



PADUCAH GASEOUS DIFFUSION PLANT CITIZENS ADVISORY BOARD

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Paducah Gaseous Diffusion Plant Citizens Advisory Board Meeting Minutes July 20, 2006

The Citizens Advisory Board (CAB) met at the CAB office in Paducah, Kentucky, July 20, 2006, at 6 p.m.

Board members present: Allen Burnett, Judy Clayton, Shirley Lanier, Bobby Lee, Linda Long, Elton Priddy, John Russell, Jim Smart, Rhonda Smith and James Tidwell

Board members absent: John Anderson, Chad Kerley, and Janet Miller

Ex Officio members and related regulatory agency employees present: Brian Begley, Bill Clark, Jon Maybriar, and Todd Mullins, Kentucky Division of Waste Management; Tim Kreher, Kentucky Department of Fish and Wildlife Resources; David Williams, Environmental Protection Agency

Deputy Designated Federal Official: William Murphie

Portsmouth/Paducah Chief Operating Officer: Rachel Blumenfeld

DOE Federal Coordinator present: David Dollins

DOE-related employees present: Rich Bonczek, Jeannie Brandstetter, Tracey Brindley, Yvette Cantrell, Kim Crenshaw, Butch Daniels, Doug Frost, Bruce Gardner, Guy Griswold, Steve Hampson, Ed Holmes, Steve Kay, John Kelly, Reinhard Knerr, Chris Lee, James Miller, Bruce Phillips, Steve Polston, John Razor, Joe Tarantino, and Cynthia Zvonar

Six members of the public attended the meeting.

Agenda

Kay asked for proposed modifications to the agenda. Blumenfeld said the Site Management Plan (SMP) presentation has been postponed. **The Board adopted the agenda as modified by consensus.**

Minutes

Kay asked for proposed modifications to the draft June minutes. Burnett said he was present at the June meeting. Smith said that on page nine, during the public comments, the sentence reads, “He said those materials are in the ground but additional drums have been added due to RCRA laws.” The sentence should read, “He said those materials are in the ground but additional drums have **not** been added due to RCRA laws.” **The Board approved the minutes as modified by consensus.**

Deputy Designated Federal Official *Attachment 1*

Murphie provided the project updates to the Board. Questions and answers (paraphrased) appear below.

| Questions/Comments | Answers |
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| Dr. Russell – Why was the debris from the Limehouse demolition put in containers to take to the C-746-U Landfill? | Mr. Knerr – It is placed in a roll-off bin and the waste is dumped out of the bins into the landfill. The containers are re-used. |
| Mr. Williams – The EPA has reviewed the SMP document and the comment response summary. The primary things that are being looked at are addressing the dissolved phase groundwater plume under the groundwater operable unit rather than the soils operable unit, the timing for addressing the dissolved phase groundwater plume, and the enforceable milestones. Mr. Maybriar – There are discrepancies in the SMP that are being discussed with the DOE. More than likely, a revised version will be requested to clarify a few things and we hope to approve the document very soon. | |

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| <p>Mr. Burnett – Is the approach to the scrap metal cleanup something that could be applied to other clean-up efforts to speed things up?</p> | <p>Mr. Murphie – One of the biggest things that was done was a substantial investment in high-sided gondola cars that are in better shape and hold much larger pieces requiring less handling. The gondolas could be used for other projects but currently, there is not another project that routinely requires a unit train.</p> |
| <p>Mr. Burnett - Could the gondolas be used for the Decontamination and Decommissioning efforts?</p> | <p>Mr. Murphie – The high gondolas could be utilized for the C-410 project but the unit train would not be necessary.</p> |
| <p>Ms. Lee – Have the groundwater degradation values for the Southwest Plume changed?</p> | <p>Ms. Blumenfeld – 26.6 was the rate in the original report. A White Paper was done responding to questions from EPA and the state. After re-evaluation, a calculation was found to be between three and 11.5 years. It is still under review by the regulators. Mr. Williams – It is still under review by experts at EPA headquarters.</p> |

Status of the Land Acquisition Study

Murphie said there was a public meeting for the Land Acquisition Study on June 29. Eighty-eight people attended and it was a good opportunity to talk with people on the details of the study. The meeting emphasized that it was not a decision-making meeting but the beginning of a study. This study may not answer all the questions and may result in further studies. He said the scope of work and the schedule for the study was discussed. It gave DOE the opportunity to discuss background information to people that were not as familiar with the site. The Citizens Advisory Board (CAB) may be able to recruit some new Board members from the public meeting.

