

**Paducah Gaseous Diffusion Plant
Citizens Advisory Board
Meeting Minutes
July 17, 2003**

The July 17, 2003 Citizens Advisory Board (CAB) meeting was held at the CAB office in Paducah, Kentucky at 5:30 p.m.

Board members present: Mark Donham, Richard Dyer, Vicki Jones, Ricky Ladd, Ronald Lamb, Rebecca Lambert, Linda Long, Douglas Raper, Craig Rhodes, John Russell, Jim Smart, Bill Tanner, and John Tillson.

Board members absent: Fred Jones, Merryman Kemp, Rosa Scott, Dorothy Starr, and Rev. Gregory Waldrop.

Ex Officio members and related regulatory agency employees present: Gaye Brewer, Kentucky Division of Waste Management, and Tim Kreher, Kentucky Department of Fish and Wildlife.

The Deputy Designated Federal Official present: John Sheppard for Dianna Feireisel

The DOE Federal Coordinator present: There was no DOE Federal Coordinator present.

DOE-related employees present: Gary Bodenstein, Melanie Brewer, Greg Cook, Jim Ethridge, Greg Felts, Bruce Ford, Anna Hosford, Debora Jolly, Steve Kay, Lynn Link, Kendra Payne, Bruce Phillips, Glenn Van Sickle, and Tom Wheeler.

Public: Ruby English and Jack Lambert

Agenda

Raper called the meeting to order at 6:00 p.m. Kay asked if there were any proposed modifications. Gaye Brewer said to remove the Dr. Wes Birge presentation from the agenda due to his poor health. Sheppard said there would not be a Kentucky Pollutant Discharge Eliminate System (KPDES) permit presentation. Kay requested the August 22 Dinner Meeting be added to the agenda. **The Board approved the modified agenda by consensus.**

Minutes

Kay asked if there were any proposed modifications to the June draft minutes. There were no modifications. **The Board approved the minutes by consensus.**

Deputy Designated Federal Official's Comments

ES&H Issues

Sheppard said the Nevada Test Site (NTS) will conduct an audit beginning the week of July 21. He said if the audit is successful, Bechtel Jacobs Company LLC (BJC) projects waste shipments will resume mid August.

Budget Updates

Sheppard said the House Appropriations Committee has approved a \$7.6 billion budget for the U.S. Department of Energy (DOE) environmental management (EM) cleanup activities for FY04. He said the Board would be updated as new information is available.

Project Updates

Sheppard reported sampling was completed at the C-746-U Landfill in response to a Notice of Violation (NOV). He stated four waste streams were sampled primarily for trichloroethylene (TCE). He stated TCE was detected in only one sample and was well below the Land Disposal Restriction Limit.

Sheppard reported Bill Murphie has reopened consideration of a potential Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) on-site disposal facility.

Sheppard stated three monitoring wells were installed on the east side of Metropolis Lake Road to enhance plume monitoring on the Northeast Plume. He said the monitoring wells would be sampled every six months. He reported the monitoring wells at the C-746-S Landfill identified for abandonment have been abandoned.

Sheppard reported DOE is reviewing draft conceptual design documents for the Depleted Uranium Hexafluoride (DUF₆) Conversion Facility. He said DOE requested that headquarters respond by July 15, but that date has passed with no response yet.

CAB Recommendation Status

Sheppard said that DOE received the CAB recommendation requesting a copy of the Cleanup Scope Proposal. He clarified that currently, the cleanup scope process is a series of meetings and discussions with regulators.

Other

Sheppard reported due to lab quality problems, the Lasagna project was resampled and the numerical data was slightly lower than the initially reported value.

Sheppard said there was a question at the June Board Meeting concerning fixed contamination found on a culvert at Outfall 001. Sheppard reported DOE received measured levels of radiation and that the highest level was 23,000 disintegrations per minute beta gamma.

