



PADUCAH GASEOUS DIFFUSION PLANT CITIZENS ADVISORY BOARD

111 Memorial Drive • Paducah, Kentucky 42001 • (270) 554-3004 • PaducahCAB@bellsouth.net • www.pgdpcab.org

Paducah Gaseous Diffusion Plant Citizens Advisory Board Meeting Minutes October 19, 2006

The Citizens Advisory Board met at the CAB office in Paducah, Kentucky, October 19, 2006, at 6 p.m.

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

Board members absent: Allen Burnett

Ex Officio members and related regulatory agency employees: Brian Begley, Bill Clark, Jon Maybriar, Kentucky Division of Waste Management; Doug Dawson, Kentucky Department of Fish and Wildlife Resources; David Williams, Environmental Protection Agency; Steve Hampson, John Volpe, Kentucky Radiation Health Branch

Deputy Designated Federal Official: Reinhard Knerr

Portsmouth/Paducah Chief Operating Officer: Rachel Blumenfeld

DOE Interim Federal Coordinator: Mitch Hicks

DOE-related employees: David Ashburn, Jeannie Brandstetter, Tracey Brindley, Yvette Cantrell, Kim Crenshaw, Craig Dowdy, Bruce Gardner, Michael Gerle, Steve Kay, Steve Manning, Russell McCallister, John Morgan, Bruce Phillips, Steve Polston, Eric Roberts and Joe Tarantino

Ten members of the public attended the meeting.

Agenda

Kay asked for modifications to the agenda. **The Board adopted the agenda as submitted by consensus.**

Minutes

Kay asked for modifications to the draft September minutes. **The Board approved the minutes as submitted by consensus.**

Deputy Designated Federal Official Attachment 1

Knerr introduced Mitch Hicks of the U.S. Department of Energy (DOE) Site Office. Hicks will be serving as Federal Coordinator.

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

Knerr introduced Tracey Brindley of Paducah Remediation Services (PRS) to discuss an overflow at the C-613 Sedimentation Basin during a rain event in late September.

Questions/Comments	Answers
Russell: There is no water entering the sedimentation basin except runoff water from the scrap metal project.	Knerr: That is correct.
Smart: The emergency spillway only overflows when it exceeds the 10-year flood design.	Knerr: That is correct. It has overflowed twice; both times were during the summer of this year.
Lee: Were samples taken during the emergency overflow?	Bill Clark: Yes, samples were taken at the emergency spillway. Knerr: When a spill occurs, Kentucky is immediately notified and samples are split between DOE and the state. Volpe: The radiation program takes samples every six hours at three sampling points in the northwest corner. Those samples are recorded in the Annual Report, which is available to the public.
Lee: What did the data for the water samples show?	Brindley: At the outfalls, the suspended solids were near 100 milligrams per liter (mpls) and 200 mpls at the basin at the time the rain was coming in. Uranium data was consistent with what it has been at .2 mpl at the outfall and .4 mpl at the basin, which is typical in the split sampling over the past four months. The solids were higher than what normally is expected but there was no difference in any other levels.
Russell: How would you account for no change in the uranium if there was a difference in the suspended solids?	Brindley: The uranium is not dissolved. Knerr: Uranium is dissolved in the water where it is not in the suspended solids.
Russell: Normally the flow is one million gallons of water per day and that day it was over eight million gallons. The rain didn't bring the uranium. Where did the uranium come from?	Knerr: We will get an answer.

<p>Smith: Please update the CAB on Whitfield attending the Scrap Metal completion event.</p>	<p>Knerr: DOE is looking at having a media event on completion of removing the scrap metal from the scrap yard and to have Rep. Whitfield present. The event has been postponed until the last train of scrap is shipped off site within the next few weeks.</p>
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Ex-Officio Comments

Maybriar had an action to supply the CAB with the Agreement in Principle (AIP) data collected at four locations. Problems have been pointed out with the data, so it will be evaluated and he will try to provide it at the November CAB meeting.

Williams said the EPA signed off on the 2006 Site Management Plan (SMP) on Sept. 29 with a comment to incorporate additional milestones in the 2007 SMP.

