

**Paducah Gaseous Diffusion Plant
Citizens Advisory Board
Meeting Minutes
October 15, 2002**

The October 15, 2002, Citizens Advisory Board (CAB) meeting was held at the CAB office in Paducah, Kentucky at 5:30 p.m.

Board members present: Mark Donham, Merryman Kemp, Ricky Ladd, Rebecca Lambert, Linda Long, Douglas Raper, John Russell, Jim Smart, Bill Tanner, John Tillson and Gregory Waldrop.

Board members absent: Vicki Jones, Ronald Lamb, Craig Rhodes, and Rosa Scott

***Ex Officio* members and related regulatory agency employees present:** Wayne Davis, Kentucky Department of Fish and Wildlife Resources; Gaye Brewer, Linda Martin, Jon Maybriar, Gary Morgan, and Brian Begley, Kentucky Division of Waste Management.

The Deputy Designated Federal Official present: Don Seaborg.

The DOE Federal Coordinator present: David Dollins.

DOE-related employees present: Greg Cook, Gordon Dover, Jim Ethridge, Greg Felts, Mark Gage, Pat Halsey, Steve Kay, Stephen Lindamood, Lynn Link, Kendra Payne, Glenn Van Sickle, Tom Wheeler, and Stacey Young.

Public: Richard Dyer, Ruby English, Charles Jurka, Vicki Jurka, Al Puckett, Ken Wheeler, and Jim Zumwalt.

Agenda

Kemp called the meeting to order. Kay asked if there were any modifications to the proposed agenda. Tanner stated the Water Policy Box presentation had been cancelled. He asked that the presentation be rescheduled for the November board meeting. Tanner also requested time to discuss the reorganizational changes within the U.S. Department of Energy (DOE). Tillson asked for time to discuss inviting Joe Carson, a DOE whistle blower, to address the board. Kay stated time would be given in place of the presentation. **The board approved the modified agenda by consensus.**

Minutes

Kay asked if there were any proposed modifications to the September draft minutes. There were no proposed changes. **The board approved the September minutes.**

Deputy Designated Federal Official's Comments

ES&H Issues

Seaborg reported there had been only one recordable occurrence since the last board meeting. The C-746-H3 facility had been previously categorized as an industrial facility. While reviewing nuclear safety documentation, Bechtel Jacobs Company LLC (BJC) discovered that more radioactive material was present than previously recorded. Due to this finding, the facility will now be upgraded to a radiological category.

Budget Updates

Seaborg stated DOE is still operating under a continuing resolution with respect to the budget. The current budget was only effective until October 11.

Project Updates

Seaborg explained that due to the holiday and limited turnaround time, the project updates, submitted by BJC task leads, had not been reviewed by DOE personnel. He suggested that CAB members with questions should contact the appropriate DOE personnel assigned to the project.

Seaborg gave a brief report on the project updates:

North-South Diversion Ditch (NSDD) – The Record of Decision (ROD) was signed in early October. The first of three Remedial Action Workplans (RAWPs) has been submitted to the regulators and approved. Fieldwork is planned to begin on October 25. DOE is scheduled to issue the second RAWP, regarding surge basin construction, as well as the sampling plan for excavation of Sections 1 and 2, in early November. The third RAWP, covering the actual excavation, should be issued no later than March.

C-410 Decontamination and Decommissioning (D&D) – Comments have been received from the U.S. Environmental Protection Agency (EPA) and the Commonwealth of Kentucky. They have been incorporated into the Removal Action Workplan and a second draft will be issued to the regulators.

C-746-U Landfill – The Commonwealth of Kentucky approved the new monitoring well system and authorized the resumption of landfill operations per the permit.

Waste Shipments to Nevada Test Site (NTS) – DOE hosted an NTS team to evaluate the waste operations programs as a prerequisite to resume shipments. There were three findings and six observations. DOE is awaiting the final report and hopes to re-gain access to NTS by the end of the year.

CAB Recommendations Status

Seaborg reported DOE has developed a response to the Sewer Rehabilitation recommendation. He stated the response had been sent to Bill Murphie for concurrence.

Other

Seaborg stated DOE has elevated, to the highest level, the formal dispute with EPA and the Commonwealth of Kentucky regarding the Site Management Plan (SMP) milestones. DOE has requested that the administrator of EPA consult with the Secretary of Energy to reach a resolution.

Ex-Officio Comments

Brewer reported the Commonwealth of Kentucky's comments on the C-746-U Landfill document would be out this week.

Brewer stated the first RAWP for the NSDD has been approved. She said the Commonwealth of Kentucky would not be issuing a letter of concurrence on the NSDD ROD because of scheduling issues.