Sheppard said at the June Board Meeting that there was also a question concerning the transfer of depleted uranium cylinders from the United States Enrichment Corporation (USEC) to DOE. He said when USEC was established, a Memorandum of Agreement (MOA) was made that DOE would take depleted uranium from USEC for a monetary fee or exchange of work. He said in a recent MOA,

negotiated June 2002, that DOE agreed to receive title of the cylinders in exchange for USEC maintaining custody in their yard under Nuclear Regulatory Commission rules.

Questions:

Rhodes asked if there were any cylinders still located on gravel. Sheppard said yes, but that DOE is in the process of relocating them to concrete yards.

Tillson asked if DOE has come to an understanding on the Resource Conservation and Recovery Act (RCRA) hazardous concerns on the cylinders. Sheppard said the cylinders undergo three routine inspections, which are mechanical, ultrasonic testing, and a radioactivity survey. He said one-third of the cylinders are surveyed every year for radiological contaminants, which would give indication of leaks.

Donham asked what are the benefits of the taxpayers when DOE takes cylinders from USEC. Sheppard answered that this is only a small part of the MOA agreement. As part of the exchange, USEC agreed to clean up feed material that DOE previously owned and had granted to USEC.

Raper referred to the recent MOA between USEC and DOE. According to his understanding, he said DOE would take title and USEC would retain maintenance of the cylinders. He asked how the cylinders accumulating outside of the contract would be handled by the DUF₆ Conversion Facility. Sheppard said the facility was designed for 25 years of operation. He stated the cylinders would be added to the inventory that will eventually be converted at the facility. Raper asked if DOE could handle 38,000 cylinders in less than 25 years. Sheppard said yes, that 25 years is a reasonable timeframe for operations.

Russell was concerned about the CAB's ability to make recommendations on the Cleanup Scope process. He said the Board should see the proposed scope prior to negotiations between DOE and regulators. Link said DOE is in a series of meetings with the U.S. Environmental Protection Agency (EPA) and the Commonwealth of Kentucky discussing assumptions and scope with opportunities built in for the CAB to participate.

Tanner asked if seismic investigation is being resumed since the proposed on-site facility is being reconsidered. Gaye Brewer said that the seismic investigation is underway. Tanner requested the Board be updated on the potential disposal facility.

Ladd inquired about the status of the BJC contract. Sheppard said there has not been any news released regarding requests for proposal.

Federal Coordinator Comments

There were no Federal Coordinator comments.

Ex-Officio Comments

Kreher said the email sent from Wayne Davis to Tanner may not be the final response from the Kentucky Department of Fish and Wildlife (KDFWR) on the end-use of the site.

Public Comments and Questions

English asked why the samples from the C-746-U Landfill were only tested for TCE. Van Sickle reported there were other analyses made, but TCE was the constituent of concern of the waste streams.

Administrative Issues

August Dinner Meeting

Raper stated the CAB dinner retreat meeting will be held August 22, 2003 at 6 p.m. at Tribeca, which is located in downtown Paducah. The dinner meeting agenda includes discussion of the Board self-evaluation survey and the annual workplan.

Review of Workplan

Tanner suggested extending the KPDES permit as a placeholder for August.

Gaye Brewer suggested removing Dr. Birge's presentation because of his health issues.

Kay stated the Conflict of Interest presentation is a placeholder for August.

Sheppard asked the Board how frequently they would like a briefing on the status of the DUF₆ Conversion Facility. Raper said quarterly, and that the DUF₆ briefing should be a placeholder for October.

Kay said the CERCLA potential on-site disposal facility would be a placeholder for October.

Review of Next Month's Agenda

Kay reported the Conflict of Interest and the KPDES permit are presentation placeholders for next month.

Action Items

Payne said there has not been any notification from Kentucky about the KPDES permit.

Payne reported the staff is in the process of contacting the RCRA instructor to provide RCRA training for the Waste Operations Task Force.

Kay said the item for FY04 funding for the DUF₆ cylinders would be closed since it was addressed earlier in DDFO comments.

Kay said the cancellation of task force meetings is included in the report and is still pending.

CERCLA Five-Year Review Presentation

Bodenstein presented to the Board the CERCLA Sitewide Five-Year Review.

