



PADUCAH GASEOUS DIFFUSION PLANT CITIZENS ADVISORY BOARD

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Paducah Gaseous Diffusion Plant Citizens Advisory Board Meeting Minutes September 21, 2006

The Citizens Advisory Board (CAB) met at the CAB office in Paducah, Kentucky, September 21, 2006, at 6 p.m.

Board members present: Allen Burnett, Bobby Lee, Linda Long, Janet Miller, John Russell, Jim Smart, Rhonda Smith and James Tidwell

Board members absent: John Anderson, Judy Clayton, Shirley Lanier, and Elton Priddy

Ex Officio members and related regulatory agency employees present: Bill Clark, Jon Maybriar, and Tony Hatton, Kentucky Division of Waste Management; Tim Kreher, Kentucky Department of Fish and Wildlife Resources; David Williams and Debbie Vaughn-Wright, Environmental Protection Agency; Steve Hampson and John Volpe, Radiation Health Branch

Deputy Designated Federal Official: Reinhard Knerr

Portsmouth/Paducah Chief Operating Officer: Rachel Blumenfeld

DOE Federal Coordinator present: David Dollins

DOE-related employees present: David Ashburn, Rich Bonczek, Jeannie Brandstetter, Tracey Brindley, Yvette Cantrell, Paul Corpstein, Kim Crenshaw, Bruce Gardner, Stephen Gohn, Guy Griswold, Mitch Hicks, Steve Kay, Matt La Barge, Steve Manning, Doug Moore, John Morgan, Lindell Ormsbee, Bruce Phillips, John Razor, and Scott Smith

Eight members of the public attended the meeting.

Agenda

Kay asked for modifications to the agenda. Smith said a Land Acquisition Study presentation would be added before the task force update. **The Board adopted the agenda as modified by consensus.**

Minutes

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

Deputy Designated Federal Official *Attachment 1*

Blumenfeld said board members have raised concerns about responsiveness and continuity of DOE representation at the meetings. In order to give the Board a local contact and consistent DOE participation, Bill Murphie, Portsmouth/Paducah Project Manager, has designated Knerr, Paducah Site Lead, as the new Deputy Designated Federal Official (DDFO), to the CAB. She said she and Murphie will continue to attend meetings and provide support to the CAB.

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

Questions/Comments	Answers
Smart: Was the C-405 Incinerator used to treat radioactive waste?	Knerr: It was used to burn radioactive media and materials.
Russell: \$2 million was spent for boreholes on the C-400 project to refine where the technology will be located for remediation. How sensitive is the technology to location, plus or minus three feet or 100 feet, in order to be equally effective? How far would the technology have been moved if the additional boreholes had not been done?	Razor: It is expensive to employ this technology and is active over a small area. The electrodes have to be in the right location to induce a current so that the right zone is heated. PRS is interested in the zones that have the highest concentration and that is where the TCE is not dissolved in the liquid called dense nonaqueous-phase liquid. The data is important and not only \$2 million is being spent on the design but tens of millions to get the whole area treated. If the area that is out there was treated before the additional boreholes were done, a much larger area would be treated.
Russell: One of the criticisms from Congress is the amount of money spent to generate information but it takes forever to get around to doing cleanup. I don't believe that technology will be moved very far from where it would have been if the 51 boreholes had not been done.	Razor: The electrodes are spaced so that the distance between them is 20 feet. If you are 20 feet away from where the electrodes should be, the wrong area is being treated.