Federal Coordinator Comments

Dollins said the Chairs Meeting would be held in Santa Fe, N.M. Sept. 6-8.

Dollins said a question from Vicki Jurka was answered regarding the number of private wells that exceeded MCLs. Russell asked how many of the wells exceed MCLs? Dollins said nine. Burnett said a previous questions have been asked on the location of those wells. He asked if that was a privacy issue that the locations could not be disclosed or if that was public knowledge. Dollins said the wells were within the Water Policy box. He said he would look into it. Burnett said the location was for a comparison to be made with regard to whether everyone provided water had wells that are considered to be contaminated. Murphie said there are people getting water that do not have contaminated wells and do not exceed MCLs. Russell asked how many wells are within the Water Policy box. Dollins said there are about 100 residences that receive public water but is unsure of the number of wells. He said he

would check on that. Murphie asked if he wanted the total of off-site or on-site wells and Russell said off-site wells only.

Ex-Officio Comments

Williams said EPA reports to Congress on the Government Performance Results Act (GPRA). This requires government agencies to meet certain goals and measure environmental indicators. The indicators are whether human health exposure and groundwater contamination migration are under control. He said these indicators are being looked at all facilities including Paducah. He said EPA and Kentucky are working very close with DOE and the Kentucky Division of Fish and Wildlife Resources (KDFWR) to reach resolution on the issue of human health exposure under control. GPRA is also asking EPA to look at a goal called Ready for Reuse. Williams said Lee is requesting maps that show parcel boundaries in order to look at the property on how it could be cleaned up and when it will be ready for reuse. The primary goal of cleanup for these sites is viewed as establishing a parcel for reuse and Congress wants to see progress. He said the focus is to look at long-term reuse of the property. EPA reported it foresees the PGDP ready for reuse in 2047 as a general guess and not an official figure. Congress is looking for things to be turned over in the next ten years for reuse. Smith asked Williams for information on the environmental indicators to better understand the health issues for the Community Outreach task force. Williams said there is a link on the EPA website for guidance under environmental indicators. He asked Smith to contact him for the information if she could not locate it.

Maybriar said he was unable to attend the June meeting and requested changes to the minutes that were incorrectly reported. He said that Mr. Vander Boegh had said that he had received documentation from the Kentucky Division of Water (DOW) about samples that were taken by the regulators. He said the samples were taken by the Kentucky Division of Waste Management (KDWM) in the area of Outfall 001 C-613 Basin because under the Scrap Metal Action Memorandum Workplan the responsibility for collecting samples and monitoring that basin was placed on the KDWM. That information was sent to Vander Boegh due to a Freedom of Information Act (FOIA) request. Maybriar said that Vander Boegh had said the data shows the elevated uranium levels are 20 times what the surface water limits should be. Maybriar said he spoke with DOW and from the C-613 Basin the water quality standards do not apply. The Kentucky Pollutant Discharge Elimination System (KPDES) point of compliance for Outfall 001 is what applies. It is his understanding that DOE has not received a Notice of Violation for a rad exceedence in that area. Maybriar said that Dr. Volpe said the limit for uranium is 300 pCi/L and could be found in 902KAR 100:019. He said he was told by DOW the regulation is found in 401KAR 5:031, Section 4. Maybriar said when the FOIA was requested, an e-mail said that DOE had exceeded a regulatory level at that outfall and that was not the case otherwise, DOW would have done something about that. Lee asked regardless of the limits, were the uranium levels that were reported elevated. Maybriar said uranium was detected in the water but it did not exceed any water quality standards that apply at the C-613 basin or the KPDES permit. Lee asked if the landfill allowances were higher than DOE allowances. Maybriar said the allowances are not for the landfill, it is at the C-613 sediment basin for storm water runoff for the Northwest Scrap Metal project. When DOE discharges that water, the workplan requests that the State

