

**Paducah Gaseous Diffusion Plant
Citizens Advisory Board
Meeting Minutes
July 18, 2002**

The July 18, 2002, Citizens Advisory Board (CAB) meeting was held at the CAB office in Paducah, Kentucky at 5:30 p.m.

Board members present: Mark Donham, Vicki Jones, Merryman Kemp, Ricky Ladd, Rebecca Lambert, Linda Long, Douglas Raper, John Russell, Jim Smart, John Tillson, and Gregory Waldrop.

Board members absent: Ronald Lamb, Craig Rhodes, Rosa Scott, and Bill Tanner.

Ex Officio members and related regulatory agency employees present: Carl Froede, Jr., Environmental Protection Agency; Tim Kreher, Kentucky Fish and Wildlife Resources; Gaye Brewer and Tuss Taylor, Kentucky Division of Waste Management.

The Deputy Designated Federal Official present: Don Seaborg.

The DOE Federal Coordinator present: Pat Halsey.

DOE-related employees present: Kim Crenshaw, Jim Ethridge, Greg Felts, Steve Kay, Bruce Phillips, Glenn Van Sickle, and Stacey Young.

Public: Richard Dyer, Ruby English, Mary Hall, Kristi Hanson, Charles Jurka, Vicki Jurka, and Al Puckett.

Agenda

Kay called the meeting to order. Kay proposed to add the self-evaluation form to the agenda under administrative issues. **The Board approved the modified agenda by consensus.**

Minutes

Kay asked if there were any modifications to the June draft minutes. **The Board approved the minutes as submitted by consensus.**

Deputy Designated Federal Official's Comments

ES&H issues

Seaborg reported that on July 2, 2002, seven 55-gallon drums characterized as hazardous waste were found on the 90-day storage pad during a routine inspection. These drums exceeded Resource Conservation and Recovery Act regulations by one day before being

moved to a permanent facility. The Kentucky Division of Waste Management (KDWM) was notified. Also, around July 16, 2002, the United States Enrichment Corporation had a polychlorinated biphenyl (PCB) spill in Building C-333. A capacitor for one of the cell units failed and about two gallons of PCB oil leaked onto a cabinet. About one quart migrated from the cabinet to the floor. The spill has been cleaned up and the National Response Center was notified because the quantity exceeded the reportable quantity of PCB as required by the state.

Budget Updates

Bill Murphie met with regulators from the Commonwealth of Kentucky and Environmental Protection Agency (EPA) the week of July 8th to discuss negotiations on the Accelerated Cleanup Plan and the Letter of Intent. They tentatively plan to meet later this month with the Assistant Secretary of Environmental Management and the regulators from the Commonwealth and EPA.

EM Project Updates

Seaborg indicated the project updates were not included in the board packets. They will be mailed out the following week. Seaborg said the sedimentation basin is complete and the Department of Energy (DOE) is ready to begin characterization and disposition on the scrap metal project. Last month the state and EPA provided conditional approval and DOE disputed the required conditions. Since then, the conditions have been lifted, the project has been mobilized, and work has begun.

DOE, acting in line with the Accelerated Cleanup, has provided paperwork to begin Phase 1 on the Removal Action for the North-South Diversion Ditch. This consists of an Action Memorandum, a Removal Notification, and a Removal Action Workplan. Phase 1 could stop area flow outside the fence line and plug culverts to prevent flow to the fence line. Paperwork was submitted to EPA and the state. When, and if it is approved, DOE can move forward to that stage of work.

The C-410 Decontamination and Decommissioning project is progressing well. Work was stopped for one week due to a potential safety concern. There is a storage building adjacent to the C-410 Building exhaust stack. The exhaust system does not work in the C-410 Building. In the event of a relief lift in the flooring stack, the exhaust could affect the workers. To correct this concern, a blank flange was inserted over the stack entrance. Now if a relief lift occurs, the exhaust will stay in the stack or provide time for the workers to get out.

DOE is working with Bechtel Jacobs Company LLC (BJC) and WESKEM to gather ideas to accelerate the progress of the DOE Material Storage Area project. It is too soon to say, but Seaborg said he would report more when he has more details.