<p>Russell: This area gets about 48 inches of rainfall a year and in Kentucky we get about 30 inches of evapo-transpiration. In the sedimentation basin there is no transpiration so there is 20 inches of evaporation. That leaves 28 inches of water that has to go somewhere, per acre that is half a million to a million gallons a day. I don't know what the flow is out of that basin, but it is only a 5 million gallon capacity. I am concerned that only intermittent discharges are conducted. Is that basin lined? If a material balance analysis was conducted, is there enough flow?</p>	<p>Brindley: It is lined. Flow into the basin is generally during rainfall. It is monitored every day. In August the basin was not discharged because it did not rise more than a foot with the limited rainfall. In September, there was heavy rain and heavy rain is expected for this weekend, so the basin was discharged last week and this week to keep the level in the basin low enough so that it doesn't overflow and has time to settle prior to discharge. Two pumps are used for discharging, taking about two days to pump out two million gallons.</p> <p>Razor: The purpose of the basin was for the scrap metal project to catch and detain water for a period of time to allow the soil to settle. It is not made to contain water, it is a detention basin for a period of time.</p>
<p>Miller: Has the sediment been cleaned out of the basin yet? If not, when is PRS expected to do that?</p>	<p>Razor: We have not had the need to do that so far; the northwest scrap metal project is coming to an end. We hope there will be grass growing on that area within the next few weeks and that will greatly reduce the soil load going to that area.</p>
<p>Miller: Is the level of sediment monitored that is going in the basin?</p>	<p>Razor: Yes, to ensure there is enough storage capacity.</p>
<p>Miller: How deep is the sediment in the basin? Are there plans for the sediment in the basin?</p>	<p>Razor: I don't know how deep the sediment is. There are no plans to remove the sediment at this point.</p>
<p>Miller: Please bring the sediment level to the October meeting.</p>	
<p>Russell: Are there are streams into that basin other than the runoff from the scrap metal area?</p>	<p>Razor: It takes the northwest quadrant of the site.</p>
<p>Russell: Is leachate from the C-746-U Landfill placed there? I just want to be clear that no effluent is going to the sedimentation basin other than runoff from the scrap metal area. How many acres is that?</p>	<p>Razor: No. The landfill is in another location. The basin just takes runoff from the northwest quadrant of the site.</p> <p>Volpe: Less than a couple hundred acres. We can get those maps.</p>
<p>Burnett: Are there quantifiable goals or qualitative goals on what to expect on the C-400 project?</p>	<p>Blumenfeld: There is not a specific action level for TCE removal that DOE is trying to achieve. The system will run as long as it is cost-effectively removing TCE; until it reaches a point of diminishing returns, and it will then be turned off.</p>

<p>Burnett: KDWM and the EPA found reasonable cause to believe that free liquids might have been disposed of in the U-Landfill. DOE is due to give a response to the letter by October 11. I hope that would be addressed in the comments at the October meeting.</p>	<p>Knerr: DOE did receive a letter and is evaluating the information that was provided.</p>
<p>Burnett: Grading and seeding will be done in the scrap yards and then the area will be turned over to the Burial Grounds Operable Unit. There is some suspicion that material is buried under the surface. What are the plans for that? Grass will hold it for the time being but what are the long-term plans?</p>	<p>Knerr: That area is being evaluated through the Remedial Investigation Feasibility Study Work Plan, which will involve borings and evaluating analytical data resulting from the borings to see if there are contaminants associated with those landfills. In conjunction with EPA and Kentucky, DOE will go through the CERCLA process on how to move forward with remedial activities.</p>
<p>Lee: As the new DDFO, can Knerr tell us his background and relationship with DOE?</p>	<p>Knerr: I have spent a lot of time at various DOE sites starting my career at Pantex working in the nuclear safety field, specifically, criticality safety. From there I went to Portsmouth, Ohio, working as a subcontractor in DOE operations and had an opportunity to get familiar with the gaseous diffusion process. I was a consultant in criticality safety at Y-12. I was able to secure a DOE position at the Waste Isolation Pilot Plant site in Carlsbad, New Mexico and was responsible for the waste certification team and compliance. I spent a year at headquarters working with Jesse Roberson looking at ways to reduce risk and eliminating barriers with waste disposal activities across the DOE complex. I have been at the Paducah site for two years. I was brought in as D&D Manager, to be responsible for C-410, waste management activities, on- and off-site transportation activities and the scrap metal project. I was selected for the Site Lead position about two months ago.</p> <p>Blumenfeld: DOE conducted a national search for the (site lead) position at Paducah and we are confident that Reinhard will do an excellent job; he is well respected throughout the complex.</p>

Federal Coordinator Comments

Dollins said re: the C-400 Record of Decision (ROD) signed in August 2005 and the question of whether the RD/SI was necessary, he believes it was worth it to spend \$2 million to narrow focus on the area to be treated to ensure the success of a \$38 million project.

Dollins said Long was honored for her 10 years of service to the Board at the chairs meeting in September. Long was presented a award by Asst. Secretary Rispoli and Doug Frost, Designated Federal Official for all the boards in the complex. Long said she was surprised by the award and thanked all of the members of the Board.

Ex-Officio Comments

Maybriar said the state sent a non-concurrence letter (dated Sept. 21) stating that they were not in agreement with everything in the Southwest Plume report but will work with DOE to resolve the issues. The comments can be shared with the CAB.