monitor that effluent to see if anything is detected. He said he spoke with Hampson and Volpe, Cabinet for Health and Family Services (CHFS) Radiological Control Branch, and asked them what levels of uranium are going out the outfalls. Hampson said CHFS maintains a continuous ISCO sampler at the point of discharge at Outfall 001 relative to the KPDES permit. Four samples a day are collected and put in one bottle and go to the lab for analysis. The average activity for Uranium-238 at that outfall for the entire year was 1.42 pCi/L. The data is available in the 2004 Oversight Report. Relative to the release of radionuclides on DOE property that is federally permitted, that is not an issue at all. There are issues that could happen with other contaminants but not with the radionuclides. At the basin, the levels were higher and there are continuous samplers at the two ditches adjacent to the scrap yards that lead into the basin and very elevated levels of uranium are there but they do not make it past the sedimentation basin to the outfall at the discharge point. Maybriar said he was instructed by DOW that the monthly average daily maximum is a report only minimum. That was why he went to Radiological Control Branch for their data, which is average 1.42 pCi/L. He said he was unsure of the numbers that DOE had historically reported to DOW. Hampson said the 2005 data is not available yet. Russell said high levels of Uranium-238 have been recorded entering the sedimentation basin and there have been relatively low concentrations at the outfall, which suggests that there is an accumulation of radiation in the sedimentation basin as an isotope and as an element. Maybriar said that when the water that comes out of the basin is sampled, the uranium is believed to be in a dissolve phase so it would not necessarily precipitate out. The uranium could be mixing with other water before it goes to that outfall because there is a C-616 water treatment lagoon on the north side of the facility as well as the northwest pump and treat that DOW allows mixing together. There is also storm water runoff that comes from the northwest part of the facility that is not captured by the scrap metal basin. Russell said there was a saying in the seventies that the solution to pollution is dilution. He said it was not the solution then and it is not the solution now.

Kreher said next week the KDFWR will be conducting the annual deer sampling and this would be the first time it has been done in conjunction with Paducah Remediation Services (PRS). The annual deer sampling is one of things KDFWR has done to make sure human risk exposure is minimized. The results will be posted in the Annual Site Environmental Report (ASER).

Public Comments

Vander Boegh asked how often the KPDES requires the Outfall 001 to be monitored. Brindley said samples are taken quarterly and there are additional grab samples. Vander Boegh said based on the reporting from KDWM, the monitoring is accepted and the KPDES discharge requires sampling and reporting the uranium quarterly. The purpose of the FOIA request was that the C-613 sedimentation pond is discharging everytime bypassed. He said he received a call on July 12 that the sedimentation pond was overflowing. To answer Russell's question, it is overflowing down the creek, it is not be captured in the plant and is not being treated. He asked if it okay to discharge 20 pounds of uranium into the streams. He said monitoring is not being done because the KPDES requirement has been met. He asked if it is a safety and health risk or an appropriate way to flush the plant out and not capture the high levels of rad. The levels that KDWM captured is not a violation of a report however, it is his