Williams has learned of the possibility of obtaining a grant to help communities in forming revitalization plans. He is uncertain if those plans would be applicable to Paducah, but he will forward the information to the CAB. The application needs to be submitted by Nov. 1.

Smith said according to the EPA Web site, there are 2,000 sites on the environmental indicator list, and Paducah is the only site that is out of compliance on both human health exposure and groundwater contamination migration. Williams said EPA grew concerned when human health exposure was not under control by August 2005. Under the Resource Conservation Recovery Act (RCRA) program, the state has the authority to designate if either factor is under control. Thus, they have worked with DOE to control human health exposure by using additional sampling and signage. Maybriar said the state has been talking with EPA and other DOE facilities to see how other sites achieved compliance in the human health category. Savannah River and Hanford placed signs near creeks to notify the public of potential contamination. There is not enough data to say with certainty that the creek is contaminated, so regulators are coming up with language to say that the data indicates there “might be” contamination.

Russell asked if new signage and fences had been placed at Section Five of the North-South Diversion Ditch. Brindley said those signs have been in place for a while. She said some of the area was cleared during surface water sampling and the signs may be more visible. Russell said most of the vegetation in that area was removed last year and he thought the signs might have been replaced. Blumenfeld said she would check. Maybriar asked the CAB their thoughts on seeing additional signs along the creek. Lee said the public should be notified. Maybriar said the current signs say contamination is present and he is uncomfortable with that because he does not believe that there is any one spot that can be pointed to that is contaminated because of the nature of sediment. There is not enough information to positively say the creek is contaminated so they are trying to be as protective as they can. Smith asked if additional signs would help Paducah meet environmental indicators. Maybriar said other sites had achieved approval by doing so, and Smith suggested erecting the signage. Miller suggested asking the plant neighbors what they would like to see.

Lee said the CAB could ask that question on the CAB's Annual Survey. Maybriar said Kentucky and DOE need to make sure this is the path forward before anything is put on a survey. Williams said there is a need for timeliness for this to be accomplished. Blumenfeld said they would update the CAB on this issue at the next meeting.

Maybriar said the state had issued a letter of nonconurrence on the Southwest Plume Site Investigation report to DOE. That means that Kentucky has some concerns and wants to discuss the technical issues with DOE. If the document goes into formal dispute it goes beyond the site level and people in Washington will be making the decisions. Lee reminded members that DOE's model says trichloroethylene (TCE) is naturally attenuating; EPA and the state disagree. Knerr said DOE is working with Savannah River for presentations on attenuation to provide to EPA and Kentucky on the issue. Maybriar said he has never heard DOE say that the TCE will just go away; Kentucky just doesn't have substantial data. They need more information, which DOE is providing. Volpe said the University of Kentucky is going through a data quality objectives approach on the degradation issue. They are working with DOE and bringing in specialized individuals from Idaho on November 2 to address the issues. All of the agencies are involved in the process.

Williams said the EPA looks at it from a policy standpoint, not from the purely technical standpoint. Different from Idaho and Savannah River, at Paducah the plume has left the reservation.

Public Comment

Doris Lamb asked for an update on the Land Acquisition Study. Blumenfeld said the first draft is going through internal review. After internal review, it will be shared with the public and there will be a public meeting. Maybriar asked if the study would be available to the public before the meeting. Blumenfeld said she would answer that at the November CAB meeting. Lamb asked how copies of the document would be made available to the public. Blumenfeld said DOE will make distribution on the document as well as having documents available at the Environmental Information Center (EIC).

Vicki Jurka said Paducah is being treated the same as other sites such as Savannah River, Rocky Flats and Hanford, in spite of the fact that PGDP neighbors are in much closer proximity than neighbors at other sites. She said research indicates the majority of contaminants found in Paducah pose significant risk to human health, but very little data is collected from private properties by DOE and only select contaminants are looked at in monitoring wells. She said few health tests are done on the local human population; most data is extrapolated from species in the West Kentucky Wildlife Management Area. She suggested the public should write Congress and say EPA and DOE should not receive funding on health risk issues in Paducah. She said the CAB, EPA, the State and DOE have not taken into consideration how the public health at the Paducah Site is affected. Jurka wants to know if the CAB has funding for an expert who understands the hazards of radionuclides, chemicals and metals to human health. She said the public would like to see the CAB do something for the community.

