



PADUCAH GASEOUS DIFFUSION PLANT CITIZENS ADVISORY BOARD

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Paducah Gaseous Diffusion Plant Citizens Advisory Board Meeting Minutes November 17, 2005

The Citizens Advisory Board (CAB) met at the CAB office in Paducah, Kentucky, November 17, 2005, at 6 p.m.

Board members present: John Anderson, Allen Burnett, Chad Kerley, Bobby Lee, Linda Long, Janet Miller, John Russell and Jim Smart

Board members absent: Barry Eadens, Shirley Lanier and Rhonda McCorry

Ex Officio members and related regulatory agency employees present: Jon Maybriar, Kentucky Division of Waste Management; Doug Dawson and Tim Kreher, Kentucky Department Fish and Wildlife Resources; and David Williams, Environmental Protection Agency

Deputy Designated Federal Official present: David Dollins

DOE Federal Coordinator present: David Dollins

DOE-related employees present: Jeannie Brandstetter, Greg Cook, Kim Crenshaw, Bruce Ford, Bruce Gardner, Bob Giroir, Steve Hampson, Lester Hurst, Steve Kay, Reinhard Knerr, Steve Meiners, Joe Tarantino, Elizabeth Trawick, and Dick Veazey

Six members of the public attended the meeting.

Agenda

Kay asked for proposed modifications to the agenda. Kerley said the Site Management Plan (SMP) update will be postponed and the Retreat discussion will follow the task force presentations. **The Board adopted the agenda by consensus.**

Minutes

Kay asked for proposed modifications to the draft October minutes. There were none. **The Board approved the minutes as submitted by consensus.**

Deputy Designated Federal Official *Attachment 1*

In the absence of William Murphie, Mr. Dollins supplied the project updates to the Board. Questions and answers (paraphrased) appear below.

Question/comment	Answer
Mr. Burnett – Will the remediation contract affect the Envirocare scrap removal contract?	Mr. Hurst – The contract Bechtel Jacobs Company LLC (BJC) holds with Envirocare is funded through January 29 and will continue if BJC's contract is extended. The new remediation contractor could take over or terminate the contract with Envirocare.
Mr. Anderson - How many cylinders are being reviewed for the presence of phosgene?	Mr. Dollins - 1,825 were alleged for potential presence of phosgene. A record search of all but 31 cylinders have been conducted and none were found to contain phosgene.
Dr. Russell – The language in the Senate Appropriation Bill called for the Government Accountability Office to conduct an independent review.	Mr. Dollins said he could not speak for the GAO or what that agency is doing.
Mr. Kerley – Is DOE is still waiting for a permit for the leachate treatment system?	Mr. Giroir - the system has been received and all equipment is in place to begin on issuance of the Kentucky Department of Waste Management (KDWM) permit. BJC is going through the comment response resolution with the regulators.
Mr. Kerley – What is the status of the remediation contract award?	Mr. Dollins – There is no date set for the award.

Ex-Officio Comments

Williams said the Environmental Protection Agency (EPA) Environmental Services Division obtained samples on the Northwest Plume and on the Northeast Plume to see whether there

has been vaporization of the TCE into the soil. He said the results indicated that the clays are so tight they did not get any gas at five to six feet.

Maybiar said KDWM received the SMP the previous day for review and they will issue their comments to DOE. He said their comments are also available to the Citizens Advisory Board (CAB).

Task Forces/Presentations

Kentucky Research Consortium for Energy and the Environment Presentation

Attachment 2

Hampson presented an update on the Kentucky Research Consortium for Energy and the Environment (KRCEE) projects to the Board. Questions and Mr. Hampson’s answers (paraphrased) appear below.

