

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

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

Board members absent: Ricky Ladd, Rosa Scott, and John Tillson.

***Ex Officio* members and related regulatory agency employees present:** Tim Kreher, Kentucky Department of Fish and Wildlife Resources; Gaye Brewer, Jon Maybriar, Gary Morgan, and Tuss Taylor, Kentucky Division of Waste Management.

The Deputy Designated Federal Official present: Don Seaborg.

The DOE Federal Coordinator present: Pat Halsey.

DOE-related employees present: Jim Beavers, Greg Cook, Teresa Crisler, Marshall Davenport, David Dollins, Gordon Dover, Jim Ethridge, John Farrell, Greg Felts, Bruce Ford, Bruce Haas, Craig Jones, Steve Kay, Lynn Link, Jim McBrayer, Jim Skridulis, Glenn Van Sickle, Tom Wheeler, and Stacey Young.

Public: Jim Chestnut, Richard Dyer, Kristi Hanson, Charles Jurka, Vicki Jurka, Al Puckett, Nita Rose, Jim Rose, Andrew Smith (Envirocare), Corrine Whitehead, and Pete Whitehead.

Agenda

Kay called the meeting to order. Kay proposed to add discussion regarding the September Chairs election to the agenda under administrative issues. He also proposed to add the CAB visit by Assistant Secretary Jessie Roberson under Task Force reports. **The Board approved the modified agenda by consensus.**

Minutes

Kay asked if there were any modifications to the July draft minutes. Kemp stated the fourth paragraph under Action Items on page 5 should read as follows: "Kemp said she would contact Nola Courtney regarding Courtney's action item to contact the Agency for Toxic Substances and Disease Registry on the information on Bradford Road." **The Board approved the amended minutes by consensus.**

Deputy Designated Federal Official's Comments

Introduction of David Dollins as the Federal Coordinator

Seaborg announced he will appoint David Dollins as the Federal Coordinator for the Paducah CAB. He expressed great appreciation to Pat Halsey who has served as the Federal Coordinator since January 2001. He stated Headquarters wanted a local presence for this position, and that Halsey would be continuing to work with Dollins for the next three months during the transition period.

Seaborg also stated Roberson had not been aware the board was funded and supported by the Department of Energy's (DOE's) contractor, Bechtel Jacobs Company LLC (BJC). He said this arrangement was undergoing review because she wants the CAB's primary contacts to be federal employees. He explained there were other sites across the complex in similar situations and that they would be considered as well. He stated he didn't know at this time what guidance or direction this issue would take.

ES&H issues

Seaborg reported there has been one occurrence since last month. This involved the ongoing work of the time critical removal action of a sulfuric acid tank near the C-410 Building. Sparks from a blowtorch used during cutting apparently smoldered for several hours after the removal work was complete even though, before the employees left, the area was checked and no signs of fire or smoke were detected. The day after the cutting was complete, employees found smoke coming from the cross ties. It was quickly extinguished and reported appropriately. There was no other property damage or insult to the environment.

Budget Updates

Seaborg stated that currently, there is legislation in the Senate to address the budget issues at the site, but that the final result is still unsure at this time.

EM Project Updates

Seaborg indicated the project updates were not included in the board packets. He said the site office has become more involved in the review of the updates to provide a more useful tool for the board. He indicated that the project updates would be e-mailed to the CAB in a week or two, and that he would appreciate any feedback or comments from board members.

In the interim, Seaborg gave a brief report on project status:

Scrap Metal Removal – The sediment basin is complete and the equipment mobilized. DOE will be ready to start scrap processing as soon as arrangements are finalized with the disposal facilities.

North-South Diversion Ditch (NSDD)– The Record of Decision (ROD) for the work inside the fence (Phase 1-which incorporates sections 1 and 2) is with the regulators for review. Fieldwork will begin as soon as the ROD is signed by the regulators (approximately 10 days). A copy of the ROD has been placed in the CAB office.

DOE Material Storage Area (DMSA) characterization is continuing on track.

Cylinder yard construction - The K-South and N yards are complete. The concrete is curing and the yards should be ready for use in late September or early October. The K-North yard is nearing completion.

C-410 Decontaminating and Decommissioning (D&D)- The Action Memorandum is approved and comments have been received on the Removal Action Work Plan.

Six-Phase Treatability Study – Installation of electrodes is progressing well and slightly ahead of schedule.

CAB Recommendation Status

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

Seaborg said that an answer will be forthcoming next month on the Sewer Rehabilitation recommendation.

Other

Seaborg stated he was aware, due to the ongoing negotiations toward accelerated cleanup, that DOE project managers have not been able to provide much support to the board and task forces. However, he stated he has now been given approval to allow DOE staff to attend task force meetings and to participate in discussions of projects that have been agreed to by DOE and the regulators (NSDD, Scrap Metal, and Six Phase). DOE staff still will not be able to participate in discussions of projects that are currently in negotiation. Seaborg apologized to the CAB for the frustration this situation has caused and expressed his appreciation for all of the hard work the CAB has done. He stated he hoped the CAB would find DOE more supportive in the future.