The cylinder yard construction is two-thirds complete. The C-745-M & C-746-K South yards are poured and the north yards are beginning to be poured.

The Six-Phase Project demonstration is going very well in the C-400 Building. There is a central electrode surrounded by six other electrodes. The first electrode worked very well. It was supposed to take six days to install one electrode and it is only taking a day and a half. The installation of the second electrode is going just as quickly.

CAB Recommendation Status

Since the Site-Wide Sediment Control recommendation involves ongoing negotiations, there won't be a final response until the negotiations are settled.

An answer will be forthcoming on the Sewer Rehabilitation recommendation.

The deer sampling will begin late July or early August.

DOE Headquarters is finalizing the appointment letter for new members in the next couple of weeks.

Copies are available of the Southern Illinois University presentations.

Questions

Raper asked the depth of the Six-Phase project. Van Sickle stated the electrodes commonly are installed at about 50 feet in the Regional Gravel Aquifer but he did not have the technical specifications of this project on hand.

Donham asked about the news reports he had heard about the mislabeling of waste to Nevada and Utah. Seaborg stated that during the review that the board had asked for of possible historical trichloroethene (TCE) mischaracterization, a site-wide review was launched for legacy waste determination. In November 2001, 127 B25 boxes of soil and equipment were sent to a Nevada low-level facility (characterized as low-level radioactive). During the investigation, BJC found that there is a possibility that TCE from Outfall 11 could have been detected in the shipment and it should have been listed as hazardous, but it was not. Nevada was notified. Seaborg said a Contained In Determination was presented to Kentucky to be able to excavate the waste from Nevada and ship back at DOE's cost. Seaborg said there were bolt samples taken and they all contained zero TCE. Taylor said the State's position in making a waste determination on the materials is that once the material has been disposed in Nevada's landfill it is then Nevada's waste.

Donham asked if there was a similar situation involving Envirocare. Seaborg said that groundwater contained in building C-400 has TCE listed. Sludges going into the cooling towers are a potential listed waste. These sludges are routinely cleaned, but there is a possibility they were sent to disposal facilities.

Donham asked if there were any monitoring results on the new wells at the C-746-U Landfill. Seaborg said the results were sent to the state and a copy would be sent to

Donham. DOE is now working on the third sample. There is some data that is odd that could be the possibility of acetone, but there are no results yet.

Ex-Officio comments

Taylor reported they are working on the review of the removal action for three acid tanks. The negotiations between DOE and the State are being conducted at the senior level and are expected to go even higher.

Froede stated that they have received the D0 document for Lasagna, and documentation has been received on the Removal Action, the Action Memorandum, and the Workplan for the North-South Diversion Ditch. Also, the Workplan for C-410 has been received. Everything should soon be resolved, and work continued on the Accelerated Cleanup plan.

Jim Lane has switched departments at the Kentucky Department of Wildlife Resources. His replacement, Wayne Davis, is in Frankfort, and for local issues the contact is Tim Kreher.

Public Comments and Questions

Hanson presented a letter addressing the Accelerated Cleanup Plan. Three environmental groups had signed the letter. The letter stated that they were in favor of an accelerated clean up plan as long as the sites were cleaned up faster. The letter said that public involvement was being reduced, negotiations were slowed down, and the slush money was not being well spent. Hanson noted the letter was addressed to Seaborg.

Action Items

Halsey reported that there were no new results regarding DOE's history on paying damages to property owners with contamination. The Legal department doesn't believe there is a consensus for this request and they prefer a formal request to explore further. John Tillson took the action to file a formal request.

The requested blueprints are available at the Freedom of Information Act office. Halsey said she would call and get the status.

The application revision process has been completed for the new membership applications. The request for new applications is in December.

Young said she would provide Donham with data from the first round of groundwater sampling from the new C-746-U Landfill wells.

Kemp said she would contact Nola Courtney regarding Courtney's action item to contact the Agency for Toxic Substances and Disease Registry on the information on Bradford Road.