Maybriar said comments on the 2006 Site Management Plan (SMP) will be issued to DOE the week of Sept. 25. Kentucky will approve the SMP but is not in agreement with all it contains. Some of the comments have recently been resolved and they will begin working on the 2007 SMP soon. The 2006 SMP will be approved and expectations will be embedded into the 2007 SMP.

Maybriar said the state hopes to approve the BGOU Work Plan within the next two weeks. There is one outstanding issue and discussions with DOE are addressing the concerns.

Maybriar said discharge sampling for the storm water runoff at the C-613 lagoon has been discussed. The C-613 is the storm water basin for the scrap metal project. When DOE discharges, they let the state know and the sample is split. Additionally, a sample is taken at Outfall 001 and at the Northwest Pump and Treat to calculate what contamination is contributed from that facility. Kentucky also samples downstream after a discharge from the 001 ditch has sufficiently mixed with Big Bayou Creek water. Samples are also taken a quarter mile downstream. Sampling downstream and at the Pump and Treat began six to seven months ago and data is just now being received. Maybriar said he will share the results with the CAB in October.

Maybriar said the Agreement in Principle group did a sampling event in the Ohio River that has not been done before. At the confluence of Bayou Creek and the Ohio River there is a delta that can be seen this time of year when the water level drops. Ten sediment samples were taken to see what has historically been released from the facility and deposited in the Ohio River in that area. Those results should be back in a couple of months.

Maybriar said Kentucky got a letter from Tennessee Valley Authority (TVA) approving additional signage for TVA property along Bayou Creek. Kentucky has sent a letter to DOE to establish a path forward. Burnett asked if additional signs were adequate protection for minors. Maybriar said Volpe reminded KDWM to work with his agency to get approval for

the signs. Maybriar said the signs are not a final action, just a minor one to notify the public that insufficient data exists to verify if there is a problem.

Russell said the CAB got a copy of a letter from Hatton, KDWM Asst. Director, to DOE placing the U-Landfill in a groundwater assessment. Hatton said all of the solid waste landfills in Kentucky are required to have groundwater monitoring systems installed up-gradient and down-gradient of the landfill to determine if there have been any releases from the landfill. There are two criteria in the regulations to determine if a release has occurred; if a constituent in the groundwater is found that exceeds the maximum contaminant level, and if a constituent continues to show up in a down-gradient well but not in an up-gradient well. Under solid waste regulations, if monitoring does indicate a release, the landfill goes into groundwater assessment. The purpose of groundwater assessment is to assess the nature and extent of the contamination and the depth it has reached in the aquifer. The characterization will determine if it came from the landfill and if corrective actions are needed to address releases. On August 29, 2006, KDWM submitted a letter to PRS and DOE putting the C-746-U Landfill into groundwater assessment for several constituents including TCE and polychlorinated biphenyls (PCBs), one metal, and three or four indicator parameters. A couple of rad metals were also found. These constituents were not detected in all of the wells. Russell asked if the groundwater assessment included the S&T Landfills, since they were operated at a time when the regulations for their design and operation were substantially different from today and they are upstream of the monitoring wells that are showing constituents. Hatton said the U-Landfill is a currently operating and permitted contained landfill and any potential releases to the groundwater are being addressed in accordance with the solid waste permit. The agency is addressing any releases from the S&T Landfill and the underlying Solid Waste Management Units (SWMUs) under the Federal Facilities Agreement (FFA). The solid waste requirements have very stringent timeframes and at that time KDWM knew that there were several groundwater issues of concern and it didn't make sense to spend all the resources addressing contaminated groundwater beneath the S&T Landfills when there were more pressing issues. If a groundwater investigation is being done around the U-Landfill it can be taken into account that other potential sources around it might be the actual source of the contamination in the U monitoring network. It is DOE's job to investigate and report to Kentucky their findings on where the contamination is coming from and where it is going. Russell asked if the U monitoring network included the monitoring wells that are upstream of the U-Landfill in the vicinity of S&T Landfills and penetrating through the S&T Landfills. Hatton said he did not believe there are any up-gradient wells for the U-Landfill that penetrate through the S&T Landfills but the up-gradient wells for the U-Landfill are almost directly down-gradient of the S&T Landfills. Russell asked if those wells are showing elevated levels of those contaminants that are in excess of the mcls. Hatton said there is at least one well up-gradient of the U-Landfill that has TCE in it and three down-gradient wells that have TCE in them as well. Russell asked about pcbs. Hatton said pcbs were detected in MW 361, 363, and 365 at the U-Landfill which are all down-gradient. He said he did not have the data detected in the S&T Landfills but it does not appear that pcbs were detected in the up-gradient wells in the U monitoring network.