Blumenfeld countered that human health is taken into account at this facility. EPA and the state accomplish that from a chemical, hazardous and radiation perspective. Site-specific risk analysis looks at the location and levels of specifically identified contaminants of concern as well as receptors. DOE knows there are creeks children can play in, adults may ride horses through or people may fish in and they look at the level of contaminants and calculate risk with reference to levels set by regulatory agencies. People do look at the health and risk associated with the contaminants that may be present here.

Jurka said data needs to be gathered in the places where people live.

Smith asked Dr. Volpe if he had any information that could clarify or help the public understand what the actual human health element is. Volpe said the sampling approach, where the sampling locations are, why the locations were put there and how they are used to protect human health can be provided. The Radiation Health Branch bases its work on public health; not environmental health. The placement of eight or nine automatic samplers is based on the plume maps to determine where the most data can be gathered. These supply sufficient data to determine if citizens are exposed to elevated levels of contaminants. Samples are taken every six hours in the creeks surrounding the facility at locations where all of the agencies believe are the best and most cost-effective locations.

Jurka said she had contacted the Radiation Health Branch for data on airborne plutonium.

Volpe said he would bring Jurka the information at the November meeting. Smith asked Volpe if he would be available during the first part of next year to give a presentation on past data and other data that is available through the Radiation Health Branch. Volpe said the 2005 data should be available at that time. Kay asked that specific requests or questions on past data be sent to CAB staff.

Maybriar said he is concerned about human health. He said funding is limited, but the cabinet will perform tests at a person's property on request if the land is located on the DOE footprint.

Jurka said human health testing should be included. Volpe said he would take her concerns back to the Radiation Health Branch. Russell said Jurka is not asking for what has been done, she is asking for new things to be done. Long asked if the reports would be in easy-to-understand language and asked when the air monitors were placed at the site. Volpe said the monitors were placed at the site about 10 years ago; he will bring maps to show the location of the monitors.

Ruby English said it is a shame that the plant neighbors live in a community where they are unable to get medical attention although the workers do. She said the neighbors are the net catching contaminants in the air, water and the ground. She asked that somebody do something for the neighborhood instead of wasting money. Long said the neighbors downwind at other sites get physicals regularly. Nobody here will bother to check what other sites are doing for their public and the federal courts are not going to help. Clayton asked if

there is data that shows the cancer rate here versus nationwide. Volpe said he is not an epidemiologist but he will take the question back to the Radiation Health Branch.

Smith said the CAB needs the public’s help in gathering information, sharing that information and pointing the CAB in the right direction of people that they know could help the CAB. She said Jurka and English are correct, if the CAB can’t do any more than what they are doing for the community then the CAB shouldn’t be here. The CAB needs additional board members who are willing to do the work.

Task Forces/Presentations

Williams provided a presentation on the Cecil Field Development to the Board (*Attachment 2*). Questions and answers (paraphrased) appear below.

Questions/Comments	Answers
Maybriar: When this was going through the redevelopment process and there were areas that had some industrial level of contamination, what prevented somebody from going in and doing some type of landscaping in that area or working on a broken water line?	Williams: Land use controls. The real estate industry becomes heavily involved along with legal. That is one of the reasons why land use controls are so important because EPA is one of the key components in the transfer of federal properties and making sure land use controls are in place.
Volpe: What are the employment levels now versus pre-closure levels?	Steve Manning: They have been very successful in getting industry to relocate there. Not all of the military jobs were replaced but all of the civilian jobs were.
Smart: Was the groundwater remediated within 20 years?	Williams: Homes can be built over contaminated groundwater plumes if sub slab ventilation systems are used or if the foundations don’t go below a certain level. That goes for contaminated soils as well. Gardens cannot be planted in certain instances or certain vegetables can’t be grown. It would be very helpful to have a blueprint in place for Paducah when entering into the Comprehensive Sitewide Operable Unit.
Miller: Was the parcelization based on contaminant remedies?	Williams: Partially. It was also based on current infrastructure.