Resolution on Accelerated Cleanup Plan Discussion

The board changed the resolution to state that the board does not endorse the June 18, 2002, plan, but agrees with the concept of an accelerated clean up plan for the Paducah site only if their conditions are met. These conditions include:

- 1) The public is allowed reasonable time to review, comment, and participate in decisions made regarding clean up.
- 2) The Department of Energy gives serious consideration and provides timely response to all past and future recommendations submitted by the board.
- 3) Long Term Stewardship issues are noted in decision documents for actions done under an accelerated cleanup.
- 4) The lines of communication stay open and clear.
- 5) The resolution by the board does not preclude the board's right to agree/disagree with proposed decisions regarding specific projects or actions at the Paducah site.

Ladd expressed his concern regarding a conflict of interest and the rules that were provided for him when he joined the board. He thinks there may be board members benefiting directly from certain groups that speak pro or con concerning certain issues. He is concerned that some members of the board are not speaking for the best interest of the citizens in this area. Halsey said that Martha Berry and the DOE Legal Department are changing the appointment letter concerning the conflict of interest language to better reflect that a person could feel freer to participate in discussions. Smart suggested that a document be prepared for all board members to sign concerning whom they work for and how they might benefit from various entities. Kemp stated that when she came on the board she signed a paper about conflicts of interest so that would be a duplication of effort. Seaborg said that board members concerned with any other board members having a conflict of interest should let him know and he would get a response back to them.

Water Task Force

Gary Bodenstein presented an overview of the Water Policy.

The Sixth-Phase test is in progress. They are already setting up equipment. Hopefully the board members will get to visit the site in November when everything is set up.

There will be a presentation to DOE by the Core of Engineers of three-dimensional modeling software pertaining to groundwater. If anyone would like to attend it will be held on August 15.

Waste Operations Task Force

Kemp said DOE representatives and subcontractors were unable to attend due to ongoing negotiations. Due to the lateness of the meeting, the minutes are not in the packet. She asked all the board members that attended to please incorporate their changes and the minutes would be in the packet for the August meeting.

Kemp said there is a clause in the Management and Integration (M&I) contract that prevents the board from having information about cost. There is nothing that can be done now, but if they are given an extension or enter into new negotiations, this clause needs to be removed. Tillson asked what year the M&I contract ends. Seaborg stated the contract ends in 2003.

Tony Smith with Envirocare will speak at the August Waste Operations Task Force meeting.

Long Range Strategy/Stewardship

Lambert said the meeting consisted of bringing back the Resolution for Accelerated Cleanup to this meeting.

Community Concerns

The subcommittee did not meet in June.

Public Involvement/Membership

Kemp said they are looking forward to having a new membership application. Young asked Kay to pass around a signup sheet for any board members who wish to join a task force or change their current membership on a task force.

Administrative Issues

Kay added Self-Evaluation Surveys under Administrative Issues. Young requested the board to complete these in order to allow time to prepare for the October chairs' meeting. Kay said for this to be useful and valid, that three-fourths of the board members need to respond. Young said she would send another e-mail to all board members as a reminder.

Review of Workplan

Young stated she didn't know when any documents are coming out so it was really not a useful document right now. She said as soon as she knows anything she will send an e-mail to everyone.

Raper reviewed how the INEEL CAB does their review. He said DOE, the state, and EPA all submit what is coming up six to twelve months ahead of time. The board then grades them on a priority from one to five to talk about. He said this board might want to consider changing how its workplan is addressed.

Review next agenda

Kay suggested adding self-evaluation under Administrative Issues. Preparation needs to begin for the October chairs' meeting, (e.g....topics, presentations). Kay said there is a conference call for the facilitators on August 10. There should be a chairs' conference call shortly thereafter.

Federal Coordinator comments

Young introduced Kim Crenshaw. She explained that the DiG contract expired and had not been renewed.

Long shared her exhibit and her Yucca Mountain rocks.

Raper reported on his INEEL trip. He also asked if final comments from everyone could be a standing agenda item. Kay stated it would be okay as long as the comments were brief.

Halsey said there is a workshop on transuranic waste January 30, 2002, through February 1, 2003, on transportation of waste across the country.

Young wanted to know who would like to attend the chairs' meeting in October. Young, Lambert, Raper, and Long will be attending. There are others who need to check their calendars before making a commitment to go.

Meeting adjourned at 8:20 p.m.