Lastly, Seaborg commented on the Conflict of Interest issue the board had addressed at the July meeting. In discussions with Martha Crosland, DOE's Designated Federal Official for the Federal Advisory Committee Act Charter public advisory board for environmental management, and DOE chief counsel, no basis was found that there would be any personal benefit gained from discussions held with the media. Martha Crosland has requested that any member of the board that speaks to the media should clearly identify that they are speaking as a private citizen and not for the board unless they are reporting on approved recommendations or documented board stances on issues being addressed by the board. Seaborg stated he had sent this information to the CAB chairman via e-mail.

Ex-Officio comments

Taylor reported the NSDD ROD was received last week and they were working very hard to get comments to DOE by Monday. He also stated that comments on the C-410 Removal Action Work Plan should be to DOE by August 16 or August 19.

Public Comments and Questions

Vicki Jurka requested that the public be allowed to comment or ask questions after the Seismic Study Report presentation, and the Board agreed.

Donham asked what the difference was between an Action Memorandum and a ROD. Seaborg replied that the Action Memorandum was the documentation associated with a removal action and that a ROD was the documentation associated with a remedial action.

Action Items

Kemp distributed an e-mail to the board from Nola Courtney in answer to action item number 12 that stated Courtney would contact ATDSR regarding the information on Bradford Road.

In answer to action item numbers 13 and 14, Donham and Rhodes distributed a re-draft of the Community Concerns recommendation to the board to be discussed during the Task Force reports.

Donham, in answer to action item number 15, requested a copy of the PowerPoint presentation given at the June or July 2000 public meeting in order to determine the total cost in the Groundwater Feasibility Study. The compact disk (CD) he was recently given has the cost broken out by individual actions and it would be very time consuming for him to try to use those figures to determine the total cost. He stated he is certain that a total cost figure was in that presentation. Young will provide the presentation to Donham.

Halsey reported Amy Rothrock has the blueprints that John Tillson requested (action item number 17) and that she will be in contact with Tillson in the next couple of weeks.

Young reported action item number 18, assigned to Tillson, was still pending as of a week ago.

Seismic Investigation Report Presentation

Dollins presented the Seismic Investigation Report that stated the results of the seismic investigation of site 3A as a potential site for a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) waste disposal facility at the Paducah Gaseous Diffusion Plant (PGDP).

Dollins noted in the presentation that under the Accelerated Cleanup Plan, DOE has postponed further planning on a CERCLA waste disposal facility. Questions and discussion followed.

Questions

Rhodes asked how studying Barnes Creek helped this investigation since Barnes Creek is on a different fault system. Dollins answered that the formations were very similar. Beavers (seismic expert) answered that Barnes Creek and site 3A were too close together not to be connected.

Donham stated that previously, Chris Kramer had given a presentation with figures that differed from this report, specifically the .48g peak ground acceleration. Beavers explained that the principal area of the New Madrid seismic zone was at least 130-140 miles from here and that this area would not see peak ground acceleration larger than .48g. He said the loose soil can't elastically transmit as much energy from the bedrock to the surface. The looser the soil, the less peak ground acceleration.

Tanner stated he thought that for public infrastructure, the seismic design criteria for extreme Western Kentucky was .17g, including elevated water storage tanks, bridges, and buildings. He said he would confirm that figure at the next board meeting.

Beavers stated that the seismic design criteria for PGDP buildings was .15g, because the Nuclear Regulatory Commission didn't originally believe the plant would be over 25 years old.

Russell asked Dollins if this report disqualified the site for a future CERCLA disposal facility. Dollins replied that this information didn't disqualify the site.

Seaborg stated the lack of the presence of Holocene faults in this study was very encouraging.

Raper asked about the size of site 3A. Dollins replied the site was 110 acres total, with 70 acres for the CERCLA footprint.

Dollins added that there was no need in the study to test-pit the wetlands. He stated that enough information was provided by other methods to complete the study.

Raper asked if the boreholes went through the aquifer. Dollins replied that they didn't.

Donham asked how seismic activity would affect the liner of the cell. Beavers answered that the liner of the cell would be designed to stretch to prevent major failures based on the .48g peak ground acceleration figure.

Hanson read statements from the "Seismic Investigation Report for Siting of a Potential On-site CERCLA Waste Disposal Facility at the Paducah Gaseous Diffusion Plant, Paducah, Kentucky (DOE/OR/07-2038&D1)."

Corrine Whitehead addressed the board with comments about a large rift system that she stated encompasses this area. She quoted research data from the late Dr. Otto Nuttli that supports her understanding that this is a dangerous area for the probability of future earthquakes. She urged extreme caution in placing nuclear substances in landfill or CERCLA cell waste disposal facilities.

Nita Rose inquired what other sites had been studied. Skridulis replied that earlier work had been done on the on-site landfill, but that site 3A replicated the results found at the on-site landfill. He stated that other seismic sites had been considered, but not pursued due to different seismic conditions.