understanding that if there is a more strict regulation, and then it is defaulted to the old permit limits. The permit is expired but is being operated on which is perfectly fine but his point is that Sen. Mitch McConnell wanted him to bring forward some of the issues with the water discharges at the plant. Is it okay to discharge 20 pounds of uranium down the creeks to Cairo, Wickliffe, and surrounding communities or is it a safety and health risk? He said he is not concerned with what is being reported; he is concerned that it is not reporting what the clean water act is supposed to be capturing and that is the true discharges of contaminants from the plant. Maybriar said the basin was constructed for a ten-year rain event which recently occurred and the basin did overflow to the outfall but where it overflowed was into an area that was captured by the effluent that led to the KPDES point of compliance to the outfall. It did not flow directly discharging into Big Bayou Creek. He said he was satisfied with how the basin worked. Vander Boegh said he questioned again, whether it is acceptable for a level of 20 pounds of uranium coming from the basin to the ditch, flowing by Outfall 001, when it is not being monitored. He said, forget the KPDES compliance point, is it an appropriate safety standard to discharge radioactive contaminated Uranium-238 water into the basin and out into the ditches after the KPDES sampling is done. Maybriar said he cannot answer to the uranium pounds question but they do not compare to pounds on the risk assessment. He would defer the question to DOW. He asked if the CAB would like to have someone from DOW at the next meeting. Vander Boegh said Dr. Volpe was confused at the last meeting thinking he was talking about the landfill sediment basin. He said that was not linked. He said the sampling that Hampson is taking is not the regulatory monitoring for KPDES. He said quarterly monitoring is being done and missing all of the rad going down the ditches because KDWM is taking samples and the uranium levels are way above the surface water standards but it is still going somewhere, DOE is not holding it in the plant. Maybriar said he spoke with DOW about the C-613 effluent and it is not considered waters of the Commonwealth at that point. The waters of the Commonwealth after sufficient mixing would be in Little and Big Bayou Creek and that is a standard protocol that DOW uses. They allow the water to sufficiently mix and the receiving water from effluent before a standard would apply. Maybriar said he does not have data to show that there is a concern after the mix in Little and Big Bayou Creek. Smith requested that Vander Boegh put in writing the questions that he would like to have answers to along with any documentation that might be needed and send it to the CAB office and they would forward the material for a written response as soon as possible. She said if the questions are not received in writing, there will not be a response. Maybriar asked that any questions that are received that require a response from the state be sent to him so the appropriate people could be made available at the meeting to answer the questions. He said there are accusations about landfill issues and he can provide people from Solid Waste to answer those questions if needed. Murphie said the DOE believes it is in compliance with its permits and believes the permit limits set by the state and by DOE are health-based and therefore protective of the public. He said DOE stands behind the fact that they believe there is not a concern and to the extent the question was asked, "Do you think this is safe? Do you think this is in compliance?" The answer is yes.

Jurka said, with regard to the drinking water well issue, she wanted to thank Dollins for contacting her on the information regarding the 9 drinking water wells. She said he told her that nine drinking water wells were contaminated with trichloroethylene (TCE) at or above

mcls or drinking water standards, and her question has always been, what contaminants are in the well, not only TCE. She said she is particularly interested in radionuclides that may be in those wells and is surprised to hear that other people are receiving their FOIA requests because Active Citizens for Truth (ACT) has not received a response to their FOIA request on that issue. It was a very simple FOIA request, asking for the letters that were sent to community members telling them that their wells were contaminated. She requested that DOE answer that FOIA request. She said they certainly could redact personal information, but ACT needs to know what was told to 120-some-odd people around the water policy regarding their drinking water wells so they can proceed on this issue. She said Dollins may think the answer that he gave her closes it out; but she does not feel it closes it out at all. She thought it was a baby step forward. She said it has been her understanding from different officials that she has spoken with, both state and federal, that many of the wells have not been sampled for certain radionuclides and plutonium in particular. She said all the wells should be sampled for plutonium and as she said here before, a Russian scientist has told ACT that there are elevated levels of plutonium in one of the drinking water wells in the water policy box. Jurka said she gave all Board members a slide from DOE literature that indicates a speck of plutonium embedded in lung tissue. She said the people in West Paducah and Kevil communities are ingesting plutonium through their food and she has records that verify this and suspects the plutonium came from the PGDP. Dollins said radionuclides were factored in and there was one well that exceeded technetium-99 (Tc^{99}) MCLs. She said she is interested in all contaminants that have mcls that might be in these wells. One thing is harmful in one way; another is harmful in another way and that is why there are safety standards so she would like to know all of the wells that are contaminated above the mcls. Murphie said Tc^{99} would be the most likely to be discovered. He said they could go back and see what other contaminants were monitored and what the concentrations were. He said they could not answer that today. Jurka said EPA listed in the Health Risk Assessment contaminants of concern in drinking water and most of those contaminants have mcls. Dollins said he had not seen Jurka's FOIA request and would like to see a copy. Jurka said it was submitted to DOE and Walter Perry from Oak Ridge has sent correspondence to her a few years ago. She said the request was four years old. Blumenfeld said Vander Boegh's FOIA request went to the state and Oak Ridge has a tremendous amount of FOIA requests that are answered in the order in which they are received.

Johnson, former DOE contractor employee, said that in January 1991, it rained 13 inches and tremendous amounts of historically clean wastewater were pumped out of the holding areas and sent down the North-South Diversion Ditch (NSDD). During that month, they pumped the C-404 leachate, which was historically contaminated with high levels of uranium, Tc^{99} , TCE and PCBs that was put in tanks for discharge. He said he was told to discharge the tanks that held the C-404 leachate waste water down the NSDD and if sampling had been taken that day the reading would have been high. It does make a difference on when the water is sampled.

