

**Paducah Gaseous Diffusion Plant
Citizens Advisory Board
Meeting Minutes
September 18, 2003**

The September 18, 2003 Citizens Advisory Board (CAB) meeting was held at the CAB office in Paducah, Kentucky at 5:30 p.m.

Board members present: Richard Dyer, Byron Forbus, Fred Jones, Vicki Jones, Ricky Ladd, Rebecca Lambert, Linda Long, Douglas Raper, John Russell, Jim Smart, Dorothy Starr, and Bill Tanner

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

The Deputy Designated Federal Official present: Dianna Feireisel

The DOE Federal Coordinator present: David Dollins

DOE-related employees present: Dave Amick, Rudy Bonilla, Mike Clark, Greg Cook, Kim Crenshaw, Jim Ethridge, Greg Felts, Bruce Ford, Craig Jones, Lynn Link, Eric Mortimer, Kendra Payne, Bruce Phillips, Joe Snyder, Glenn VanSickle, Debbie Wattier, and Tom Wheeler

Public: Jim Covert, Mark Donham, Ruby English, Charles Jurka, Vicki Jurka, and Merryman Kemp

Agenda

Raper called the meeting to order at 6:00 p.m. Kay asked if there were any proposed modifications. Raper said the bylaws and operating procedures need to be added so that a committee could be formed to review them. Tanner requested discussion regarding a letter to U.S. Department of Energy (DOE) Assistant Secretary Jessie Roberson be added to the agenda. **The Board adopted the modified agenda with no objections.**

Minutes

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

Election of Chair and Vice Chair

Lambert reported Bill Tanner was the only nomination for Chair. Kay asked if there were any other nominations by the board. Raper moved that Tanner be elected by acclamation. There were no objections. Lambert stated Linda Long was the only nomination for Vice-Chair. Kay asked if there were any other nominations by the Board. Raper moved that Long be elected by acclamation. There were no objections.

Deputy Designated Federal Official's Comments on ES&H Issues

Feireisel said that some radiation was detected in the clean scrap area of the scrap yard while surveying drums. A Notice of Violation (NOV) was received from the Commonwealth of Kentucky for failing to file an annual compliance certification. She said this is required for major air emission sites, but Paducah does not fall under that category. Feireisel said this NOV could be an error. Feireisel reported, in regards to the self-suspension of all waste shipments, that all corrective actions are complete and shipments have resumed to Nevada Test Site.

Budget Updates

Feireisel reported the House Appropriations Committee and the Senate have completed their deliberations on the FY04 budget. The Senate has voted on the budget, but it has been sent to the Conference Committee.

Project Updates

Feireisel reported the Six-Phase Heating Treatability Study has been completed.

Feireisel said construction has started on the Surge Basin for the North-South Diversion Ditch (NSDD).

Feireisel stated that DOE has received verbal safety authorization for the Decontamination and Decommissioning C-410 project.

Russell stated his concern with a recent newspaper article referring to the NSDD as being one of the major sources of groundwater contamination at the Paducah Gaseous Diffusion Plant (PGDP) and a major source of off-site contamination. Dollins said the NSDD presents a surface risk to human health and worker exposure and said that the NSDD is a source of contamination.

CAB Recommendation Status

Feireisel said that the Landowner Compensation CAB recommendation is still pending a response due to litigation issues. She also said regarding the clean up scope, that Murphie is in negotiation with the Commonwealth of Kentucky to reach an agreement by October 1.

Federal Coordinator Comments

Dollins discussed the upcoming Site Specific Advisory Board Chairs Meeting that Paducah is hosting September 25 - 27.

Dollins discussed the CAB support staff contract issue. He said that the Management and Integration (prime) contractor has been providing administrative support to the CAB. Jessie Roberson has asked the Paducah site office to reassess the contract. Dollins said the CAB will continue with the current

contract for the next 12 months, but be researching other sites for input on how CAB support is provided.

Ex-Officio Comments

There were no comments.

