



# PADUCAH GASEOUS DIFFUSION PLANT CITIZENS ADVISORY BOARD

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## **Paducah Gaseous Diffusion Plant Citizens Advisory Board Meeting Minutes October 20, 2005**

The Citizens Advisory Board (CAB) met at the CAB office in Paducah, Kentucky October 20, 2005, at 6 p.m.

**Board members present:** John Anderson, Barry Eadens, Chad Kerley, Shirley Lanier, Bobby Lee, Linda Long, Rhonda McCorry, Janet Miller, John Russell and Jim Smart

**Board members absent:** Allen Burnett

***Ex Officio* members and related regulatory agency employees present:** Jon Maybriar and Leo Williamson, Kentucky Division of Waste Management; and Doug Dawson, Kentucky Department Fish and Wildlife Resources

**Deputy Designated Federal Official present:** William Murphie

**DOE Federal Coordinator present:** David Dollins

**DOE-related employees present:** R.J. Bell, Sammy Bell, Jeannie Brandstetter, Greg Cook, Kim Crenshaw, Bruce Ford, Bruce Gardner, Burt Gawthorp, Bob Giroir, Guy Griswold, Lester Hurst, Steve Kay, Steve Polston, Joe Tarantino, Elizabeth Trawick and Jack Zimmerman

Eleven members of the public attended the meeting.

## **Agenda**

Kay asked for proposed modifications to the agenda. Kerley said the C-746-S&T Site Investigation Report would be moved to the Waste Disposition task force section of the agenda. **The Board adopted the agenda by consensus.**

## **Minutes**

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

## **Deputy Designated Federal Official's Comments**

*Attachment #1*

## **Comments**

Russell asked if all of the outside DOE Material Storage Areas (DMSAs) had been returned to the United States Enrichment Corporation (USEC). Murphie said he believed only the areas referred to on the slide were returned to USEC but he would get clarification.

Russell asked what physical form uranium tetrafluoride (UF<sub>4</sub>) held. Giroir said it is a green salt solid powder.

Kerley asked where the waste was disposed from the Nitrogen Facility. Murphie said it has been given to a subcontractor; it has been certified as clean material.

Russell asked if the scrap metal histogram could be added back into the presentation since the shipments have resumed. Murphie said the slide could be added to the presentation. The project had activity during the last couple of months.

Smart asked if the DOE could retain ownership of the UF<sub>4</sub> containers that were sent to Envirocare. Murphie said the title was transferred to Envirocare. Smart asked if a use for the product is identified later, could DOE get the containers back. Murphie said there is no visible value at this time for UF<sub>4</sub>, but depleted uranium has become marketable and questions have been raised by Washington, D.C. DOE is researching that question for the depleted uranium hexafluoride (DUF<sub>6</sub>) cylinders.

Kerley said the presentation mentioned mixed low-level waste (LLW) sent to the Toxic Substances Control Act (TSCA) Incinerator in Oak Ridge. He said DOE mentioned at one time that the TSCA Incinerator could be shut down. Murphie said the shut-down has been delayed and DOE is looking into options for contracting arrangements and commercial availability to keep it open. Murphie said Portsmouth and Paducah are the single biggest consumers.

Miller asked if ground sampling was conducted on the DMSAs before they were returned to USEC. Murphie said the area is not characterized as clean but all of the ground is dealt with

under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Giroir said the ground is radiologically surveyed and any surface contamination is cleaned up and the soils will be cleaned up through the CERCLA process.

Kerley said an update to the project status of the DUF<sub>6</sub> facility is in the Board packets.

### **Federal Coordinator Comments**

Dollins said a site tour is scheduled for Saturday, October 22. Eadens said there are 24 people attending.

Dollins said the retreat is being held November 4 and 5. He encouraged all Board members to attend.

### **Public Comments**

Donham asked the status on the nickel disposition. Murphie said the nickel is still at the plant. He said Washington has an initiative to look at the nickel and other metal assets on the complex to evaluate a policy decision. There is a lot of interest in the nickel. Donham asked if the nickel had been turned over to the Paducah Area Community Reuse Organization. Murphie said no.

### **Task Forces/Presentations**

#### **Waste Disposition Task Force**

*Attachment #2*

Russell showed a slide that was presented at the task force meeting explaining the objectives, fieldwork, and results of the C-746-S&T Landfills Site Investigation.

Russell said the task force would begin discussing the end condition of the site at their next meeting.

#### **Water Quality Task Force**

*Attachment #3*

Smart said the Water task force discussed possible degradation in the Southwest Plume and the early design features of the C-400 source removal. Murphie said there is still uncertainty with the degradation and discussions with the regulators would continue.

Smart presented an update on the Surface Water Operable Unit sampling results that were discussed at the task force meeting. Lee said there was an exceedence in the storm sewer. Dollins said there was one hit in the storm sewer and the data is still being evaluated. Dollins applauded CDM for their work on this project.