Williams said he has been stressing the importance of environmental indicators and the requirement that the EPA was put under by Congress in 1996 under the Government

Performance Results Act. He applauded Kentucky, especially Maybriar, for working with TVA, DOE and private landholders to get this accomplished.

Williams said EPA is in line with Kentucky on the 2006 SMP. EPA requires all National Priority List sites to have enforceable milestones in place and that is a key point in the discussions with DOE. EPA will approve the 2006 SMP and enter into negotiations with DOE on the 2007 SMP. He said there is significant progress on being able to pull in the dissolve phase plume under its own category in the Groundwater Operable Unit (GWOU). Because of the recent findings of the pcbs in the groundwater around the S, T, and U-Landfills, EPA has been in discussion with Kentucky and DOE for placing an addendum in the BGOU so that document can be approved and schedules can be met to get the contractors in the field.

Williams said he has just received comments on the Southwest Plume from the Las Vegas and Oklahoma labs which are the top groundwater labs in the country. He said he would review the comments and submit a letter to DOE the week of Sept. 25.

Williams suggested that his presentation on the Redevelopment Blueprint for Cecil Field could be postponed until October due to time constraints. One of the primary missions of EPA is to focus on revitalization and reuse as sites are cleaned up. The Board agreed to postpone the presentation.

Lee said in August there were discussions on whether changes in the SMP were minor or major modifications. Williams said that is more of an issue with DOE on the Community Relations Plan (CRP). The issues began with the 2004 SMP and enforceable milestones that were put in place then. There were sufficient revisions and discussions on whether that would be a major or minor modification. He said he was unsure if that was ever resolved but it led into the discussion of the degree of public input on a major modification. EPA, Kentucky and DOE are still negotiating that. Blumenfeld said when discussing the SMP, there was question whether every major modification would be subject to a public participation requirement before it could become final. She said there is no question whether a major modification in the provisions of the FFA would require public participation. Lee asked why DOE would not want public participation. In the FFA, there are specific procedures and processes for changes and documents processed in an orderly fashion so the work can keep going. Blumenfeld said public participation is an underpinning to CERCLA and is very important and required for certain things under Resource Conservation Recovery Act (RCRA) such as closure plans and permits. DOE absolutely supports and values public participation and wants to make sure that an absolute policy does not translate into the CRP in a way that it ends up impeding efficiency and effectiveness. In no way does DOE want to convey that they want to stop public participation, review and comment. Lee asked if Blumenfeld could address the issue next month when there is more time. Blumenfeld asked Lee to work with Knerr and Dollins on what she is clearly asking so that DOE can truly be responsive.

Volpe said he is providing the Radiation Health Branch (RHB) with technical assistance. He said he routinely meets with Dewey Crawford, RHB Manager, and is helping with samples in the lab that have been backlogged. Soon, data gathered in 2004 and 2005 will be available

and will answer some of the CAB's questions in regard to sampling at Outfall 001. There is continuous sampling done at Outfall 001 and the state provides an enormous database for those surface waters. That data is used to make decisions regarding radiation doses and impacts the facilities on surface water. He said he does not like to use grab samples because they are not sufficient. Smith asked if anything is being done for human health information for the public. Volpe said he tries to incorporate information into the reports including air monitoring data, surface water monitoring and groundwater monitoring. Smith said the CAB may request some of the old reports. Hampson said the reports are available electronically.

Public Comments

Vander Boegh thanked the Board for allowing Dr. Cook to make his comments at the August meeting. He said he believed members understand the doctor's value to the community and said Cook is considering joining the Board.

Vander Boegh asked what company is operating the landfill. Knerr said PRS is. Vander Boegh asked for whom Matt LaBarge works. Razor said LaBarge works for Energy Solutions. Vander Boegh asked if Duratek was still operating the landfill. LaBarge said Duratek changed their name from Duratek to Energy Solutions. Razor clarified that Energy Solution purchased Duratek in June. He said the union employees at the landfill are direct employees of PRS. Vander Boegh asked how the boxes and the drums at the landfill are inspected for free liquids. Corpstein said the waste arrives at the landfill and if it is covered, it is not uncovered on the scale, it is not visibly seen until it goes to the work base and the container is dumped into the work base.

