

**Paducah Gaseous Diffusion Plant
Citizens Advisory Board
Meeting Minutes
February 21, 2002**

The February 21, 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, Vicki Jones, Merryman Kemp, Ronald Lamb, Rebecca Lambert, Linda Long, Douglas Raper, Craig Rhodes, John Russell, Rosa Scott, Jim Smart, Bill Tanner, John Tillson, and Gregory Waldrop.

Board members absent: Judy Ingram.

***Ex Officio* members and related regulatory agency employees present:** Jeff Crane, Environmental Protection Agency (EPA), Gaye Brewer, Kentucky Division of Waste Management (KDWM); Carl Froede, (EPA), Tony Hatton (KDWM), Tim Kreher, Kentucky Department of Fish and Wildlife Resources (KDFWR), Jim Lane (KDFWR), Lauren McDonald (KDWM), Janet Miller (KDWM), and Jon Maybriar (KDWM).

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

The DOE Federal Coordinator present: Pat Halsey.

DOE-related employees present: Kevin Barber, Marshall Davenport, Steve Davis, Dave Dollins, Gordon Dover, Jim Ethridge, John Farrell, Bruce Gardner, Jill Holder, Kendall Holt, Fraser Johnstone, Steve Kay, Ricky Ladd, Lynn Link, Chris Marshall, Lauren McDonald, Christopher Potter, Glenn Van Sickle, and Stacey Young.

Public: Ruby English, Jim Grief, Mary Hall, Charles Jurka, Vicki Jurka, Kristi Hanson and Andrew Smith.

Agenda

Kay called the meeting to order. Halsey proposed adding a Groundwater Workshop report and a Surface Water recommendation to the agenda. **The Board approved the modified agenda by consensus.**

Minutes

Kay asked if there were any modifications to the January draft minutes. **The Board approved the minutes by consensus.**

Deputy Designated Federal Official's Comments

Seaborg said the C-410 Action Memo would soon be released.

The two CAB applicants, Tierney and Gregory, did not return phone calls messages asking them if they were still interested in board membership. PACE has identified Ricky Ladd, a Bechtel Jacobs employee, as an applicant.

DOE notified EPA and the State of Kentucky that soils in the North South Diversion Ditch contain RCRA F-listed waste. This was a result of the contaminants that were probably discharged throughout the ditch during past operations, primarily TCE. DOE is working to deal with their disposition.

William Murphie will manage the Paducah and Portsmouth sites. Gerald Boyd will fill Rod nelson's position, Assistant Manager for Environmental Management at the Oak Ridge Operations office.

DOE will hold a public meeting February 27 at 5:00 PM in the EIC. The meeting will be to discuss the site budget and DOE's Top-To-Bottom Review.

The February project updates will be sent in the mail.

Questions

Donham asked about the dispute regarding the Site Management Plan. Seaborg said the dispute has been elevated to the Senior Executive Committee and extended to March 26. There will be discussions in Lexington with Murphy the week of February 25. The dispute is over milestones in the Site Management Plan, which is required to be updated every year under the FFA. Crane added that there were concerns about the long-term cleanup schedule.

Ex-Officio comments

Crane said he has been assigned additional duties to oversee the PGDP cleanup and will transition some duties to Froede in the short term.

Crane noted an e-mail sent by Froede that was published in the Courier-Journal and Paducah Sun that contained inaccuracies regarding communication between EPA and DOE. Project meetings were cancelled but there was not a cessation of communication at the senior management level.

There are cleanup schedules in place for this year, but the EPA is working on updating milestone dates. EPA and the State of Kentucky recently provided comments on SWOU Removal Action.

Taylor said he had participated in a conf call with Jesse Roberson, Assistant Secretary for Environmental Management, who had directed field offices to slow down remedial fieldwork by 20 percent. Seaborg said this information has not been brought to his attention.

Donham asked for a copy of the Bickford letter to Abraham referenced in the Courier Journal. Taylor said he would be able to provide the letter to the board.

Public Comments

There were no comments from the public.

Presentations

C-746-U Landfill Update

Seaborg summarized the design and construction history and current landfill status. The landfill was permitted, designed, and constructed under RCRA subtitle D. The landfill has a leachate collection system and liner and is similar to a municipal landfill, except only DOE uses it. The liner was damaged in 1996 by cold temperatures and was remediated and passed testing. Other areas were removed and remediated after proof-roll test failure.

New PVC groundwater monitoring wells are now being installed to enhance the monitoring system. An assessment will be completed in early March and a fault study is planned for April. A Risk and Performance Assessment will be performed to determine if future CERCLA-derived solid waste can be safely placed in the C-746-U Landfill. The draft report will be provided to regulators on February 25, with comments due by March 15. The revised report is due to regulators on April 12.

