

**Paducah Gaseous Diffusion Plant
Citizens Advisory Board
Meeting Minutes
August 16, 2001**

The August 16, 2001, Citizens Advisory Board (CAB) meeting was held at the Environmental Information Center in Paducah, Kentucky, at 5:30 p.m.

Board members present: Nola Courtney, Mark Donham, Judy Ingram, Vicki Jones, Merryman Kemp, Ronald Lamb, Rebecca Lambert, Linda Long, Doug Raper, Craig Rhodes, John Russell, Bill Tanner, John Tillson and Gregory Waldrop.

Board members absent: Judith Duff, Leon Owens, Rosa Scott and Jim Smart.

***Ex Officio* members present:** Jeff Crane, Environmental Protection Agency (EPA), Tim Kreher, Kentucky Department of Fish and Wildlife Resources, Gerald Morford, Kentucky Radiation Control Branch, and Tuss Taylor, Kentucky Division of Waste Management (KDWM), and

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

The DOE Federal Coordinator present: Pat Halsey.

DOE-related employees present: Gaye Brewer, Marshall Davenport, David Dollins, Gordon Dover, Jim Ethridge, Bruce Ford, Bruce Gardner, Bruce Haus, Todd Hendricks, Jill Holder, Craig Jones, Anthony Katts, Steve Kay, Chris Marshall, Bruce Phillips, Glenn Van Sickle, Gary Vanderbough, Tom Wheeler, and Stacey Young.

Public: Bill Bartleman, Charles Jurka, Vicki Jurka, Ruby English, Mary Hall, Kristi Hanson, Barbara McKasson, Al Puckett, Duane Short, Andy Smith and Shirley Speer.

Agenda

Donham called the meeting to order. Kay asked if there were modifications to the proposed agenda. A proposal was made to replace the Waste EA presentation with the CERCLA Cell Seismic Study presentation. **The Board approved the amended agenda by consensus.**

Minutes

Kay asked if there were any proposed modifications to the July draft minutes. Donham asked Crane about the comments on page 5. Crane said he was not a risk assessor. Kay asked for clarification of his comment at the July meeting. Crane said when you have multiple carcinogens in a risk assessment, the total risk is added to accumulate a total risk value. That doesn't mean that it accounts for synergistic effects. It's only an additive effect of the carcinogens. EPA's risk assessments account for multiple carcinogens to the total carcinogenic effect and do not include synergistic effects. Each contaminant has a certain concentration that would be considered independent of the others. Then, Kay suggested removing "the Proposal" from page 5. **The Board approved the July minutes as corrected.**

Deputy Designated Federal Official's Comments

Seaborg addressed action items from the July meeting. He commended the Surface Water Task Force on their recommendation.

Seaborg mentioned the topographical maps referred to by Donham at the last meeting. He said the maps had been sent to Donham in May. Donham said he had found the maps and had given them to Tillson.

Seaborg said a survey with hand-held instruments showed only beta radiation on rubble piles located outside the security fence. DOE suspects that uranium is the predominant isotope, but it could contain technetium-99 or transuranic isotopes.

Seaborg said a copy of the consent decree asked for by Donham was being passed around and offered copies to those who wanted it.

A site tour for new members is pending in September.

Seaborg said the bulk cost for waste disposal for the North South Diversion Ditch project is in the range of \$17 million to \$30 million, with \$ 30 million the worst case. The worst case scenario is based on sending all of the material excavated to the Nevada Test Site, where there is no railhead. Envirocare of Utah, the other potential disposal site, has rail service.

The budget proposal has gone through House and Senate. The House would increase the budget by \$10 million and the Senate by \$30 million. The conference committee will

meet around Labor Day. DOE should have more information by the September CAB meeting.

Occurrence Reports — Two incidents occurred on August 3, 2001. The first involved failure to provide a well for abandonment and replacement work plan for C 404 landfill monitoring well. A hole was discovered in the casing. In the second notice, in DMSA-331-10, there was identification of hazardous waste, a fluorescent light bulb starter, which had been stored 90 days without a permit.

Recommendations — The recommendation to provide a public hearing concerning the Scrap Metal PEIS has been forwarded to headquarters. The Board will be given a copy of the response once it is received.

The sediment control recommendation is in review. DOE will meet with the regulators the week of August 20, 2001 and will update the Board in September.

