

**Paducah Gaseous Diffusion Plant
Citizens Advisory Board
Meeting Minutes
April 17, 2003**

The April 17, 2003 Citizens Advisory Board (CAB) meeting was held at the CAB office in Paducah, Kentucky at 5:30 p.m.

Board members present: Mark Donham, Richard Dyer, Vicki Jones, Merryman Kemp, Ricky Ladd, Linda Long, John Russell, Jim Smart, Dorothy Starr, and John Tillson.

Board members absent: Fred Jones, Ronald Lamb, Rebecca Lambert, Douglas Raper, Craig Rhodes, Rosa Scott, Bill Tanner, and Rev. Gregory Waldrop.

***Ex Officio* members and related regulatory agency employees present:** Brian Begley, Gaye Brewer, Jon Maybriar, Janet Miller, Todd Mullins, and Tuss Taylor, Kentucky Division of Waste Management, Jay Bassitt and Carl Froede, Jr., U.S. Environmental Protection Agency, Region IV.

The Deputy Designated Federal Official present: Dianna Feireisel for Don Seaborg.

The DOE Federal Coordinator present: David Dollins.

DOE-related employees present: Raul Castaneda, Greg Cook, Craig Czuchna, Gordon Dover, Jim Ethridge, Greg Felts, Steve Kay, Lynn Link, Chris Marshall, Brad Montgomery, Kendra Payne, Bruce Phillips, Robert Seifert, Glenn Van Sickle, Tom Wheeler and Stacey Young.

Public: Holly Czuchna, Ruby English, Chrystal Galloway, Charles Jurka, Vicki Jurka, Al Puckett, Matt Wickham, Dick Veazey, Jim Zumwalt

Agenda

Kemp called the meeting to order at 6:08 p.m. Kay asked if there were any proposed modifications. Smart stated the Board needed to discuss the cancellation of task force meetings. Dollins said he would address the issue during the Federal Coordinator comments. Kemp reported a member of the public wanted to make an announcement but could do so during the public comment period. **The Board approved the agenda by consensus.**

Minutes

Kay asked if there were any proposed modifications to the February draft minutes. There were no modifications. **The Board approved the minutes by consensus.**

Deputy Designated Federal Official's Comments

Dianna Feireisel represented Don Seaborg, who is on special assignment.

ES&H Issues

Feireisel reported there have been some quality assurance issues related to the samples taken from the C-613 Sediment Basin, Lasagna and the Six-Phase Treatability Study. She said sampling discrepancies are under investigation and re-sampling is underway. Donham asked how the discrepancies were discovered. Feireisel said they were discovered during a routine management assessment.

Feireisel said as a result of a Notice of Violation (NOV) issued to the U.S. Department of Energy (DOE) by the Commonwealth of Kentucky, DOE has developed a Toxicity Reduction Evaluation. The NOV was issued in the fall due to reported toxicity at Outfall 001.

Feireisel reported workers recently discovered a culvert pipe with fixed contamination near Outfall 001. She said the area has been posted as a radiological area. Smart asked how the culvert was discovered. Dover said an employee located the culvert. Taylor asked how the fixed contamination was determined. Dover said the pipe was sampled (scanned and smeared).

Budget Updates

Feireisel provided the Board with the FY03 Budget Allocation. She said the FY04 President's Request is for \$130 million, which would mean an increase in funding for cleanup.

The FY03 Allocation listed four categories and the funding for each. Donham asked for an explanation of the four categories. Feireisel said Cleanup and Waste Disposal covers Comprehensive, Environmental Response, Compensation and Liability Act (CERCLA)

and Resource Conservation and Recovery Act (RCRA) issues, as well as DOE Material Storage Area (DMSA) waste. She said Base Operations is the surveillance and maintenance of the facility, S&S is Safeguards and Securities. The last category is Litigation, Records Search, Western Kentucky Consortium, United States Enrichment Corporation (USEC) Severance and Agreements in Principle (AIP). Donham asked if there are any earmarks in the budget for the depleted uranium hexafluoride (DUF₆) Conversion Facility. Feireisel said the \$45 million allocated for the facility is not included. Donham also asked if DOE and the Commonwealth of Kentucky felt the funding is adequate to accomplish the milestones. Feireisel said DOE could meet the milestones with the given funding.

Project Updates

Feireisel said the project update information is provided in the meeting packet and offered to answer any questions.

Questions:

Waste Disposition – Russell asked why DOE is planning to dispose of 10,000 wood pallets in the C-746-U Landfill. He said it would be unnecessary to occupy that much volume, since wood pallets do not compress well. Dover said the pallets are of no value because they could have contamination below detectable limits by instrument. He said wood is porous, making it possible for contamination to soak in, therefore, DOE has chosen to dispose of the pallets on site. Russell asked if the pallets are going to be processed. Dover said no, that shredding the pallets would increase the volume. Russell asked if Authorized Limits is being adhered to. Dover said yes.