Smart said the task force would begin discussing end state water quality at the next meeting and if anyone would like to share input, he would appreciate it.

## **Long-Range Strategy/Stewardship**

Kerley said the handout from the End State Public Meeting is included in the Board packet.

Kerley said the Board issued a recommendation to DOE on the End State Vision and they had requested a response by October 2004 and still have not received it. Dollins said he is working on the response. He said 50 percent of the recommendation will be answered now and the other 50 percent will be answered later because of the unknowns. He said he hopes to have the response by the next Board meeting.

## **Community Outreach**

### *Attachment #4*

Eadens said as a result from questions raised by Active Citizens for Truth (ACT), the task force formed a set of the following questions:

- What is the Agency for Toxic Substances Disease Registry (ATSDR) doing in Paducah? What have they done? What are their plans for any future health studies?

Eadens found in the ATSDR Public Health Assessment for the Paducah Gaseous Diffusion Plant (PGDP) that no apparent current public health hazard was found. He said the information was incomplete because future unexpected exposures cannot be predicted, and the sample size was too few to accurately determine significance. It was recommended that a spatially and statistically consistent soil sampling program be developed to access accumulation of airborne contaminants in residential areas.

- Is anyone looking at epidemiological data for health in the surrounding neighborhoods (10-mile radius)?

Eadens said the Superfund Basic Research Program, which is part of a University of Kentucky headed by Sandra Bastin received a grant to complete this study.

- What is DOE's responsibility for public health (Superfund site)? Is anyone, DOE or otherwise, as part of Superfund work, examining the health/health effects of plant neighbors within a 10-mile radius?

Eadens said the Citizens Advisory Board (CAB) is specifically addressing plant neighbors. DOE Public Relations sent several web links for information on this topic. Lee requested that these links and Eadens presentation be added to the CAB's Web site.

Eadens highlighted the Environmental Community Garden Project results from prepared by the University of Kentucky. He said 174 samples were taken and studies were blinded by UK using Microbac Laboratories. He said the results indicated repeated calls from the community to laboratory officials with accusations and generally "disruptive behavior." Eadens said the results show that ACT members were displeased with the collective results because the data did not answer the questions they expected to have answered or support the

conclusions they were expecting. There was little statistical difference or little credibility of results because of the small sample sizes. Suggestions were included for a larger better designed project.

Eadens said neither the ATSDR report nor the Community Garden Project appeared to be properly designed or sufficiently powered to answer the question of community health risk. Miller said wide spread contamination is difficult to pinpoint.

Eadens said ATSDR and Sandra Bastin would be invited to talk to the CAB to discuss their ongoing projects.

Eadens said the Community Outreach task force is attempting to get the public involved. He said he presented the Speaker's Bureau to eight Channel 6 news people, and invited city and county officials and organizations to the site tour.

Lee asked if the state has taken any samples of the soils or vegetables in the neighbor areas around the PGDP. Maybriar said the epidemiological branch within the Cabinet for Health Services (CHS) has taken soil and vegetable samples around the plant to check for radiation. He said the state did not split samples with the UK Study. He said if calls are received within a couple of mile radius around the plant for sampling of property, the state will conduct those samples but waste management has not done an epidemiological study. Eadens said the problem with previous studies is that there has not been good randomization of the samples to form conclusions from the data. He said the CAB would like for someone to put a design together that would definitively say if there is contamination that puts neighbors at risk. Maybriar said the Kentucky Department of Waste Management (KDWM) talked with UK and CHS six or seven years ago about an epidemiological study for historical and current workers inside the fence. He said KDWM could not do the study under their grant with DOE, but they were trying to find out if the state or UK could do the study. He said it would take a lot of time and money and the money was not available.

Jurka said during the Environmental Garden Project, collections were made from various individuals in the community requesting water and soil samples and the state did comply with those requests. She said ACT did not "sling any mud" with UK until Sandra Bastin's report was made to them. Jurka said she was very surprised that Bastin is the lead investigator on the health study because her qualifications are with nutrition, not health. She said she and Ruby English, ACT chairperson met with UK and told them that a nutrition study is not possible near the PGDP due to the merit of health problems that the plant neighbors have. Jurka said UK chose Microbac Laboratories for sampling. She said this laboratory does not have the capability to test radionuclides and that was supposed to be part of the Garden Vegetable Study. She said the samples were not tested for the correct chemicals, U<sub>238</sub> were tested for U<sub>308</sub>, and instead of testing for fluoride, fluorine was tested for instead. She said UK held the test results for a long period of time and the published report consisted of a two page criticism. Jurka said ACT was supposed to receive a bibliography on vegetable collection and instead she received 1200 pages on wheat. She said some of the findings show plutonium in the vegetables and ACT is looking at the source. She said in order for the vegetables to contain a certain amount of plutonium it had to be via air.

She said these were only a few of the problems and ACT did not perform in an unprofessional manner.