Brewer also reported there were still some issues with hard dates and scheduling on the SMP.

Action Items

In reference to the item involving the membership application revision, Link reported the application is still in process and a draft will be provided soon.

Young reported she is still awaiting approval from Donham on the Community Concerns letter, recommendation, and questionnaire. Donham stated the approval should come from Craig Rhodes as the chair. Since Rhodes has already approved these, the item is closed and support staff will mail the package to Water Policy Box participants.

Dollins stated Tillson's request for the sorted data of the NSDD cleanup level of 10^{-6} would be provided at the next Waste Task Force meeting.

Kemp reported she would discuss the item regarding information on Bradford Road with Young at the Chairs' Meeting in Oak Ridge.

Tillson said he still has not received any blueprints from Oak Ridge and suggested he may take legal action.

Young provided Kemp, as well as board members, with a redline/strikeout draft of the Chairs' letter to Roberson. She asked Kemp to review the draft and to sign the letter at the Chairs' Meeting. The action is closed.

Discussion of DOE Reorganization

Kemp provided the Board with a draft letter she wrote to Murphie requesting access to any re-organizational plans by DOE regarding the Paducah site.

Tanner shared with the Board that he has heard rumors of plans to reorganize within DOE. Others have heard the same or very similar rumors as well. The rumors are that the Paducah site office would have a minimum staff with operations moved to an office to be established in Lexington, Kentucky. Tanner stated his concern and the concern of other Board members he has talked with is that these changes would result in a decrease in the progress of the cleanup. He said that since Seaborg has been in Paducah, the momentum of cleanup has accelerated and the CAB has achieved better communication with DOE. If these changes include personnel, Tanner said that, in his opinion, public trust of DOE, built within the last couple of years, would be lost. Kemp added it is her understanding these rumored changes will occur quickly.

Tanner suggested asking Martha Crosland and Jessie Roberson for time to discuss this issue at the upcoming Chairs' Meeting. Kemp stated that she had emailed Crosland and Murphie but had not obtained any real information. They both seem to have assumed the main concern is with the continuance of the CAB, which is not the case. The main concern of the CAB is the cleanup. Tanner proposed that the Board make a formal request.

Donham said he heard from Murphie and Roberson that an office was being established elsewhere, called the *Office of Portsmouth and Paducah*. He asked if a draft of this plan would be available for CAB comment. Tanner suggested posing that question to Roberson at the Chairs' Meeting.

Tanner stated this is a DOE internal decision and he is not sure if the Board has the right to comment on DOE's internal structure. He stated he just wants to ensure continued progress with the cleanup.

Kemp asked Ken Wheeler, of the Greater Paducah Economic Development Council, what information he had received through the Purchase Area Community Reuse Organization (PACRO). Wheeler stated that he could not speak on behalf of PACRO, however, he stated the issue is of concern and should be pursued. He requested that the Board follow up with him on the outcome of their audience with Roberson. He may bring up the issue with Secretary Abraham when he is here next week for the Paducah Gaseous Diffusion Plant's 50th Anniversary.

Kay stated the Board's proposal is to formally recommend that Kemp seek time with Roberson to discuss the concerns of the Board on this issue. Tanner suggested addressing Kemp's letter she had distributed to the Board to Roberson instead of Murphie, and sending it via email in the interest of time. Kay asked if any modifications needed to be made. Russell suggested adding a paragraph specifically asking Roberson to set aside some time for discussion.

The board approved the proposal by consensus.

Health and Safety -Joe Carson

Tillson stated Joe Carson is a nuclear engineer for DOE and an eight-time whistle blower on health and safety issues. Tillson said Carson was hoping to share his experience with the Board. Tillson suggested the Board invite Carson to present his story.

Kemp added that since the September board meeting, she had received 13 letters in support of Carson. She also said that the Oak Ridge Site Specific Advisory Board had formed an ad hoc committee to study health and safety issues.

Russell asked the purpose of Carson's visit and what he could contribute to cleanup at the Paducah site. He expressed concern that this is outside of the Board's charter. Tillson stated some of the health and safety issues Carson has encountered should also be investigated at this site.

Kay asked if the Board wanted to propose adding a presentation by Carson to the appropriate month's agenda. He also asked if the Board wanted to formally request that DOE allow Carson to attend. Donham asked how much time Carson would need, and stated that anyone may address the board without being on the agenda if the time needed is less than 10 minutes. Kay suggested finding out how much time Carson needed, and then bringing the issue back to the Board to decide if they want to place Carson on the agenda for next year. Later, during the task force and subcommittee reports section of the agenda, the Board requested that the Community Concerns Subcommittee pursue the Carson issue, since health and safety issues seemed to be more appropriate for this group.