Vander Boegh asked what kind of design facility is the C-613 basin. Dollins said it is a 10-year design facility. Vander Boegh asked what happens if there is a 100-year storm event as in July. Razor said the duration of the scrap metal project is a fairly short period of time so the design of the basin is based upon a storm event that occurred with a 10-year return interval. If a 100-year rain event occurs it overtops the system and it is designed to handle the overtopping but that happens once in 100 years. Vander Boegh said there was an overflow in July because a 100-year rain event occurred. A 100-year rain event can happen every two or three weeks. He asked if the basin was designed appropriately to hold and detain the contaminants to settle out. Blumenfeld said reasonable design and parameters must be selected for a short life like the sediment basin. Ten years was identified to be appropriate because it was a limited duration activity and any of the design specifications that were selected were reviewed and approved by the regulators. She said no one is disputing the point that if a 100-year rain event occurs it will overtop a 10-year design basin. She said to speak to the possible implication that there is something deficient about the sedimentation basin, the answer is the basin was reasonably designed given the nature and duration of the project, and the design criteria was approved by the regulators. Vander Boegh asked if Blumenfeld is acknowledging that the basin overflows and it is not holding the water on every event. Blumenfeld said she is acknowledging that *could* happen based on the information that Razor provided. Vander Boegh said the point is to express that water was bypassing that pond entering a ditch and exiting past the Outfall 001. Blumenfeld said she was merely acknowledging the fact that if a rain event exceeds a 10-year rain event then the sediment

basin would overflow. DOE has monitored any discharge that comes out of Outfall 001 and it is shared with the regulators. Vander Boegh said he is asking how many millions of gallons are going out that contain a contaminant for one of the sampling events to calculate 20 pounds of uranium. Maybriar suggested a site drawing to show that when the basin overflows, it is engineered to do so and does not bypass Outfall 001. It discharges up-gradient of Outfall 001 then flows through Outfall 001, at which point Kentucky takes a sample. If the water is overflowing the basin may not have had time for the suspended particles to settle out. Kentucky is curious about that as well and will go out and sample at Outfall 001 and down-gradient of Little Bayou Creek. Blumenfeld said DOE will provide that graphic at the next meeting. Knerr said this summer there was a seep and DOE communicated with Kentucky on the level of the water in the sedimentation basin and that there was a potential for overflow and made sure Kentucky was present when there was a potential for overflow and did split sample. The results of the sampling are consistent with the ability to discharge water out of the sedimentation basin so the total suspended solids that did seep over were not different from what is discharged from the sedimentation basin. Vander Boegh asked if a suspended solids test was done as the basin was overflowing. Brindley said yes. Maybriar said at one time a sample did exceed the limits but nothing was discharged, Flocculent was applied and it worked quickly. Vander Boegh asked if the application of Flocculent constituted PRS applying "treatment" to the sedimentation pond. Knerr said Flocculent was applied as permitted in the Operations and Maintenance Plan and communicated with Kentucky. Blumenfeld said Flocculent was applied to precipitate the sediment, not as treatment.

Vander Boegh asked if off-site dump site maps provided by DOE to the public in 2000 had been located. He requested them at the August Board meeting. Knerr said there are no off-site dumps and the maps that Vander Boegh is referring to in the early 2000 timeframe were provided to the public and the CAB discussed any potential indications of miscellaneous contaminations at the site. Vander Boegh said the maps to which Knerr is referring are the maps that Don Seaborg, former Site Manager, signed on October 18, 2001 and those are not the same maps. Kay asked Vander Boegh to put his specific request in writing. Blumenfeld said DOE is trying to be responsive but is unaware of the maps and DOE can gain a clearer understanding of what Vander Boegh is looking for if the request is spelled out in writing.

Jurka asked when the Depleted Uranium Conversion Facility will be online. Knerr said construction would be completed and equipment installed in late Summer 2007. When the facility is completed, DOE will bring in experts from across the complex to complete an operation readiness review, which takes three to four months. Blumenfeld said DOE could provide the schedule for that review. Jurka asked if there was a contract in place for the operation of the facility. Uranium Disposition Services (UDS) is currently set to design, build and operate under a five-year term on the contract from the time of completed structure to the end of the five-year period, with potential for the contract to be extended or re-bid. Jurka asked if the potential exists for UDS to not begin operations and whether it could be re-bid and reassigned to another entity, either during the first five years or once construction is completed. Blumenfeld said she would check the contract and get a specific answer.