## **Administrative Issues**

### **Budget Review**

Kerley said he would postpone the budget discussion until the Annual Planning Retreat or until the next Executive Committee meeting. He said according to last year's budget, the CAB budget has decreased. Yet, according to DOE Headquarters, the budget has stayed flat.

### **Review of Workplan**

Lee said the D2 Southwest Plume Site Investigation document would be postponed as well as the Proposed Remedial Action Plan. Cook agreed.

Lee asked how many CAB members attended the End State Public Meeting. Dollins said three. Lee said half of the CAB members are new members that are not familiar with the End State document. She suggested a presentation at the Retreat for the Board that includes a summary from last years' and this years' meetings. Dollins said the person to make this presentation would not be available at the Retreat. Kay suggested scheduling the presentation at the January meeting. The CAB agreed.

Eadens suggested that the CAB invite DOE to present public information, such as End State, in lieu of their normal agenda when these meetings are necessary. He said the CAB and DOE would benefit with more members of the public in attendance and better feedback from the community. He said public meetings are usually only once a year. Kay suggested adding this suggestion to the retreat agenda.

Smart requested that the realignment of task forces be added to the Retreat agenda. Kay said this issue would be added to the agenda.

Kerley said the Site Management Plan (SMP), which is scheduled for a presentation in November, is not submitted to the regulators until November 15. He asked if the CAB would receive the milestones for the retreat as the CAB has in the past for structuring the workplan. Murphie said the CAB could not have the set of milestones that would be in the SMP but a list of milestones for planning purposes without labeling them the draft SMP could be provided to the CAB before the retreat.

### **Review of November Agenda**

Kerley requested adding the End State presentation to the January agenda and leaving the SMP a placeholder for November.

## **Action Items**

Eadens said when he met with the TV station, they acknowledged that the information on the land buy-out study was over-condensed but he did not expect a retraction.

Dollins said Long requested at a task force meeting that DOE investigate a saturated area on her property and he believes that area is not related to any groundwater contamination from an aquifer.

## **Subcommittee Report**

### **Executive Committee**

Kerley expressed the importance of the retreat. He asked that all members plan to attend. Russell said he had a prior engagement. Kay said he had only received a few of the Self Evaluation forms. He urged members to send their forms to him to prepare the tally for the Retreat. Kerley said the retreat agenda requires approval. Murphie said the CAB goes into tremendous detail on the analysis of the decision making process. He said there are questions that deal with the future of this site and the long term solutions. DOE continues to need and want to get input on the this issue as much or more than the subtleties of the small differential details on the low level technical analysis. Murphie suggested the CAB discuss the long term and future of the plant at the retreat. Russell said the Board is not a technical Board but the problem is DOE has not posed the questions on what DOE needs advise. McCorry said this was a topic at the Chairs Meeting and the CABs need to know what direction of help they can offer to DOE. She recommended DOE put forth thought as to where they want the CAB's help. Kerley said the Board requested guidance in at letter to DOE in November 2002. Dollins said the letter was answered asking the Board to look at their long term vision of the site. Kerley said most of the Board was not here a the time of the letter. Kay asked if Dollins could provide the letter at the retreat. Dollins said yes. Smart said Murphie would not be at the retreat and suggested they continue the conversation while he is present. Russell said he would like to see the final condition of the site on a graphical map and the Waste task force is going to start working on this to see the long range questions and specific decision in a broader complex. He said the task force would be requesting support in mapping from DOE. Murphie said the CAB might focus on how instead of what to get the answers. He said these are complicated issues and may take years to have an answer. He said focusing on how may set processes in place to achieve the end result. Murphie said there are several of ideas in the last couple of years, such as property purchases, economic assessments, and developments. Smart said those are hard questions to answer and it really ends up with the risk assessment. Murphie said there is no right answer and when the answer is picked, it could change tomorrow. Kay said there have been interviews and reports that focus on the Board functioning in a way that DOE has supported and what is appropriate and not appropriate on a complex-wide basis. Cook said he would send the link to these reports to the CAB staff for distribution to all CAB members.

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

Kerley said the CAB has received an invitation to the intergovernmental meeting with DOE on November 8-10 in Washington, and anyone interested in going should let staff know.

Kerley said the letter composed at the chairs meeting to James Rispoli, Assistant Secretary for Environmental Management, requires a vote to authorize the chair's signature on behalf of the CAB. He said four other CAB chairs have signed the letter. McCorry said most of the issues in the letter are not relative to Paducah, but it would show support to the other chairs. She said the letter would allow the CABs to assist in securing public comment regarding the waste disposition strategies. The letter discusses transuranic waste and final disposition of high-level waste streams. The letter was approved for Kerley's signature.

Eadens said the Board has received four applications and three of the applicants are scheduled to attend the site tour. He said the Community Outreach would be having independent interviews with all applicants soon.

The meeting adjourned at 8:45 p.m.