Disputes — DOE is in dispute over the North South Diversion Ditch project path forward. Kentucky and EPA have asked DOE to cease all landfill disposal until monitoring is used. Seismic studies and permit studies have to be done and Phase I work could be complete in mid-January.

Other items — At C-410 D&D operations, two sumps in the basement flooded in January. Samples did not find hazardous constituents. In March, workers found valve bodies in another area of the building with higher levels of uranium than was once thought. Criticality review procedures limited building access for several months. Now, workers are back in the building and there is less water in the sumps. New sampling found elevated levels of cadmium in the water, and they are now in process of pumping to tanks and storing.

DOE is in dispute on Site Management Plan because they did not submit milestones as set forth in the FFA.

Questions from the board — Tillson mentioned, in the past the state had granted small modifications for putting small amounts of CERCLA waste in the 746-U landfill. He asked if the series of correspondence for this was available. Seaborg said there was a list of disposal activities and he would provide it.

Donham asked if PTZ had started. Seaborg said remobilization has not started.

Donham asked about the Open Net documents. Seaborg said he would get back to him. Donham mentioned that Amy Rockroth said there was a file in Paducah.

Donham said there was a really good case to have the public meeting on scrap metals here because Paducah has more than any other Oak Ridge site. 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 meeting in Ohio

was written on August 3, but the board did not find out about it until August 13. Donham added he wanted to stress to headquarters there was not enough notice for a public meeting. Halsey said they did not have the call-in number until that day. Donham said he heard it was their intent to respond to the board recommendation by providing the call. Kemp wanted to know how many were at the 7:00 PM meeting. Young said no one attended that meeting. Donham said the comments were good and requested a transcript.

Halsey said it was not DOE's intent to have the conference replace a public meeting, but was offered to the board as a means for them to obtain information and ask questions. The decision on whether to hold a public scoping hearing in Paducah has not been made.

Russell asked about the method for finding the cadmium and where it came from. He was told that it might have come from paint. Rhodes asked what color paint was used and Dover said green or gray.

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. Crane discussed the document, Evaluations of C-746-U Solid Waste Contained Landfill, and cover letter. He said he was pleased that DOE agreed to the risk assessment and there will be a public notice for the ROD. The schedule for that is to occur before the risk evaluation.

Seaborg suggested consolidating a presentation for the next meeting to include information about plans for the C-746-U landfill.

Puckett said there was a fault running from his house through the plant and that the risk assessment needed to include this information. Seaborg said there are specific seismic issues that have to be considered while looking at the landfill.

Ex-Officio comments

Taylor reported that the Core Team just finished meeting for two days. He said that at SWMU 194, an oil tank was found. Seaborg said there had been comments about an odd odor in that area. Dover said it was a petroleum type odor. Workers found a sleeve that appeared to be a protective sleeve for the tank. The oil could be waste oil. Tillson asked if it was found northwest of the old batch plant. Dover said it was around the McGraw fueling station area.

Crane said the site wide sedimentation controls recommendation comments were sent to the task force. Donham asked for copies of the document.

Taylor said a permit modification for the Hazardous Waste Permit is out, and that the intent is to bring standards to current site wide strategy, which is incorporated in the FFA. Public comment runs through September 21, 2001 and the public hearing scheduled for September 11, 2001. Taylor said the state was trying to formulate a process to modify the C-746-U landfill permit to accept other waste.

Tillson asked if the Waste Acceptance Criteria for the landfill goes beyond residual waste if another EA would be done. Taylor said it is a solid waste permit, so the landfill will only receive things classified as solid waste. Taylor said there is a large volume of solid waste, which could be contaminated with common contaminants, so they want the site to evaluate it and have a full-scale discussion.

Surface Water Operable Unit Task Force Report

Tanner said a considerable amount of time has been spent studying the sedimentation basin plan. The concern is that surface water run-off threatens the public. Tanner proposed the board make a recommendation urging DOE and the regulators to agree that North South Diversion Ditch work should start as soon as possible, with excavated materials stored inside the security fence until a disposal decision is reached.

Donham asked about clean-up levels on the North South Ditch project. Crane said the most conservative human health and ecological risks are used. Crane said that, for this decision, they are trying to remove all contaminants that would be released to the public. Crane said if any are above clean-up levels, they expect to remove all contaminants so that the land is available for any use. Donham asked if the flow would be blocked around the fence line and diverted. Crane said the accumulation will go through a process treatment.