Johnson said Razor said there was a short time frame for the design of the sedimentation pond for the scrap metal project. He asked what the design time was for the project and will the project be completed in that time frame. Razor said the original contract duration was two years and it is now four years into the project. There were difficulties in sorting and segregating the materials. Most recently, a different kind of packaging has been utilized to allow large quantities to be shipped, which has accelerated the project. Johnson asked if the design of the sedimentation pond took into consideration going from two years to four years. Razor said the design is for a 10-year return interval storm and if you get an 11-year interval storm, some amount will go over. Johnson asked if the figures are accurate if you go beyond the time frame. Razor said the basin's capacity will remain what the basin's capacity is as long as it doesn't fill up with sediment. The 10-year return interval storm will still be captured.

Johnson asked what percentage of DOE's budget is allocated for meetings such as the CAB meetings. Blumenfeld said DOE could calculate the figure and provide it at the October meeting. Johnson said that would be a good indicator as to the importance DOE places on public opinion. Blumenfeld said CAB meetings are not the only measure, citing DOE's opportunities for public participation which are provided during conduction of all clean-up projects. Johnson asked for a total number including those items, and Blumenfeld said that would be impossible to quantify because of the production of documents, publication of documents, publication notices are not line items. Those are captured in with project costs.

Kay said the Board has long tried to include the public in its activities by inviting members of the public to make comments and ask questions at meetings. The intention is to address brief comments and questions either immediately or as an action item for future response. For several months the public comment portion of the meeting has far surpassed the time allotted to the activity, pushing the Board's agenda to the wayside. Smith presented a draft of suggested guidelines for public input. (*Attachment 2*). She said the guidelines would be discussed and voted on at the retreat in November. Smith said the Board wants public input and is not trying to shut the public out because good information comes from the public.

Smith said the newspapers have featured articles on a proposed spent nuclear fuel recycling program. After inquiring about the issue at the Chairs Meeting she was told that issue was not within the Board's purview and could not be discussed during the meetings.

Task Forces/Presentations

Land Acquisition Study Update *Attachment 3*

Ormsbee provided a presentation on the Land Acquisition Study to the Board. Questions and answers (paraphrased) appear below.

Questions/Comments	Answers
<p>Russell: Was the statement “Remove 95% of TCE found in soil down to 45 feet below surface” a target taken from an existing document?</p>	<p>Ormsbee: Those numbers came from the D1 Groundwater Operable Unit Feasibility Study that looked at possible technologies and the potential remediation percent reduction that could be achieved with those different technologies.</p>
<p>Russell: It was asked earlier if there were goals or targets for the C-400 project and it was said that the technology would be used until an isotope is hit and quit. This doesn’t suggest that.</p>	<p>Blumenfeld: What Ormsbee is talking about is a FS document KRCEE was directed to in their statement of work to identify potential remedial options. The C-400 ROD identifies an asymptotic condition as how to operate.</p>
<p>Russell: Then this option was abandoned.</p>	<p>Blumenfeld: I wouldn’t say abandoned. That is specifically what happened for the C-400 ROD.</p>
<p>Burnett: Were any sensitivity studies done on treatment efficiencies or are all the values taken from the documents?</p>	<p>Ormsbee: Only the efficiencies in the documents were used.</p>
<p>Lee: Explain the ranges on the remediation costs on why there is such a large variation.</p>	<p>Ormsbee: That is related to the type of technology used in the D1 documents. Some of the D2 documents did not spell out the prescribed technologies.</p>
<p>Williams: The implemented cost of property versus remediation would need to include the sufficient rewriting of all of the environmental laws that we are currently operating under.</p>	<p>Ormsbee: That assumes that the remediation option that is looked at is not meeting the associated CERCLA requirements. The one looked at is hitting targets of reducing TCE at the property boundary within 10 years and the property fence within 15 years. If a remediation strategy was implemented right now that meets targets at the boundary and fence line in a short time frame, there is still material out there beyond the fence that will dissipate over time.</p>
<p>Williams: Current environmental laws would only regard property acquisition as a land use control which would be an additive cost to those remediation costs, not in lieu of.</p>	<p>Ormsbee: Correct.</p>
<p>Smith: Do you know when the public presentation will be scheduled?</p>	<p>Ormsbee: Not at this time. Blumenfeld: Early or mid-winter, depending on the internal review. It is a preliminary document.</p>