Question/comment	Answer
Mr. Maybriar – What is the completion date on the ecological project?	Mr. Hampson – We have one year to finish. This presentation is an independent study of what has been done.
Mr. Maybriar – the Kentucky Department of Fish and Wildlife Resources (KDFWR) has been utilized and it seems logical that a state risk assessment group would be utilized to make sure risk assessment protocols are being followed for the state of Kentucky.	Answer – KDFWR is summarizing work that has already been done. Hampson said borings instead of trenches were used to encompass vertical extent of Holocene-aged material at the site because of the contamination potential.
Mr. Williams – What is the depth of a trench when used to detect Holocene displacement?	Answer - Borings instead of trenches were used to encompass vertical extent of Holocene-aged material at the site because of the contamination potential. The trench is usually 10-20 feet deep and it may be in KRCEE’s final report for DOE to figure a way to use the trenches.
Mr. Williams – A trench will be dug when additional portions of the landfill are constructed.	
Dr. Russell – A substantial amount of excavation was done when the portion of the C-746-U Landfill that is currently active – was contamination found at that time?	Answer – I don’t know the details of that work.

<p>Dr. Russell - An Environmental Impact Assessment was done when the landfill was proposed and a landfill could not be placed within 200 feet of Holocene displacement and this issue was not addressed at that time. He said if there was contamination that prevents a trench; it should have been observed when the excavation for the current landfill was taking place.</p>	<p>Answer - The health and safety requirements prevented the trench and a trench may not have been necessary for what the KRCEE was trying to determine.</p> <p>Mr. Dollins – The 30-foot depth used was enough to indicate Holocene displacement for these studies. The seismic investigation indicated age dating for Holocene faulting is found at 20-22 feet. (Mr. Hampson agreed)</p>
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Waste Disposition Task Force

Russell said the task force began discussing the end condition of the site.

Water Quality Task Force

Attachment 3

Smart said the Water Quality task force discussed the desirable end state quality for groundwater such as clean water standards, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) risk range and natural attenuation versus remedial efforts. He said institutional controls for groundwater was discussed including a no fault clause for new industrial tenants, continued water supply for the Water Policy box, and DOE acquisition of property rights of residents within the water policy box. Williams said CERCLA controls all federal transfers of property and holds the federal agency responsible forever for any contamination that is found associated with them. He said there is a national policy that all property transferred in every Record of Decision or action must go through a consistency review by EPA Headquarters to ensure controls will be in place forever. All property records will include a clause for future buyers or users notification of the contaminant levels that are present there and that all of these records are maintained in deeds at the courthouse.

Smart concluded with a 2005 annual summary of all topics discussed by the Water Quality task force.

Lee said the leachate treatment system would affect the Kentucky Pollutant Discharge Elimination System (KPDES) permit. She asked if the Division of Water has made a commitment on a date for the updated permit. Maybriar said the Division of Water makes the decision whether the permit requires a significant change in outfall sources and if the permit would require a modification.

Public Comments

Jurka said she does not see the need for buy-outs within the community. She said residents in the Water Policy Box have provided Active Citizens for Truth (ACT) with sampling results from DOE. The data does not show that the wells are contaminated; the test results meet water quality standards and they have for the last ten years. She said there is no foundation

for discussion of property buyouts for the residents that are located in the water policy box other than there are plumes in the area. Jurka said she believes people in the community look at buyouts as a way of moving along some else's business interest to acquire the property. Dollins said 10 years ago when the residents were put on public water, tenant buyouts were not discussed. The concern was that large groundwater contamination plumes were moving north and northeast of the plant. DOE was to provide clean and safe water to people impacted. He said there were no motives, just concern that plumes were headed for residents' wells. He said a separate issue has arisen about property evaluation. Jurka asked how providing water to residents has evolved into land buyouts. She said ACT has not seen data to support land buyouts. Dollins said there are questions that the technology may be practical to clean up the source areas only and impractical to clean up the whole wide spread plume. He said the buyouts could occur if they find they are unable to fix the problem. He said he cannot speak for other parties and the decision will be a challenge. Cook said the legislation to authorize DOE to conduct any study for potential property purchase has not been signed yet. He recommended that Jurka review the Site Environmental Report for monitoring well data that indicates evidence of the groundwater plume. He said it does not show the residential well data because of privacy act concerns. Williams said CERCLA law states that property around the plume has to be cleaned up no matter who owns the property.