Public Comments and Questions

Donham asked if the Commonwealth of Kentucky has approved the permit modification for the C-746-U Landfill. Feireisel said no. Donham commented that putting possibly hazardous soil into a landfill closer to the river is ridiculous and isn't cleanup at all. He said he has no faith that he is being provided real data. Feireisel said that all waste currently entering the landfill meets permit requirements.

Action Items

Payne reported the Water Task Force was told that it could be over a year before the Kentucky Pollutant Discharge Elimination System permit is finalized. Kay said this issue would be closed and reopened at a later date.

Payne reported the Resource Conservation and Recovery Act (RCRA) training is still pending due to the lack of board members on the Waste Task Force.

Tanner said the operating procedures revisions regarding the cancellation of task force meetings is on the agenda to be discussed.

Presentation of the S & T-Landfills Scoping Plan

Ford presented to the Board the S & T Landfills Scoping Plan.

Questions:

Russell asked what the genesis of this project was and when it began. Ford said the project was scoped with the regulators over a year ago and is identified in the current Site Management Plan as a September milestone. Russell expressed his concern why this was not brought up in the Task Force meetings. Russell asked about the cost estimate. Jones said he would get the actual cost estimate, but he thought it was near one million dollars. Russell asked if there was enough data from the monitoring wells to look for migration from the plumes. Jones said they are trying to determine the source of the contamination, which cannot be determined without up-gradient wells. He said when the source is determined, plume migration will be addressed. Jones said if it is not from an up-gradient source, then the landfills will be investigated as a source. Tanner asked for this to be put on the Water Task Force agenda. Russell suggested that DOE put boring in the T-Landfill.

Presentation of the North-South Diversion Ditch Workplan

Dollins presented to the Board the North South Diversion Ditch Workplan.

Questions:

Russell asked how the dispute over verification sampling with the Commonwealth of Kentucky was finally decided. Dollins said every bag will be tested for trichloroethylene (TCE) and five percent of the bags will be sampled for metals and radiological contaminants. Tanner asked about scheduling for Sections 3, 4, and 5 of the NSDD. Dollins said the dates have not been negotiated yet. DOE will provide a Sampling Plan to the Commonwealth of Kentucky in 2004. Feireisel said all of the outside surface water and on-site ditches will be considered. Tanner asked if Little Bayou Creek would be sampled. Feireisel said Little and Big Bayou Creek will be considered, but not in this document. Smart asked how each bag would be tested. Bonilla said samples will be taken from each bag and analyzed with gas chromatography (GC) equipment at a commercial laboratory. He said they are working to provide a portable GC to use on-site.

Public Comments and Questions

English asked what level of contamination of Technetium 99 (Tc99) was found in the landfill area. Ford answered that levels were 100 picocuries per liter (pCi/l) of Tc99 and 20-25 parts per billion (ppb) of TCE. English said the T- Landfill has no liner and DOE should start at the top and go down to find out the contents of the landfill. Jurka asked if any polychlorinated biphenyls (PCBs) had been identified in the plume and she also wanted to know the depth of the plume from ground surface. Ford said PCBs have not been identified, and the plume depth is 45-50 feet in the Regional Gravel Aquifer (RGA). Jurka asked the depth of the original NSDD. Bonilla said it was two to three feet in depth. Donham asked if there was any possibility that Tc99 was migrating from the NE plume. Dollins said no. Donham said if the center of the NE plume and the NW plume are swelling and causing the contamination under the S & T Landfill, that this should show up in the monitoring wells (MWs) in that area. Morti said some of these wells are not in the RGA and are not deep enough to show that. He said the wells on the SW corner do not appear to be contaminated. Morti stated the landfill appears to act as a groundwater high and flows away from it rather than towards it. Donham asked if the verification samples have 39.2 parts per million (ppm) of TCE or less, if the soil will be put in the U-Landfill. Dollins said if the soil meets the Waste Acceptance Criteria and the permit modification is approved, then it would go in the U-Landfill. He said 39.2 ppm is the health based standard established for the contained-in policy. Jurka asked the proximity of the old section of the NSDD to the S & T Landfill area. Dollins said they have taken sixty to eighty samples and have had non-detects on almost everything over the last few years; however, everything will be tested to ensure hazardous waste is not being disposed in the landfill. Russell asked what percent of volume of the ditch is contaminated to a level greater than 10^{-4} . Dollins said Sections 1 and 2 make up about 19,000 cubic yards but not all of that is contaminated.