Burnett: At what point will the CAB see the actual document?	Blumenfeld: When we get the final draft but before the report is finalized, after internal DOE process including headquarters, that draft will be available to the CAB. We have made the commitment to make the document available to the public and include comments in the appendix with the final report that actually goes to Congress. I am not sure of the timeframe.
Burnett: The CAB would like to review the document and incorporate comments before public review.	Blumenfeld: I will take the request under advisement and give the CAB an answer next month.
Smart: The point that Williams made should be clear in the report; it seems the thought process is just to buy the land and forget remediation.	Ormsbee: We are well aware of that.

Waste Disposition/Water Quality Task Force

Lee said Hatton, KDWM informed the task force on the letter sent to DOE addressing the groundwater assessment on the C-746-U-Landfill.

Smart said the comment period for the Kentucky Pollutant Discharge Elimination System (KPDES) permit will end on Sept.28. He said he would forward his comments to Lee and she could send the comments to the rest of the task force for comments. He said the CAB or DOE might ask for an extension on the comment response period. It has taken three years to get the permit updated and 30 days may not be enough time for substantive review. Smart said it would be helpful if the permit listed the modifications and additions from previous permits. Blumenfeld said she was told that there is a regulatory provision that allows someone to request an extension. Maybriar said to contact the Division of Water in case they would need to reschedule the hearing. Smart asked Brandstetter to contact Larry Sowder.

Lee said the task force was presented some maps for discussion and Tracy Brindley, PRS, was available at the task force to navigate the Geographic Information System (GIS) system. DOE has promised that Brindley will be available at future task force meetings. Members with questions or suggestions were asked to forward them to Lee so she can compile a list of requests for Brindley.

Lee said the task force has discussed a recommendation to DOE requesting assurance that the Waste Acceptance Criteria is being met for the U-Landfill and that there is sufficient oversight from the regulators and DOE. That recommendation is still being discussed.

Smith said while they were at the Chairs Meeting, they participated in a groundwater workshop and good ideas and technologies were discussed. Steve Achery, EPA was at the Paducah site about a month ago and Charles Coyoe from Oklahoma will soon be on site to conduct a groundwater study. Dollins said Larry Bailey asked him at the Chairs meeting if he

was aware that someone was coming to the site conducting a groundwater program and he said he was not. Smith thanked Steve Gohn, Office of Science and Technology, for attending the CAB meeting.

Action Items

Lee said the formal statement to DOE on landfill concerns is pending.

Lee said Tony Hatton answered all the questions that the task force asked regarding the leachate treatment facility so that action could be closed.

Dollins said the information that Jurka requested on what contaminants other than TCE and technetium-99 (Tc⁹⁹) might be in residential wells was mailed to her after the August Board meeting and the accompanying acronym list was faxed to her the week of Sept. 18.

Dollins said Tracey Brindley, PRS, was available for this task force meeting and will be available for future meetings to present GIS information to the task force. Kay said the action is closed.

Smith said Vander Boegh presented her a request for the off-site dump maps if they exist and she will pass the request to Knerr and Blumenfeld. She asked Vander Boegh to provide a follow-up e-mail for additional information. Burnett said he believed Jurka has what Vander Boegh is looking for. Russell said Vander Boegh believes there may be radioactive waste that came from the PGDP that is not being talked about. That is the Board's interest.

Administrative Issues

Review of Workplan and October Agenda

Smith asked that the Land Acquisition Study presentation be deleted and William's presentation be added to the October agenda.

Budget Review

Smith said according to Bill Murphie, the \$44,000 discrepancy in the CAB's budget was set aside for contractor work for the CAB. Knerr will find out if the money can be carried over to the Fiscal Year 2007 budget or if it is a loss. DOE did provide the Board with \$9,000 for chairs meeting travel, member recruitment and publishing the Annual Report. Within the next couple of months, the Executive Committee will be consulting with EHI and DOE for input on the budget. Burnett asked if the CAB's budget for FY 2007 has been finalized. Blumenfeld said it is in continuing resolution. Smith said tentatively the amount is \$315,000. Burnett asked if \$25,000 would be included in the bottom line for PRS. Smith said the Executive Committee will work with PRS on what will be provided and at what cost if any. Burnett said Knerr agreed to check to see if CAB support is in PRS's contract or if it needs to be added to the CAB's budget. Blumenfeld said there are certain activities that would fall to PRS in their contract and Knerr would clarify that. Burnett said the Chairs Meeting that

Paducah will be hosting in Fall 2007 would need to be factored in. Most sites have sponsors to help pay for the reception and meals. Long volunteered to help with the Chairs Meeting.