Donham asked if the overflow control was a contingency plan. Crane said there would have to be a large flood and the area around the fence line is a natural depression. Tillson asked about pumping between storms. Marshall said the basins would contain a ten-year, 24-hour, five-inch storm event. Tanner asked if it would be possible to recontaminate the North-South Ditch if the design capacity is exceeded. Donham said he wasn't clear whether or not this would go to Big Bayou creek.

Long asked if this was west of the cemetery. Tillson said it would go down the ditch that goes to Long's house. Kemp asked about the cemetery. Marshall said that DOE has looked at the cemetery and evaluated the area because they were concerned that the ditch had overflowed and potentially contaminated the area, but it has not. Tillson asked if the current piping would be removed to dig. Crane said the piping would be removed. Tillson suggested putting in more pumps during excavation.

Donham asked about the watershed. Crane said the intent was to cap all contaminants in the watershed. The only water coming into the area is rain.

Seaborg said the end use of the land, all of which is DOE property, is industrial inside the fence and recreational/ecological outside the fence.

Kay asked if there were any concerns about Tanner's proposed recommendation. Tillson said he has not had time to read it, but he did not see anything he would oppose.

Donham asked about liner and Marshall said it would be two feet of impermeable clay.

Tillson said the problem is that clay cracks when it dries.

Donham said some layers are more contaminated than others are and asked if they will go in a special container or if they will be mixed together. Seaborg said waste will be shipped if needed, but DOE would like to dispose of the majority of it on site. Crane said the details could be represented as part of the public meeting. Donham wanted to know what the EPA and state think about the phrase, “stored within the security fence for no longer than five years or until a disposal concerns are resolved.” Crane said this is a big part of the dispute. Tanner said the biggest hold-up was ultimate disposal and it boils down to protecting the public. He said it should not be stored indefinitely, but should be taken out of public use areas. Crane said they expect the waste to be stored for a certain time frame. They expect temporary storage. Taylor said a lot of the language in the document will change.

Donham asked if the material was RCRA, if it required a permit or if volumes were specified? *Crane said the major portion of the hazardous waste is expected to be from inside the security fence.*

Tillson said the issue is how long the waste can be stored and this does not preclude further recommendations. Donham said he would like to have disclaimers.

Kay asked if there were any objections to the recommendations. **The board asked for more time to consider the recommendation and tabled it until September.**

Landfills/Waste Operations Task Force Report

Kemp said there was good contractor support at their task force meeting. She reported that their next meeting is September 12 at 5:30 PM. She said they were currently trying to meet jointly with surface water task force.

Donham suggested a schedule of task force meetings on the Web site and asked about a calendar.

Tillson discussed seismic issues around building a CERCLA facility. He said DOE is going to an area in Illinois with a similar fault. Regulations say a facility like this cannot be built where there has been seismic activity in the last 10,000 to 12,000 years. There will also be site specific studies.

Donham asked how to get a copy of the 200-foot active fault citation and was told it was on the Kentucky Web page. Crane gave him information on where to find the citation.

Presentations – CERCLA Waste Disposal Cell Seismic Assessment Plan

Dollins said DOE has been looking at off-site locations to do field work, in addition to site 3A on-site. He then introduced Bruce Haas of SAIC, who briefed the board on the pending seismic study.

In April, DOE and the regulators held discussions to outline the seismic study. They created a three-part study, with each segment having a regional and a site-specific component. Barnes Creek in southern Illinois was the regional site picked. It was picked for the regional study because of its accessibility and the extensive amount of research already performed by the Illinois Geological Survey. The study will look at the upper 10-20 feet of soil and will be followed-up by boring holes. There will also be a series of test pits across the site. There will be a site-specific study on 3A, which examines the entire 110 acres.

Waldrop asked what would happen if a fault was not found during the initial survey. Haas said if there is one, it will show up in seismic reflection survey.

Tillson asked for copies of the study.

Rhodes asked about a field trip for board members to Barnes Creek. Seaborg said the property was private, but DOE would consider it.

Haas said that with boring they will be able to map out the core, then do a measurement of soil types to the depth of around 150 feet. There will be soil samples taken in shallow borings and tests will be run on the soils.