CAB Recommendation Status

Feireisel reported she has received the letter from the CAB requesting a draft of the Site Management Plan (SMP) Dispute Resolution Proposal prior to being signed by all parties. Feireisel said the proposal has already been agreed to and signed by all parties.

Other

Feireisel, with regrets, reported that Stacey Young is leaving Bechtel Jacobs Company LLC. She said Young has accepted an employment opportunity with Western Baptist Hospital.

Federal Coordinator Comments

Dollins said that several Board members have been leaving before the meeting has ended. He encouraged Board members to stay the duration of the meeting. Dollins said it is vital that everyone is involved.

Dollins reported a set of meeting ground rules has been posted as a result of a request made at the March Board meeting. He said the rules are a tool to help carry out the meeting in an efficient and civilized manner.

Dollins stated that a Board member expressed concern that not everyone was involved in a decision to cancel a task force meeting. He said there should be a policy regarding the cancellation of task force meetings. Donham said there were brief statements made that the meeting was cancelled, but reasons were not provided. Russell said due to lack of agenda items and extraordinary circumstances he cancelled the Waste Operations Task Force meeting. He said the process is not how he would have normally handled the situation. Kay said it would still be beneficial to develop a brief set of guidelines for task forces. Young suggested that the Long-Range Strategy/Stewardship Task Force develop the guidelines. Kemp questioned whether administrative matters come within the scope of the Long-Range Strategy/Stewardship Task Force. To speed the meeting along, the Board agreed at this time to give this task to the Task Force.

Ex-Officio Comments

Taylor reported the Commonwealth of Kentucky is in the midst of making decisions on waste issues. He said there are several issues being discussed but that he could not go into detail.

Tillson asked if there has been any recent developments regarding the North-South Diversion Ditch (NSDD) sampling plan. Taylor said a letter of conditional approval has been issued. Tillson asked if the plan addresses F-039 waste. Taylor stated it was discussed with DOE, but decided it was not an issue. Tillson asked if any of the existing samples exceed the landfill perimeters for any of the F-039 components and if F-039 level limits have been established. Taylor said that has not been discussed. Tillson asked if DOE has applied for a contained in policy and if so, what F-listed wastes does it address. Taylor said yes, a contained in policy has been applied for listing F-001 as the contaminant of concern.

Donham asked if the milestones set in the SMP Dispute Resolution are consistent with the current Federal Facility Agreement (FFA). Taylor said the resolution is now the current FFA. Donham asked if they have gone through the official legal process for amending the FFA and if a new legal document has been filed with the court. Taylor said no, and that the next step is to issue the new FFA with schedules included. Donham asked why the public would not be involved in the process. Froede said the changes in the FFA are only minor modifications, which does not require a public comment period. He said the milestones are similar to the ones in the original agreement.

Comments

Vicki Jurka reported that Active Citizens for Truth (ACT) has been working with the University of Kentucky Superfund Outreach Program to establish programs that are beneficial to the community. She said they will be holding a lecture series beginning on

May 13, 2003 at Heath High School from 6 to 8:30 p.m. Jurka stated the lectures will cover cancer statistics and how they are formulated and interpreted, chemicals and cardiovascular disease, and the health impacts of heavy metals. Jurka said the program would be holding another lecture series sometime in the fall.

Action Items

Russell said he has polled the Waste Operations Task Force to clarify if the group is interested in hiring a technical expert or if they desire to receive training. Russell said he has not heard from everyone yet but is still trying to resolve the issue.

Young said the Commonwealth of Kentucky has not set a date for a public hearing regarding the Kentucky Pollution Discharge Elimination System (KPDES) Permit.

Young reported USEC has provided a formal response to the Board's inquiry regarding whether or not USEC will introduce a transuranic (TRU) waste stream to Paducah during reprocessing of uranium from Russia. She said the response is attached to the action items and the action can be closed.

The dinner meeting scheduled for June 20, 2003 will be held at Tribeca at 6 p.m.

Kemp has drafted a letter of support to ACT and a reply to the ACT letter regarding the Community Concerns Landowner Compensation Recommendation. Both have been sent.

Uranium Disposition Services (UDS) Presentation

Dick Veazey gave the Board a presentation on Uranium Disposition Services (UDS). UDS has received the contract for the DUF⁶ Conversion Facility. Veazey's presentation included background information, scope, schedules and funding for the facility.

Questions

Donham asked if the scheduling for the UDS facility is in compliance with the National Environmental Policy Act (NEPA). Veazey said the scheduling information would be included in the Environmental Impact Statement (EIS). He said the EIS would be available for public comment in June/July 2003. Donham asked if a Notice of Intent has been published in the Federal Register. Veazey said a Notice of Intent was published in September 2001.