Donham inquired if this area was inside the rift and Beavers replied that it was, but only in a very general sense. He stated that this area is more on the edge of the rift, and that Memphis, Tennessee, is in the middle.

Dollins stressed to the board and public that they were always welcome to send their comments to him on this subject.

Hanson asked if this information will go into the public record, and Skridulis replied that it goes into the Administrative Record.

Vicki Jurka stated that the C-746-U Landfill was under seismic re-investigation for the next two years and asked if the information from this study would be incorporated into the site 3A study. Dollins replied all new information would be considered. He stated that the site 3A document would be re-assessed when DOE begins planning for the full D&D of the plant.

Water Task Force

The task force did not meet this month.

Waste Operations Task Force

Kemp explained due to the lateness of the meeting last night, the minutes are not in the packet. She asked all the board members that attended to please incorporate their changes and the minutes would be in the packet for the September meeting.

Kemp reported due to technical difficulties that Russell and Taylor were not able to call in to join the meeting. She stated Dollins attended in order to discuss the NSDD. The task force is considering hiring a technical expert to help them in their understanding and concerns about the sampling connected with the NSDD.

She stated Andy Smith and Dan Burns of Envirocare also attended to discuss and answer questions about the Envirocare waste disposal facility.

Donham clarified that the task force wants a Resource Conservation and Recovery Act (RCRA) technical expert to assist them. Halsey stated that \$25K had been set aside for consulting costs.

Donham also stated technology is available to create a three-dimensional map for sampling that would provide very exact excavation. Russell stated that the act of excavating produces waste. Dollins replied DOE is not arbitrarily doing excavation without data. The data from 50 samples, both historic and recent health and safety events, indicates exposure risk to workers. He emphasized protection for workers is a driving force.

Long Range Strategy/Stewardship

The task force did not meet this month.

Assistant Secretary Jessie Roberson Visit

Raper reported the CAB visit (attended by Donham, Raper, and Waldrop) with Roberson was very beneficial. The discussion included contracts, long term stewardship in the

accelerated cleanup plan, and the three projects that DOE is now allowed to participate in discussions with the CAB:

1. NSDD
2. Scrap Metal
3. Six-Phase

Donham said he found Roberson very sincere and impressive. He found her honesty refreshing when she stated if the Six-Phase Treatability Study doesn't work, that DOE will try something else. He stated she seemed surprised by the M&I contract support for the CAB and that she said she planned to look into it and try to make some adjustments.

Waldrop remarked he had inquired about the Core Team process that has been idle for several months. Roberson replied the process was not accountable enough and that decisions needed to be made by senior level management for all parties involved.

Community Concerns

Rhodes reported the subcommittee met and prepared the revised recommendation distributed earlier at the meeting.

After discussion, the subcommittee agreed to change the wording of one sentence in the recommendation. CAB support staff will prepare a direct mailing to all of the Water Policy Box participants. **The Board approved sending the proposed recommendation and questionnaire to the residents in the Water Policy Box by consensus.**

Public Involvement/Membership

The subcommittee (Kemp, Lambert, and Waldrop) will convene next week to review nominations for chair elections in September. Board members should contact Kemp with nominations via e-mail or phone. The subcommittee will present their nominations to the board at the September meeting. Nominations will also be taken from the floor at that time.

Donham inquired on the status of the new membership packet. Halsey reported that she has not heard from Headquarters yet, but that she will check on it and report at the next board meeting.

Administrative Issues

Kay reported he has only received nine of the Self-Evaluation Surveys. He requested board members that have not returned these to complete them and return them within the next two weeks. He will then compile the results. Young will re-send the evaluation form to Rhodes.

October Chairs' Meeting

Halsey announced there would be a chairs' conference call on August 20, 2002 at 2:00 p.m. - 3:30 p.m. The call-in access number will be e-mailed to the chairs. She also said a website for the chairs' meeting will be available then as well.

Young requested that board members notify her within the next two weeks (by September 17) if they plan to attend in order to make travel arrangements. Lambert, Long, Raper, and Tanner are planning to attend.

Halsey said presentation items required for the chairs' meeting would be discussed at the September board meeting and finalized before the October chairs' meeting.

Review of Workplan

The board requested a presentation in September on the three projects that DOE is moving forward with at this time. The presentation will be designed to summarize and review the projects and will be approximately 45 minutes (10 minutes per project with 5 minutes for questions for each project).

Tanner suggested the board request a presentation on the Water Policy in October by DOE Project Manager, Gary Bodenstein. The board agreed and this will be added to the workplan.

Review next agenda

The board approved that Chairs elections be added to the September agenda immediately after the approval of minutes.

Raper encouraged the board to review the Agenda Priority Setting information from the Idaho board that was placed in their board packets. He explained this is the process the Idaho board uses to build and rank their workplan for six-twelve months. He requested that discussion for this be placed on the September agenda under administrative issues. The board agreed.

Federal Coordinator comments

Halsey did not have additional comments.

Young requested that each board member fill out the new travel profile in their board packets. She explained that BJC has a new travel agency and needs the new forms.

There were no final comments.

Meeting adjourned at 8:45 p.m.