There will be no hazardous, TSCA-regulated or radioactive waste placed in the C-746-U Landfill. The waste must meet RCRA Subtitle D and CERCLA Risk Assessment criteria. All waste would be characterized and the results would determine disposition. It is estimated that half of the waste from remediation will be hazardous or radioactive and half will be sanitary non-hazardous. There are 23 phases of construction.

Taylor asked status of the authorized limits package. Seaborg said it would be completed after the Environmental Assessment.

Crane said if the Performance and Risk Assessment would be available to regulators on February 25. Seaborg said he is currently working with Murphie on this matter. Crane asked about the direction of landfill expansion. Seaborg said it would expand to the north.

Donham asked if there would be public review and comments on the Risk Assessment. Crane said two decision processes are underway. The NSDD Risk Assessment will allow for the public an opportunity to comment during remedy implementation, but it will not be part of the formal process. The CERCLA Waste Disposition Remedial Investigation Feasibility Study will have a public comment period.

Donham asked if the Risk Assessment for the C-746-U Landfill was the one asked for by regulators. Crane said the decision document would be released with a public notice and be part of the public participation process.

Donham asked about the University of Kentucky work at risk because of the dispute concerning the Agreement in Principle and Federal Facility Agreement grants. Seaborg said DOE funds the State of Kentucky under the FFA grant and the AIP to perform oversight and monitor operations. DOE has not funded the full amount the state requested. The state is currently reevaluating the situation. The current funding is part of the last fiscal year's fund and will run out in March.

Seaborg said any grant recipient has to perform certain functions, which the state has done. DOE has agreed to fund the state for 1.65 million dollars, which is consistent with historic spending rates. Donham asked that more information be provided to the task forces. Taylor said the state would update the board on this issue. Kay suggested that someone make a proposal during task force reports as to how to monitor situation.

Russell asked why DOE did not consider using a regional waste management plan. Seaborg said the C-746-U Landfill was built according to modern standards and DOE has exclusive use. He added there would be a possible increase in general disposal costs for items such as office trash because of transportation risks and costs.

Tillson said he would like to see a per-ton cost for running the landfill. He said he would like a copy of the information about groundwater contamination evaluation and leachate information at landfills.

English asked how many acres Phase 23 would involve and where the end of the landfill would be. Davis said it would include 1.5 acres, but the footprint of the C-746-U Landfill would cover 50 acres. The current cells cover six acres. The landfill's waste disposition area eventually will cover about 23 acres. English asked where the landfill would end in relation to the nearest road or the post in the road. Seaborg said the landfill would end one-quarter to one-half mile from the nearest private property.

Jurka said the drawing looked like the landfill goes further than indicated in the aerial photograph and requested that someone tell Ruby English the exact amount of acres to be used for the landfill. English said she would like to know exactly where the landfill

would end in relation to her house. Jurka asked if the leachate would be sent to the C-615 for testing. Seaborg said yes.

Surface Water Task Force Recommendation

Tanner gave the presentation. He said the Surface Water Task Force is concerned about leaking pipes underneath the plant. The task force believes that leaks in the pressure and sewer pipes contribute to groundwater contamination. There has been no comprehensive water audit, but quick, inconclusive audits have been completed over the years. On sewers lines, the disturbed soil around the lines is not as compact as undisturbed soil. Contamination is concentrating in less dense areas.

DOE and BJC have said the pressure mains leak before water enters the plant. The task force report said the result is that water going into trench beddings is contaminated and discharged also into Big and Little Bayou creeks and that another result is that the groundwater in the Regional Gravel Aquifer is surcharged at an artificial height under the plant. The water reservoir accelerates groundwater velocity. Currently, an audit is scheduled for 2012. The task force would like the board to recommend to DOE inspect and perform surveys on water mains and gravity sewers.

Russell asked if there were any combined systems still in place and if the systems were well mapped. Tillson there were separate systems and there were good maps. Tanner said there are nondestructive ways to check for leaks. Tanner said if there are water main leaks, there is a potential criticality issue with USEC. The pipes can be repaired while in operation if there has not been catastrophic failure.

Russell said that the Bowling Green community was currently doing a television sewer survey with the help of Western Kentucky University students. Tanner said he talked to someone from another site that stated that when pressure mains were repaired, the force pushing contaminant plumes were stopped.

Tillson asked if the board needed to go through the FOIA process to get additional blueprints. Seaborg asked him for a list. Tillson said he had once done a dye trace and the dye never came out of the lines where he had poured it.

Tanner said a variety of technology is available to fix the leak problems. Taylor said the state has brought up these concerns several times. However, if the sources are shut down, the pump and treat systems may not work properly if restarted. Tanner said the plumes are spreading beyond pump and treat stations.