Subcommittee Report

Executive Committee

Smith asked if she was on the right track with the proposed guidelines for public comments. Lee said she believed Smith is on the right track but there is a fine balance to encourage public comment and a two-minute time limit may be severe. Miller agreed. Smart said he believed the time limit is harsh and the Board is overreacting. Smith said this is just a start and the guidelines should be reviewed at the retreat. Lee said recording the question as an action item is a good idea. Smith said the guidelines would be handed over to the Community Outreach task force for discussion at the retreat. Lee said according to the agenda, everyone went over the time limit. She asked Knerr if the DDFO presentation could be done in 15 minutes. The updates are repetitive and she would like a short update from the previous month. Knerr said yes. Blumenfeld said in the past the CAB has been interested in the running totals and history of the projects. Kay said if the Board wishes for him to reign in on time, he will do that. Lee said yes. Russell said the Board should not want to miss out on valuable information because of the time limit on the agenda. Kay suggested discussing the agenda at the retreat.

Smith said she had asked Burnett to chair the Community Outreach task force and he had agreed. Ruby English has sent an e-mail with guidelines to DOE public input and asked that the task force review that information. Burnett said it would be November before he could get started on the task force. Smith said Community Outreach needs help if new members or members that are not on a task force are interested.

Chairs Meeting Review

Smith said Paducah's top three issues for the Chairs Meeting was communication from DOE, DOE support and the CAB's budget. (*Attachment 4*) Since the Chairs Meeting, the Executive Committee has met with Murphie, Inez Triay, Blumenfeld, Knerr and others. DOE has responded very positively. Blumenfeld said they are very committed to working with the CAB.

Russell said he is troubled by the fact that the CAB received a copy of a letter from KDWM regarding the C-746-U Landfill groundwater assessment. The letter did not come as a shock to DOE, but was to the CAB. Repeatedly, there are things that the Board hears about in the newspaper; DOE is failing to communicate. Every month DOE should come to the Board meeting and present the issues that the CAB will be contending with. Blumenfeld said to keep talking to them and let them understand the problems. Russell suggested that DOE begin to share regulators comments with the CAB to help them better understand the issues and know what questions to ask.

Lee said with a shorter DDFO presentation, DOE should include points that DOE is having difficulty with that the CAB can possibly help with. The CAB needs to know the challenges to be active participants. Kay suggested that the Board compile specific suggestions from the last presentations and information received in other ways and look into how the Board could have gotten that information. Blumenfeld said to send the suggestions to Knerr and Dollins so they can understand how to respond. Burnett asked Dollins specific questions about the contractor in the August Executive Committee meeting and Dollins said he couldn't talk about it but five days later there's a story in the newspaper. The CAB is getting information from everyone except DOE.

Blumenfeld said there are instances where things are going on internally that aren't right for release but a leak might contact a reporter or come to a task force and make an allegation. DOE will try to be responsive but there are times when they cannot release information. Smith said that is understandable but if a letter goes out on August 19 and the CAB asks a question on August 25 and it's in the paper on September 1, DOE had time to tell the CAB. Dollins said some things go out that he doesn't even know until he reads it in the newspaper. He said he is not a public information officer. Blumenfeld said she hears the message loud and clear and recognizes the frustration and will keep working to try to make it better.

Smith said a recommendation drafted to Rispoli at the chairs meeting is in the packet and asked that members be prepared to vote on the letter at the October Board meeting. Burnett asked Brandstetter to place presentations from the Chairs meeting on the CAB's Web site. Brandstetter said the presentations should be on the national Web site. Russell volunteered to attend the Chairs Meeting next Spring in Las Vegas.

Election of Chair-Elect

Smith nominated Burnett for Chair-Elect. There were no other nominations and Burnett was elected Chair-Elect by acclamation.

Retreat

Smith said problems have arisen with a location for the Annual Planning Retreat for the tentative date set for November 3 and 4. Lee suggested checking Murray for a location. Smith said final preparation for the retreat will be handled via e-mail.

The meeting adjourned at 10:10 p.m.