Lee said she had been contacted by Joe Walker, Paducah Sun, for the CAB's position on the landfill and the uranium issues that Vander Boegh has brought to the CAB. She said she could comment as an individual but not as the CAB. She asked if the CAB could make a

statement to the press. Smith said if Vander Boegh's requests are received in writing a response will be provided.

Smith thanked Doug Frost, DOE Headquarters, for his special effort to attend the CAB meeting. Frost said he was here to learn.

Task Forces/Presentations

Paducah Remediation Services

Razor provided an overview of Paducah Remediation Services and introduced the project management team.

Waste Disposition/Water Quality Task Force

Lee said the task force agenda would no longer include project updates since the Designated Deputy Federal Official (DDFO) covered all of the updates in their presentation to the full Board.

Lee said the majority of the meeting was spent discussing the land use maps. She said Hampson identified some of the information that was available on the Kentucky Research Consortium for Energy and the Environment's (KRCEE) geographic information system (GIS) database. Lee said she wants to use this information to create reuse maps to help the CAB. She requested that a GIS person be made available at the task force meetings to have an ongoing working document in front of them for discussion.

Lee said Russell is working on the language for a recommendation to DOE requesting assurance that the Waste Acceptance Criteria is being met and that there is sufficient oversight from the regulators and DOE.

Action Items

Dollins said the action concerning outstanding charges on the CAB budget is still pending.

Maybriar said he spoke with Tony Hatton about the leachate at the C-746-U facility. He said the CAB could submit questions and he would try to get someone to attend the meeting to answer the questions or questions could be sent to him and he would come back to the meeting with responses. Murphie said the leachate is collected and treated and DOE does not believe there is any concern about radioactivity in the leachate. He said DOE is not saying there is no radioactivity because as alluded to in the waste acceptance criteria, the standard grade is zero so there is radioactivity but it is below what DOE considers the health based risk assessment limit. It continues to be treated and disposed according to the permits. Russell requested a presentation at the Waste/Water task force meeting on a description of the treatment process. Murphie said they could do that. Kay closed the action and asked for the issue to be moved to the task force agenda. Maybriar asked that the task force submit the questions they want answered to him and he would have someone available to answer the

questions on the permit. Smith asked if the same people would be able to address Vander Boegh on his questions. Maybriar said no. Someone from Solid Waste would need to discuss the leachate treatment and someone from DOW would need to address Vander Boegh's questions.

Cantrell, PRS, said news clips are currently being sent to the CAB and the paperwork has been submitted to upload documents to the PRS Web site and should occur within the next two weeks. Kay said to leave that action pending until the documents are available.

Dollins said Jurka asked if mercury was coming from the PGDP. He said the PGDP and the West Kentucky Wildlife Management Area (WKWMA) used to be the Kentucky Ordnance Works in World War II. An investigation was conducted by the US Army Corps of Engineers revealing that some ponds within the WKWMA were contaminated with mercury. The ponds were drained, the fish in it were harvested, and the ponds were posted to prevent any more fishing. The mercury is believed to have originated from that source. The contamination in the ponds is not likely to have come from PGDP. Dollins said Jurka asked if Mercury 203 been tested for at the site. It has been tested for in soil, sediment, water, and waste. There have been 105 soil, sediment, and water samples from 62 locations analyzed for Mercury 203. One sample had a detectable concentration and the level was very low and well below EPA's risk-based remediation goal.

Maybriar said Jurka had asked about the mercury data that Kentucky has collected. He said Kentucky routinely samples for mercury in the surface water and sediment in Little and Big Bayou Creeks as well as fish tissue. He recommended that she send a FOIA request to him if she was interested in the data. He said they had never seen any mercury levels in the fish tissue above great lake protocol FDA action limit nor have they seen any mercury in the sediment or surface water above risk levels that would be of concern for recreational users of the water. He said several samples have been collected. Kreher said six ponds fall under a different branch of KDEP. Maybriar said samples were split with KDFWR and Jurka could obtain that information by a FOIA request. Clayton said she lives five miles southeast of Paducah and three years ago her pond was sampled and it contains one of the highest mercury ratings in Kentucky. She said she did not know where that mercury came from but does not believe it is from PGDP.