Maybriar asked Veazey to explain the 25-year lifecycle. Veazey said it would take 25 years to convert the existing cylinders owned by DOE. He said cylinders generated by USEC are not included in the timeline. Maybriar asked what is the final disposition of the USEC cylinders. Veazey said USEC and DOE have not negotiated the disposition path for those cylinders.

Donham stated there are five or six thousand cylinders that are very old and may not be able to withstand heating, which is part of the removal process. Donham asked if those cylinders will have to go through a cold removal, and if so, is the additional time figured into the schedule. Veazey said some cylinders will require a cold removal, and that time has been allotted for that process.

Smart asked if there are any plans for the cylinders once they have been emptied. Veazey said the cylinders would be reused as storage containers for oxide, which is a product of the conversion process. Donham asked if there are any plans for the cylinder heels and cylinders containing TRU waste. Veazey said the cylinders containing TRU waste will be stabilized. He also said high levels of contamination on the heels are not expected, therefore the heels will be put back with the cylinders and used for oxide storage.

Russell asked if the Uranium 308 (U-308), a product of the conversion process, has reuse abilities. Veazey said U-308 does not have a good reuse, and that it will be disposed of at either Envirocare or the Nevada Test Site.

Mullins asked how UDS plans to manage the cylinders. Veazey said UDS will not paint the cylinders but will monitor them through routine surveillance.

Donham asked what is the capacity of the Richland, Washington (Hanford) facility. Veazey reported the facility converts enriched uranium into fuel pellets for commercial businesses.

Scrap Metal Removal Project Update and Decontamination and Decommissioning (D&D) Project Presentation

Raul Castaneda, DOE Project Manager, gave the Board a brief update on the Scrap Metal Removal Project and Craig Czuchna, DOE Project Manager, presented the D&D Project.

Questions:

Smart asked if there have been any recent developments regarding nickel ingots. Feireisel said DOE cannot move forward with nickel ingots until the Final Programmatic Environmental Impact Statement on Scrap Metal Disposition has been published.

Chairs' Meeting Presentation

Kay gave the Board a recap of the national Chairs' meeting that was held in Denver, Colorado on March 27-29, 2003.

Kemp reported she along with Raper, Tanner, Long, Young, Link and Payne attended the meeting. She also reported Sandra Waisley, DOE Environmental Management (EM) Designated Federal Officer (DFO) for the Site Specific Advisory Boards (SSABs), is

requesting that each SSAB include a one-page listing of successes in their annual reports. Kemp stated the Paducah CAB had the largest contingency at the meeting.

Questions

Donham stated he was curious about the potential Federal Advisory Committee Act (FACA) implications from the Chairs' committee on making recommendations of any type. He said the Chairs' committee should comply with FACA, which would mean publishing a notice in the Federal Register.

Water Task Force

The Water Task Force did not meet in April 2003.

Long Range Strategy/Stewardship

Kemp reported the task force discussed inviting members from the community to participate in the task force meetings. She said Tanner is developing an invitation.

Kemp also reported Tanner would be drafting an email to Jessie Roberson and Mike Owens seeking clarification on the relationship between EM and the Office of Legacy Management (OLM) and how OLM will interact with SSABs.

Long added that the task force plans to develop an ad hoc committee to plan the Chairs' meeting Paducah is hosting in late September.

Membership, Nomination and Public Involvement

The Membership, Nomination and Public Involvement Subcommittee did not meet in April 2003.

Waste Operations Task Force

The Waste Operations Task Force did not meet in April 2003.

Community Concerns

The Community Concerns Subcommittee did not meet in April 2003.

Administrative Issues

Review of Workplan

Young reported four presentations are scheduled for May. Dollins said presentations should be limited to two per Board meeting in the interest of time. Kemp suggested moving the KPDES update and Dr. Birge's presentation to June. **The Board agreed.**

Review of Next Month's Agenda

Kay said the KPDES permit update and Dr. Birge's presentation should be removed from the May agenda. He also suggested adding planning for the September Chairs' meeting and development of the agenda for the June 20, 2003 dinner meeting under administrative issues. **The Board approved the modified agenda by consensus.**

Final Comments

Kemp reported that Fred Jones has been very ill, but plans to attend the May Board meeting.

Dollins again encouraged Board members to become involved in Board activities. He said it is difficult to make accomplishments when attendance is low. Russell said many members are discouraged in how issues are handled. He said the Board has not been given the opportunity to render advice to DOE. Dollins said he understands the frustration of many members. He also said some issues are out of the hands of the local DOE staff. Dollins said he does not want the Board to lose its momentum and that he will continue to encourage members to stay involved. Smart suggested putting issues that require a quorum earlier in the meeting.

Kemp said due to funding issues, many other SSABs will send fewer people if any at all to attend the September Chairs' meeting. Kay pointed out that the meeting is an opportunity for Board members to attend a Chairs' meeting and observe how the SSABs interact on a national level.

The meeting adjourned at 8:50 p.m.