Administrative Issues

Review of Workplan

Feireisel said in January there is a Proposed Remedial Action Plan milestone approaching on the C-400. She suggested the Water Task Force add this to their agenda regarding implementation of Six-Phase.

Kay stated that DUF₆ would be a placeholder for October.

Review of Next Month's Agenda

Kay reported the DUF₆ and the Clean-up Scope are update placeholders for next month.

Task Force and Subcommittee Reports

Tanner requested the Board create an executive committee consisting of the chair, vice-chair, and the chairs of the task forces to address board processes including the revision of the bylaws and operating procedures. Smart asked if executive committee meetings would be open to the public. Tanner said yes. Tanner said he would like to waive the two meeting requirement to take action. There were no objections and the requirement was waived. Smart asked if the executive committee would meet monthly. Tanner said they would meet as required. **There was no objection and the Board adopted the establishment of the executive committee by consensus.**

Water Task Force

Smart reported the Water Task Force met on September 5. They received an update on Six-Phase Treatability Study. He reported the amount of TCE recovered was over estimated. Smart said operations were complete and the system was shut down on September 6. The data currently is being evaluated. Smart reported the group suggested that DOE should continue the Water Policy on a long-term agreement, and that all sources of groundwater contamination should be remediated.

Long Range Strategy/Stewardship

Tanner reported the Long Range Strategy/Stewardship Task Force met on September 11. Tanner said they have been working toward a recommendation for end use at the plant. Tanner stated the task force is going to wait for United States Enrichment Corporation to make a decision regarding the location of the Centrifuge Plant before the group finalizes their recommendation.

Tanner made a motion to accept the operating procedures clauses regarding agendas and cancellation of task force meetings. **The Board approved the revised operating procedure by consensus.**

Tanner said there was discussion at the August board meeting regarding a letter from the Board to Roberson concerning the resignation of seven Board members. **The Board approved the modified letter to Roberson by consensus.**

Nomination, Membership, and Public Involvement

Lambert reported the Nomination, Membership, and Public Involvement Subcommittee met on August 27. They discussed the newsletter and have provided space for board members to write articles that are approved by the subcommittee. Lambert introduced Forbus as a new board member. She reported eight new applications for membership have been received. The deadline to apply has been extended to September 30.

Waste Operations Task Force

The Waste Operations Task Force did not meet in September. Russell asked if any of the board members would like to join the Waste Task Force. Starr had joined previously at the Long Range Task Force Meeting and Fred Jones asked to be added to the committee. Russell and Jones inquired on how to change the established meeting date for the Waste Task Force Meeting.

Community Concerns

The Community Concerns Subcommittee did not meet in September.

Ad Hoc for Chairs' Meeting

Long reported the Ad Hoc Committee for Chairs' Meeting Preparation met September 11 to discuss preparations for the September Chairs' Meeting in Paducah. She said 43 people had registered and all nine CABs would be represented. At the present time, 30 people had signed up for the site tour. She reported seven from the Paducah CAB would be attending. Raper moved to absolve the Ad Hoc for Chairs' subcommittee because it would no longer be needed. Tanner commended Link and Payne on their efforts in preparing for the chairs meeting.

Final Comments

Ladd read a letter from PACE Local 5-550 addressed to DOE concerning the resignation of members from the Board. The letter expressed concerns with Murphie's lack of participation with the CAB, the community, and the union that have interests in the clean-up of the plant. Please see the attached letter.

Dyer proposed to give Kemp an opportunity to make a comment. There were no objections. Kemp said the resignation of the board members was a group effort and a real sacrifice. Each member was represented in the resignation letter. She appreciates the letter Ladd read from the union. Kemp said she wants to see a change for the better and is working towards goals inside and outside the Board.

The meeting adjourned at 8:35 p.m.