Lee said Russell is working on the language for a recommendation DOE requesting assurance that the Waste Acceptance Criteria is being met and that there is sufficient oversight from the regulators and DOE. Kay said to leave the action pending.

Tarantino said he would attempt to determine what file was imported from the GIS database for the boundaries in the Southwest Plume June presentation. He said he would have the information for the August Board meeting.

Blumenfeld said Vander Boegh asked how much mixed legacy waste remains at the PGDP. She said DOE consulted PRS and the Resource Conservation and Recovery Act (RCRA) and Toxic Substances Control Act (TSCA) mixed waste are approximately 349 containers; RCRA mixed, 788 containers; and the total is approximately 1,137 mixed waste containers containing 13,107 cubic feet.

Lee requested that each action item indicate who made the request.

Public Comments

Vander Boegh said Dr. Friar from the University of Kentucky is doing a study of the Little Bayou Creek area. In the area north of area Outfall 019, there is a TCE and Tc⁹⁹ seep for so many hundred feet. He asked for an update. Maybriar said the state funded Dr. Friar to do a study to locate the seeps and collect samples in that area. The study was conducted 1999 to 2003. DOE agreed to take over the monitoring of the seeps along the creek at the end of the study. TCE and Tc⁹⁹ were detected in the groundwater sampling at the seeps. The samples were taken where the seeps were bubbling up from the bottom of the stream and certain distances downstream. Begley recalled the TCE highest level was around 460-460 mg/L and the Tc⁹⁹ was 430 or 460 pc/L. Dr. Friar sampled on a quarterly basis from 1999-2003 and when the contract ended the State entered into an informal agreement with DOE to continue sampling. Kentucky would collect samples from time to time and split the samples with DOE or go out at different time for samples. There were roughly six seeps that were in the quarterly sampling events. Maybriar said the TCE numbers were measured against the Risk Assessment Methods document. The analytical numbers for TCE that were at the source did not exceed 10⁻⁶ risk level which in Kentucky's most sensitive receptor, being a child receptor.

Administrative Issues

Review of Workplan and August Agenda

Kay asked if the Site Management Plan presentation could be put on the August agenda as a placeholder. Blumenfeld said Dollins would notify the CAB if the presentation would not be ready for the meeting. Kay said according to the Land Acquisition Study schedule, a presentation should be added to the agenda. Smith suggested adding the chairs meeting homework to the agenda for the Executive Committee discussion.

Budget Review

Smith said the action item was left open for Dollins to contact Bechtel Jacobs Company for outstanding charges against the CAB budget. She suggested closing the action because the transition is complete. She asked if the Board now had \$345,000 to spend. Blumenfeld said there may be some outstanding charges because the contract has not been closed out. Dollins said he would look into it. Smith said the CAB needs to know about outstanding charges by August 4 to make travel arrangements for the chairs meeting.

Subcommittee Report

Executive Committee

Smith announced that nominations for Chair-Elect are open beginning tonight. Contact Chad Kerley for nominations.

Smith said to contract staff for a copy of the draft minutes from the chairs conference call.

Smith said the Santa Fe Chairs Meeting will be held September 6-8 with the 5th being a travel day. Five Board members have expressed interest in attending. The cost of the travel will be around \$1,200-\$1,500 per person. Murphie said the chairs meeting is usually meant for the chair and one other representative. Smith said she had volunteered Paducah to host the Chairs Meeting in Fall 2007.

Smith said the date has tentatively been set for November 3-4 for a mandatory retreat. Kay said he would not be able to attend that weekend. She asked staff to poll the Board for possible meeting dates. She asked if the Moors Resort Lodge would be acceptable or if there were other suggestions for a meeting location.

Smith said the Executive Committee will meet next Tuesday, July 25 at 2 p.m. Lee said she would try to attend and Smith said she could attend. Smith asked if anyone would volunteer to chair the Community Outreach task force.

Murphie suggested that the CAB follow-up on the individuals who attended the Land Acquisition Study public meeting for Board membership. Cantrell said she would provide the list of participants to the CAB staff.

Murphie said he is anticipating that the scrap metal project will be finished in August and he will be talking with headquarters on having a success event. He said the invitation would be extended to the CAB.

The meeting adjourned at 8:45 p.m.