Jurka said Williams had stated that during the vapor investigation the clay soil prevented vaporization. She suggested taking samples at other locations where there are different types of soils. Williams said the samples were taken at the highest concentrations at the northwest and northeast plumes. He said there were legitimate samples that did not indicate vaporization of gas. He said he understood Jurka's concern and there is a possibility of another phase of sampling.

Administrative Issues

Review of Retreat

Kerley said notes from the retreat were included in the packet and the realignment of the task forces requires a vote. He said members tentatively agreed to combine the Waste and Water task forces and move forward with the other two task forces. He said task force attendance would become voluntary and issue reports quarterly. Kerley said members agreed to alter the monthly meeting agenda by focusing on one primary topic each month. Kay proposed to go along with what was tentatively agreed upon at the Retreat with the modification of changing the Long-Range Strategy/Stewardship to an Ad hoc subcommittee. All members agreed. Kerley said the bylaws would be drafted to include these changes and proposed at the January meeting. The bylaws would then be voted upon at the February meeting.

Russell suggested the current members of the Waste and Water task forces meet prior to the next meeting, January 19 at 5 p.m. to discuss a regular meeting time and elect a chair.

Burnett suggested contacting the public that regularly attends meetings to obtain questions in advance to be able to provide answers at the Board meeting. Kay said the public could send questions to the staff in advance if they are requesting specific information but the public is

always welcome to ask questions at the Board meeting. He said it is appropriate for questions to be answered later if the person is not prepared to answer the question at the time it is asked.

Lee asked if Rachel Blumenfeld, DOE would provide a presentation on the End State Vision document in January. Dollins said Blumenfeld has requested that Board members submit specific questions or issues that they would like included in the presentation. Brandstetter said she would issue an e-mail to all Board members for questions and issues they want to see addressed. Kerley asked that Board members review the document prior to the presentation. Miller and Kerley requested the CD and Lee requested the link to retrieve the document.

Lee said the Web site has not been updated and asked for that issue be added to the retreat action items. Brandstetter said the new web contractor has started working on the Web site.

Budget Review

Kerley said the budget was discussed at the retreat. He said the final budget number for FY06 should be in the \$340,000 range. He said that is not reflected on the current budget that is in the packet. He said hopefully by January the CAB would have that information.

Review of Workplan

Kerley said the SMP update would be postponed to February. He asked for DOE to present the information. Dollins suggested contacting John Morgan, BJC for a 30-minute presentation. Kay suggested allowing 30 minutes for all presentations and then another 30 minutes for questions.

Lee asked if the D2 Southwest Plume Site Investigation and the Proposed Remedial Action Plan should be pushed back. Dollins said those dates have changed. Lee asked if the project charts had been revised. Brandstetter said the charts would be revised according to the SMP timeline. She said the charts should be provided in January.

Review of January Agenda

Kay said the Waste/Water task force would report on their established time for their meetings. He said there would be no report from the Long-Range Strategy/Stewardship task force since it has been changed to an Ad Hoc subcommittee. Kerley suggested adding the discussion of the bylaws revisions under administrative issues.

Action Items

Dollins said the action item regarding addressing the public to clear up confusion on the land purchasing study should be closed. Kay said all other actions are still pending.

Subcommittee Report

Executive Committee

Kerley said there is information in the packet about a meeting discussing the development of a uranium-based battery that was the same time as the Board meeting. He asked members to review the flier and think about this as a future task force or Board meeting topic.

Kerley said the next Chairs meeting is scheduled for April 26-28 in Oak Ridge. He said to send topic suggestions to him before December 8, which is the next steering committee conference call.

Kerley said the November Executive Committee meeting has been moved to 3 p.m.

Lee suggested that Board members send KRCEE suggestions on target issues they would like discussed for the quarterly presentations. Kay suggested the Executive Committee work with KRCEE to provide presentations on projects that are relevant to the Board. Miller suggested emailing Board members for topics a couple of months before the presentation. Brandstetter suggested emailing Board members in advance of all presentations for input on information to be discussed. Kay suggested adding preparation for the next presentation under administrative issues for all future agendas.

The meeting adjourned at 9 p.m.