Waste Disposition/Water Quality Task Force

Lee said the task force discussed a draft recommendation based on Gary Vander Boegh’s allegations of free liquids entering the C-746-U Landfill. Maybriar said in response to the letter sent to DOE by Kentucky Division of Waste Management (KDWM), DOE asked for additional time to respond to the allegations and they were not sure of the length of time that

would take. Blumenfeld said PRS is reviewing logbooks, records and e-mails to have a complete and comprehensive answer. DOE is hoping to extend their deadline for a response to the letter. Maybriar said when KDWM received the allegations, Paducah inspector Gary Morgan was brought in to see if violations had been issued at other facilities based on photographs and allegations. They couldn't substantiate the photographs to issue a notice of violation and are awaiting DOE's response to the allegations. Lee said the task force has different viewpoints on the recommendation.

The Kentucky Pollutant Discharge Elimination System (KPDES) permit was discussed at the task force. An extension was not given for public comment on the permit and the task force doesn't feel like the public was given time to process the changes. Smart will draft a letter to the Division of Water and DOE may be appealing the extension. Maybriar said he was told that this type of permit is a "bean" that the Division of Water needed to submit to EPA quickly as part of the grant process. Smart asked Williams to find out the impetus for the issuance of the permit from an EPA standpoint. Williams said he would check on the information and send to CAB staff. He said he was disappointed that EPA did not have anyone attend the hearing from that program.

PRS prepared a list of geographic information system (GIS) requests from Lee. The GIS database is a way to visualize what areas of the site are going to be eligible for reuse. Russell is preparing some scenarios for what he'd like to see for future use especially in the recreational area. Lee asked for all members to send requests to her to be forwarded to Brindley.

Smith said she asked Tidwell to field any Community Outreach information in Burnett's absence on human health issues.

Action Items

Lee said the draft recommendation to DOE on the landfill allegations is pending based on the response from DOE to KDWM's letter.

Maps were provided indicating the acreage of the Northwest quadrant of the site that has runoff to the sedimentation basin. The maps indicate that when the basin overflows, it is engineered to do so and does not bypass Outfall 001.

Brindley said there is an estimated depth of one foot of sediment in the sedimentation basin. Lee asked at what point the basin would be cleaned out. Brindley said the Operations and Maintenance document specifies that it would be cleaned out when the depth reaches four feet. Lee asked where the sediment would go. Brindley said it would be disposed of where appropriate based on characterization. Lee asked if the sediment is being sampled. Brindley said a sample was pulled last week to get an idea of the characterization. Miller asked if the CAB could review the data when received. Brindley said the validated data should be received in a couple of months. Lee asked that the data be e-mailed to Miller.

Smith said the request for EPA and Kentucky correspondence would be discussed at the retreat. Maybriar said if the State's comments were sent to the CAB, they would ask that they remain at CAB level and not be distributed to the public until the document is finalized. He is concerned that the negotiations would end up in the paper. The public can request the comments through the Freedom of Information Act. Blumenfeld suggested that the CAB request a presentation or briefing on the issues from the state and EPA on each document. Smith said that could be discussed at the retreat as well.

Lee said limiting the DDFO presentation to 15 minutes and including issues the CAB could help with would be discussed at the retreat. Blumenfeld said DOE is open to ideas. Knerr said he has had discussions with Hicks on how to involve the CAB in various projects.

Knerr said the unused CAB money from FY06 would be carried over to the FY07 budget. Smith asked if the CAB needed to set aside money for PRS to provide support to the CAB on special projects such as maps. Knerr said PRS provides ongoing support for DOE to support the CAB but additional funds would need to be set aside for additional support. Blumenfeld said DOE would talk to the CAB on how they want to manage that money.

Lee said Russell would be preparing additional requests for the GIS database.