Water Task Force

Smart reported the task force met on October 4 and that the Engineering Evaluation/Cost Analysis (EE/CA) for the Sediment Control Basin presentation by Linda Martin was

postponed until the November task force meeting, even though the task force did discuss it with the regulators via phone.

Smart also stated the Six-Phase Heating project was ahead of schedule and progressing well.

Long Range Strategy/Stewardship

Raper reported the task force met on October 10. The task force reviewed and edited the draft text of the Annual Report.

Raper also reported the task force reviewed a draft version of the DOE Site Transition Framework for Long-Term Stewardship. Tanner stated it is not clear whether an office within DOE will be designated to handle long-term stewardship. Raper said the deadline for the Board to submit comments is October 18, which does not provide enough time for the Board to respond. Donham suggested asking for an extension. Kemp also suggested that task force members respond with comments individually.

Kay proposed the Board formally ask for a 45-day extension to allow time for board comment. The Board assigned Young to send an email to Fred Dowd and copy the Board officially requesting a 45-day extension.

Public Involvement

Young stated this task force did not meet, and that it lacks a chairperson. Kay suggested the task force choose a chair at their next meeting.

Donham asked if there was any new information regarding new members for the CAB. Halsey reported she spoke with Martha Crosland recently. Crosland has received the request and apologizes for the delay.

Waste Operations Task Force

Kemp stated the task force did not meet this month. She also brought to the Board's attention that the task force is without a chair. Kemp asked Donham if he was interested in becoming a member of this task force. He replied in the affirmative. He asked to be added to the distribution list of all task forces. Link stated Donham has been added to all of the lists. Kay said if anyone else would like to be included in receiving notices, they should notify Young.

Community Concerns

Young stated this task force was formed as an ad hoc committee and has not established a regular meeting time. Kemp suggested the health and safety issues proposed by Joe

Carson should be pursued through this committee. The Board agreed. Donham will notify the committee at their next meeting.

Young asked Donham if he would collaborate with Rhodes (chair) to convene the committee before the next board meeting. Donham agreed.

Administrative Issues

Kay asked if there were any objections to have Kemp sign the revised Chairs' letter to Roberson. Kemp stated she would sign the letter after grammatical errors are corrected.

The board approved the letter by consensus.

October Chair's Meeting

Young reported a fire had occurred in the hotel where the meeting was scheduled. Due to the fire, rooms had to be booked at the Holiday Inn and the meeting was moved to the Hilton. Transportation will be provided between the two locations. Young provided everyone with detailed information, including a map.

Review of Workplan

Donham asked if there would be any explanation of the C-746-U Landfill Risk Evaluation document. Kay said it was his understanding that the Waste Operations Task Force would take up the issue.

Donham stated he had received Freedom of Information Act (FOIA) documents regarding the shipments of material from Pantex to Paducah. He hopes to prepare a report to share his findings with the Board. Russell stated the smelting emissions would have been covered under the Clean Air Act. Cook said the Public Health Assessments covered the topic. Raper said he had attended, at least two years ago, a briefing given by a United States Enrichment Corporation employee in Metropolis on emissions from this area. He stated the briefing provided a lot of information that the Board may want to obtain. Donham suggested that a committee should look into the issue further. Kemp suggested the Community Concerns committee. The Board agreed.

Review of Next Agenda

Kay asked if the Conflict of Interest presentation was still scheduled for the November board meeting. Halsey stated someone at headquarters is available, however she needs to get travel funding approval.

There were no other modifications. The board agreed to accept the November meeting agenda as it stands.

Membership

Young pointed out that Rosa Scott and Vicki Jones have missed three of more meetings in this calendar year. She suggested that Dollins should contact them and address the absences. The Board agreed.

Federal Coordinator Comments

Dollins reported the Long Range Strategy/Stewardship task force has reviewed and edited the Annual Report. He encouraged CAB members to submit comments by October 31, since the final draft will be issued at the November board meeting. Young asked members to vote after the meeting for their choice of covers for the annual report. Young also requested that Donham provide his remarks as chair in FY02 for the annual report.

Dollins asked the board if they wanted to formally cancel the December meeting. Kay stated the board usually does not hold a meeting in December and proposed that the Board cancel the December meeting. **The board agreed by consensus.**

Final Comments

Young reminded everyone of the PGDP 50th Anniversary Celebration being held on October 24, 2002. The unveiling of the floodwall murals will be at 6:30 p.m. followed by a performance by the Paducah Symphony Orchestra and then a fireworks display.

Meeting adjourned at 8:00 p.m.