Questions:

Donham asked if this was the first CERCLA Five-Year Review. Bodenstein said no and that every five years a new review is released. Donham inquired about the preliminary findings of the five-year review. Bodenstein said the northwest pump and treat will have to be re-evaluated. He stated the North-South Diversion Ditch (NSDD) hard piping is effective.

Donham inquired about a leak into a stream along the edge of the K Landfill. Bodenstein said the leak was a very low pH of fly ash and that it has been capped and monitored.

Donham asked if DOE has to notify the public about the five-year review. Bodenstein said the intent of the presentation was to inform the Board that the document is available for their public review and comment. Bodenstein also said this is a draft document that will be reviewed by the EPA, the Commonwealth of Kentucky, and the public. He said the document is available July 18, 2003.

Water Task Force

Smart reported the Water Task Force met on July 12. He said Larry Sowder, the KPDES permit writer, was unable to attend the task force meeting; however, via email he provided an update for the CAB stating he has not reviewed the renewal applications. Smart reported the Six-Phase Treatability Study has extracted 2,400 gallons of TCE from the soil. He said DOE has scheduled a project evaluation of the Six Phase Treatability Study on July 29. Smart said the North-South Diversion Ditch (NSDD) comments can be found in the Water Task Force minutes.

Waste Operations Task Force

Russell reported the Waste Task Force met on July 9. Russell said questions were raised about sampling for TCE, but not its degradation products in the C-746-U Landfill. He also said the task force discussed the dispute resolution process of the NSDD as well as opportunities for CAB involvement in this process. He said the task force also discussed the Sampling and Analysis Plan (SAP) of the NSDD. He said sampling data for sections 3, 4, and 5 of NSDD was presented to the task force, but they had requested that the data be presented in a different format.

Long Range Strategy/Stewardship

Tanner reported the Long Range Strategy/Stewardship Task Force met on July 14. Tanner said that the June meeting minutes, which primarily focus on the end-use of the site, are in the Board packet. He said he emailed the Board, ex-officios, EPA, Kentucky, and the public asking for input on the end-use of the site. He said he expects to receive responses by August 11.

Tanner said the proposed policy on cancellation of task force meetings has been incorporated into the Operating Procedures. The Long Range Strategy/Stewardship Task Force is proposing this cancellation policy for the Board's consideration. Kay said the final approval will be made at next month's Board

Meeting. He encouraged Board members to submit any changes to the proposed policy via email to Link prior to the August Board Meeting.

Long requested that her comment be omitted from the June Long Range Strategy/Stewardship Meeting minutes on Page Four.

Tanner said the next Long Range Strategy/Stewardship Meeting will be August 14 and that he was inviting Oak Ridge stakeholders, not associated with DOE, to call-in.

Community Concerns

Rhodes reported the Community Concerns Subcommittee did not meet in June. Donham said the Community Concerns Task Force requested smelting data, which they had not yet received. Donham said he has written a Freedom of Information Act (FOIA) request. Sheppard said he would find out if the Agency for Toxic Substances and Disease Registry (ATSDR) is the appropriate agency to obtain the requested smelting data. Sheppard said it would be difficult to get a complete inventory of what was smelted, but he said he would assist Donham in pursuing the request, if possible.

Membership, Nomination and Public Involvement

Lambert reported the Membership, Nomination and Public Involvement Subcommittee did not meet in June. Lambert said the subcommittee was working to set a regular meeting date. Lambert also said advertisements recently were placed in area newspapers to solicit potential Board members.

Ad Hoc for Chairs' Meeting

Long reported the Ad Hoc Committee for Chairs' Meeting Preparation met July 7 to discuss preparation for the September Chairs' Meeting in Paducah. Long said she is looking for items for the goodie bags. She reported the murals located on the floodwall in downtown Paducah that depict the plant will be the graphic theme of the Chairs' Meeting. She said lunch at USEC will most likely be catered. Tanner stated an agenda item for the Chairs' Meeting will be end-use visions, complex-wide. Kay said a great deal of time will be spent evaluating the effectiveness of each individual Board as well as the effectiveness of the Site Specific Advisory Board's (SSABs).

The meeting adjourned at 8:00 p.m.