Blumenfeld explained that there is not an opportunity for a separate review of the Land Acquisition Study by the CAB prior to the public comment period. She said the Executive Committee could be briefed.

Smith said Burnett is researching the "off-site dump maps" requested by Gary Vander Boegh. She said the request was assigned to the Community Outreach task force.

Blumenfeld said under the current baseline for Uranium Disposition Services (UDS), construction is scheduled to be completed by August 2007 and an operational readiness review would follow, which would take about six months. The current contract runs through 2011 and once construction and the review are complete, UDS will continue to operate through 2011 when the contract could be rebid. Miller requested that DOE forward this information to Jurka.

Maybriar said the AIP data will be evaluated further and if possible, presented to the CAB in November.

Blumenfeld said DOE is required to do a groundwater assessment due to an exceedance at the landfill. DOE submitted a letter to Kentucky on what areas would be targeted. A schedule extension was requested by DOE and granted by the state due to the number of analytes to be collected, the number of monitoring wells to be sampled and the time it takes to turn the samples around. Results of the groundwater assessment will be a few months out. Miller said the request was to see the letter indicating DOE's plan for the assessment. Knerr asked if the task force would like a presentation on the groundwater assessment. Smith said she would check with Burnett to see if he would want a presentation at the task force or at the Board meeting.

Administrative Issues

Smith introduced Eric Roberts, CAB support staff. He will replace Jeannie Brandstetter, who resigned on Oct. 20.

Smith asked Hicks to introduce himself. Hicks said he is the Health Physicist for Paducah and Portsmouth. He spent 20 years in the U.S. Air Force then came to work for DOE. Blumenfeld said Dave Dollins is no longer the Federal Coordinator for the CAB but he is still at the DOE Site Office focusing on technical projects.

Review of Workplan and November Agenda

Blumenfeld said she would contact Rich Bonczek to see if the Land Acquisition Study could be presented in January. The document will not be available before the November CAB meeting. Smith asked if the SMP would be presented at the November meeting. Blumenfeld said they had not yet received approval on the document from the state. Smith asked if PRS could give the CAB an overview on their staffing, transition, and safety issues. Blumenfeld asked for specific questions for PRS. Lee said Cantrell was planning to provide a fact sheet on the Community Relations Plan. Blumenfeld said after the review of the fact sheet, if the CAB would like a presentation, it could be scheduled for a future agenda item. Miller suggested a presentation on DOE's plans for the groundwater assessment for the November agenda. Blumenfeld said substantial information may not be available, but Knerr will check with PRS to see.

Budget Review

Smith said a draft 2007 budget was received from EHI for discussion at the Executive Committee meeting. Budget issues are also on the retreat agenda.

Subcommittee Report

Executive Committee

Smith said one membership application has been received.

Kay said a 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. Smith said the letter recommends including public participation in technology development and deployment at DOE sites. **The letter was approved for Smith's signature by consensus.**

Retreat

Smith said the Annual Planning Retreat is scheduled for November 3 and 4 at Paris Landing State Park. The draft agenda and directions are in the packet for review. Nine members are planning to attend. Trawick asked if the CAB would like a brief presentation from EHI.

Smith said a 5-10 minute presentation would be fine but the CAB would need help in facilitation. Kay asked if there were any other changes to the draft agenda. Smith said the agenda will be finalized at the Executive Committee meeting. Lee asked if the Community Relations Plan fact sheet could be available at the retreat. Cantrell said yes. Smith asked if the CAB could be provided the 2007 draft milestones from the SMP. Blumenfeld said 2007 milestones have not been identified. She said Knerr would check with Dollins to see what is usually provided to the CAB prior to the retreat.

Other

The Executive Committee will meet Oct. 25 at noon.

Smith said the Board received an appointment letter from Doug Frost naming Knerr DDFO.

A list of documents available at the CAB Office and EIC since the last CAB meeting is in the packet.

Smith said this meeting would be Long's last CAB meeting and commended her on 10 years of service to the Board.

The meeting adjourned at 9:15 p.m.