Tillson suggested looking at air photos and said he assumed this would involve GIS work. Donham suggested looking also at the New Madrid Fault. He also asked how the 200-foot rule would be taken into account if a fault is not found on site. He said a facility cannot be sited within 200 feet of a Holocene fault, but DOE would have to determine what to do about one located more than 200 feet away.

Vicki Jurka asked how long ago a seismic reflection study was done at Barnes Creek. Chris Marshall said it was done in 1998 or 1999.

Donham noted that DOE had recently forbade SAIC from working on the Programmatic Environmental Impact Statement on recycling scrap metal because of conflict of interest concerns regarding its work on recycling metals in Oak Ridge. He asked if the company had a conflict in Paducah. Donham was told that by undertaking the Feasibility Study for a potential CERCLA cell, SAIC was disqualifying itself from working on any project that resulted. Tillson asked if they would have anything to do with the waste going into the cell. Dover said the facility would be privatized and that question could not yet be answered.

Ruby English asked what DOE planned to do for the residents if a seismic event occurred. Seaborg said they could look at what has been done at other plants. Dollins later said he would follow-up on English's question.

Donham asked if the expert panel comments could be made available to the board. Haas said the minutes could be provided.

Russell said DOE needs to consider that there is not a facility like this in Kentucky and questioned whether an Environmental Assessment needed to be performed. Seaborg said an EA is not performed on a CERCLA project, but DOE's policy is to incorporate NEPA values in the drafting on the Feasibility Study. Donham said cumulative affects are not considered in the CERCLA process.

Budget, Finance and Administration Report

Raper said the committee would have a proposed budget at the next meeting. He and Halsey will meet to talk about FY2002 budget issues.

Tillson said they were getting to a point where more technical training for members was needed and suggested DOE provide the board with a list of training classes. Seaborg said he would look into classes. DOE needs to have 14 people enrolled in each class. Tillson asked about using board funding. Halsey said inter-site travel was limited to interfacing with another site. Raper said there was more than enough money for training.

Kemp asked about technical advisors and Raper said there was \$20,000 still available.

Community Concerns Report

Rhodes said that there was a meeting with Volpe via phone and said the maps had to be redone because there was greater than 50% uncertainty in some of the data. Quality control was not requested at the lab. The data was not reliable so they are redoing it for 60,000 data points. Seaborg said the plutonium maps were nearly complete.

Tillson asked if DOE and the taxpayers pay for a high-quality data set. Dover said the data was basically non-detect, not poor quality. Donham said that is not what Volpe said, but that there were no data packs that would verify the sample validity. The only criteria used was margin of error. Seaborg said both were discussed, but he would get a clarification from Volpe.

Rhodes said some of the monitoring sites did not really exist because of errors in entering the coordinates of the sites into the database. Donham said it would be helpful to know detection levels and how many had an uncertainty of greater than 50%. Seaborg said new data was being gathered all the time.

Waldrop said he would like the finished maps to include safety parameters.

Public Involvement Report

Ingram said the committee would try to meet soon and said that Long had written a CERCLA Cell article for the next newsletter.

Training and Programs

(These issues were discussed during the Budget, Finance and Administration report.)

Membership

Courtney said the committee wanted to discuss amending the bylaws to allow election of a vice-chair. She made a proposal to allow a vice-chair to serve for the same term as the chair and to serve as the chair in his or her absence. **The board approved the proposal by consensus.**

Kemp suggested looking at by-laws and having a written notice about amending the bylaws.

Review of Workplan

A presentation on North-South Diversion Ditch Recommendation will be added in September.

Review of Agenda

The September agenda was amended to include the North-South Diversion Ditch Recommendation.

Waldrop asked about a monthly seismic assessment and Haas said they would report as needed. Halsey said it may not be a presentation, but a report.

Donham said rules are being established for possible release of scrap metals for recycling. Dover said their plan was not to recycle, but to dispose.

Donham said he would like 15-20 minutes for the landfill presentation next month. Seaborg said he was thinking about an integrated waste plan to include landfill issues.

Federal Coordinator Comments

Halsey reported that the new Paducah Web site was up in the EIC and offered to provide the address.

Young offered keys for the new office and asked for the return of the old keys.

Meeting adjourned.