by Richard Halbrook in Meister's absence)

The Board posed various questions to the students regarding their individual presentations and brief discussion ensued.

Long Range Strategy/Stewardship Task Force Letters

The Board approved by consensus the following letters which were discussed at the May board meeting:

- 1) Letter to William Murphie from the Board with the language regarding the regulators deleted.
- 2) Letter to Assistant Secretary Jessie Roberson from the Board.
- 3) Letter to Assistant Secretary Jessie Roberson from all of the Site Specific Advisory Board (SSAB) chairs.

Water Task Force Report

In the chairman's absence, Tanner stated there was not much discussion since DOE representatives and subcontractors were unable to attend the meeting due to the ongoing negotiations. The task force requested a presentation at the next meeting explaining DOE's water policy.

Waste Operations Task Force Report

Kemp said the meeting had been cancelled because there would not be any participation by DOE or subcontractors, due to ongoing negotiations.

Long Range Strategy/Stewardship Task Force Report

Young said Becky Lambert's mother had passed away recently and that she had sent flowers on behalf of the board.

In the chairwoman's absence, Raper stated there was not any participation by DOE or subcontractors at the meeting. He distributed copies of the notes from the videoconference with Jessie Roberson on May 20. Raper reported there were technical difficulties for the first 30 minutes of the conference, and that headquarters directed the sites to go to a tele-conference to complete the call. Concerns from the individual sites are noted in the minutes, along with Roberson's responses.

Raper addressed the public meeting with William Murphie on June 18, and the Accelerated Cleanup Plan. He stated Murphie covered the plan in more detail at this meeting. He reported Murphie is trying to reduce the number of interim steps involved in project completion, and, therefore, accelerate the cleanup process.

Raper reported Murphie met with task force members the following morning after the public meeting. He said Murphie stated that his primary focus at this time is the Top-To-Bottom Review and getting a project management plan established for the Paducah site.

He then plans to establish an office to effectively manage both the Paducah and Portsmouth sites.

Raper stated they are recruiting task force members. He asked anyone who is interested in signing up to be on a task force to come by and see him after the meeting.

Donham stated his concern that the public meeting did not really invite public comment. He said the public was requested to submit questions on cards and the DOE team answered them as time allowed. He did not feel that an hour was adequate time for the amount of questions submitted.

Tanner remarked that was the reason for the follow-up meetings the next day, since they knew they probably couldn't answer all of the questions that night.

Lamb also stated his frustration with the format of the meetings. He did not feel that the public got enough interaction with state and Environmental Protection Agency (EPA) officials.

Taylor stated EPA and the state brought people well versed in policy, legal, and technical issues in order to answer questions from the public. He stated he was not aware the format would not be open.

English said she was disappointed that not much of the community was represented at the meeting, but that Murphie and the team had answered all of her questions. She stated she didn't understand how the Accelerated Cleanup Plan could cleanup things so quickly, and if that was possible, why hadn't it been done before now.

Raper stated that the Accelerated Cleanup Plan would only be implemented if DOE can come to an agreement with the state and EPA.

Donham said he believes there is already an agreement in place, and his understanding is that the state and EPA can level fines on DOE if there is not appropriate action.

Tanner remarked Murphie had said that DOE is in compliance with all of the Federal Facility Agreement (FFA) milestones at this time.

Tanner stated he asked Murphie what he saw as the role of the CAB. Murphie replied that he really didn't know at this time. Tanner addressed the Board and distributed a resolution stating that the Board agrees with the "concept" of the Accelerated Cleanup Plan with certain considerations. He asserted that the exceptions and considerations listed in the resolution still enable the board to provide advice and input on actions of the Accelerated Cleanup Plan, while demonstrating that the Board is taking a stand in support of accelerated cleanup at the Paducah Gaseous Diffusion Plant (PGDP). He requested the Board to waive the procedure to consider an issue one month and then vote on it at the next board meeting. He explained that there was an issue of timeliness regarding this resolution. Tanner stated he believes the Board needs to act quickly to have any impact.

Taylor stated that the state is in favor of accelerated cleanup and believes they have an agreed upon plan. DOE's plan to accelerate the clean up even more is part of the area of negotiations. Taylor said the differences are in the details, just as Murphie said at the public meeting

Donham brought up the issue of burial grounds and how critical this is to the community.

Russell stated the purpose of an advisory board is to advise, and suggested that all of the issues should be on the table in the open.

Ladd stated the August 1, 2002, deadline imposed by OMB is very close, and causes this issue to be time critical.

Tanner explained the resolution would be addressed to Murphie and copied to the same individuals as the previous letters approved by consensus.

Kemp remarked that if they voted tonight, many members were absent and could not be a part of this decision.

Raper made a motion to waive the procedure and vote on the resolution tonight. Ladd seconded the motion. The motion was denied. The resolution will be on next month's agenda.

Jurka commented that Murphie had been in charge of the CERCLA cell in Pennsylvania and that the regulators in that area were not happy with the results. She suggested someone investigate that issue.

Puckett commented he doesn't like other people making decisions for him. Citizens who live around the plant should have involvement.

Community Concerns Report

The subcommittee did not meet in May.

Public Involvement, Nomination and Membership Report

Courtney reported the task force met and drafted an expanded membership application that will be presented at the next board meeting.

Review of Workplan

The board discussed the CERCLA Seismic Report listed in the workplan for July 2002. The report will be held as a placeholder for the August board meeting, if available.

Review of Next Agenda

The Accelerated Cleanup Plan resolution presented by Tanner will be a separate agenda item (before the task force reports) on next month's agenda.

Board members were encouraged to fill out the self-evaluation survey in the packet and turn them in at the next board meeting.

Federal Coordinator Comments

Halsey informed the board they were invited to the Idaho CAB meeting and tour in July. She said anyone interested should contact Stacey Young as soon as possible since travel arrangements need to be made by Monday.

Halsey stated the schedule for the October SSAB Chairs meeting in Oak Ridge would be finalized during the chairs conference call on June 25. Kay remarked there could possibly be a conflict with the PGDP CAB meeting, since one of the proposed dates for the chairs meeting was October 17-19, 2002. **The board agreed by consensus to change the PGDP CAB meeting from Thursday, October 17 to Tuesday, October 15 in order to accommodate the chairs meeting in Oak Ridge.**

Meeting adjourned at 9:25 p.m.