Groundwater Operable Unit Task Force Report

Smart gave a report on the Groundwater conference in Augusta. Smart said CAB representatives from the nine DOE sites met to tour the Savannah River Site and discuss new technology. The purpose was to develop a workshop final statement. He provided the board with a joint recommendation, listing groundwater as a cleanup priority. Kay suggested moving formal approval of the recommendation to the March meeting. Russell said he would like more information. Taylor said that the state is concerned getting line

item costs for Long-Term Stewardship.

Donham said, regarding the Surface Water Task Force recommendation, it is within the CAB charter to comment on DOE issues. He said this issue seemed to involve USEC because the company could benefit from DOE's cleanup funds.

Surface Water Operable Unit Task Force Report

The Surface Water Operable Unit Task Force met Tuesday, February 12 at the CAB office. Notes from the meeting, including a copy of the proposed recommendation Tanner presented, were in the board packets for tonight's meeting.

Landfills/Waste Operations Task Force Report

The Landfills/Waste Operations Task Force met Wednesday, February 13 at the CAB office. Tillson reported there is some crossing in waste generation and cost justification for the C-746-U Landfill. He asked about the lowest number to justify building the CERCLA Cell. Seaborg said 3.1 million cubic yards would be the volume of waste, including the D&D of USEC-leased buildings. Tillson asked about operation costs. Kay suggested that someone get back to Tillson with this number.

Raper asked how long it would take to accumulate 3.1 million cubic yards of waste. Seaborg said it would depend on the length of time facility would be leased.

Long Range Strategy Task Force Report

Halsey said the meeting was cancelled, but that Bob Sleaman would address the public next week regarding ht budget.

Budget, Finance and Administration Report

The task force did not meet.

Community Concerns Report

Rhodes indicated a draft proposed recommendation. Tillson said the task force would return with a proposal at the next meeting. Long said the subcommittee minutes should say that she had been told that her contamination levels in her well water were unsafe, but it would be better to drink than city water. She said she would like to know the actual levels from initial tests.

Smart asked if the task force wanted DOE to compensate the landowners and let them keep the land. Tillson said that portions of land were undeniable contaminated and there was damage, which the final recommendation would clarify. Smart suggested to recommend buying out the landowner. Russell said the recommendation was not actionable.

Lamb said there had been some discussion that he had a conflict of interest. He said he

had made comments in the Courier Journal as a plant neighbor, not a CAB member. Tillson asked if Lamb had a lawsuit against DOE. Lamb said no and asked if he would be able to speak on issues. Seaborg said that Lamb has a needed perspective and that the Conflict of Interest was to protect Lamb in the event that anyone would accuse him of seeking private gain by CAB actions. Kay said the Conflict of Interest specification means when you think may have a conflict, you should indicate when there is a potential conflict. This does not prevent participation.

Donham said the Conflict of Interest is not a regulation, but an internal policy. He said he does not believe there is a conflict of interest in this situation. There are inconsistencies in enforcement of this policy at different sites, he said. Donham added that he did not believe anyone has had a conflict of interest put in writing in a board packet. Halsey said this has happened at Oak Ridge. She said DOE guidance says that the DDFO has to note the situation.

Donham said it is difficult to find people not touched economically by the facility. Seaborg said he had to ensure that activities were conducted according to policy to protect the members from accusations. Long said she is not involved in a lawsuit. She asked if she should not participate in the subcommittee if her wells were tested and contamination was found.

English said that several people at the meeting have conflicts of interest.

Jones said her membership was in question at one time because she worked for a DOE contractor.

Public Involvement Report

Young said a draft CABfare was in the packet and approval is needed by February 28.

Nomination and Membership

Courtney said the board could appoint Ladd to the PACE position. Seaborg said the position does not have to be filled by a plant worker. Tillson said Ladd is an employee of the primary contractor. Courtney proposed recommending Ladd for membership. Tillson suggested holding the proposal, but said he would abstain from voting. The board proposed recommending Ladd for membership.

Young said requests for applicant were sent to various organizations throughout the community. The response has been good.

Review of Workplan and Agenda

Young said the Surface Water Task Force would like to tour the North South Diversion Ditch. Tanner said the task force should combine the NSDD tour with a tour the scrap yards to see the sedimentation basins. Lambert, Tanner, Raper, and Russell said they would like to take the tours.

Donham asked for an explanation of the Site-Wide Sediment Control document. Tanner asked to get a copy before the next meeting.

Federal Coordinator Comments

Halsey said the Chairs conference call would take place February 22. Gene Schmidt will speak about the 2003 budget.

Young said that Lambert, Long, Raper, and possibly Donham would attend the chairs conference in Cincinnati.

Halsey said the board could discuss reelection of task force chairs or wait to discuss at the retreat.

Young discussed retreat plans and asked who planned to attend.

Meeting adjourned.