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**U.S. DEPARTMENT OF ENERGY PUBLIC  
MEETING ON THE OPERABLE UNIT 3  
PROPOSED PLAN JANUARY 5, 1994**

**01/05/94**

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U.S. DEPARTMENT OF ENERGY

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PUBLIC MEETING

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JANUARY 5, 1994

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THE PLANTATIONS, HARRISON, OHIO

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Spangler Reporting Services

PHONE (513) 381-3330 FAX (513) 381-3342

1 MR. MORGAN: Good evening, ladies  
2 and gentlemen. I'm Ken Morgan with the U.S.  
3 Department of Energy. I would like to welcome you  
4 here tonight for this meeting on Operable Unit 3  
5 proposed plan.

6 I'd like to make a few introductions,  
7 I am Department of Energy's Public Information  
8 Officer here at the Fernald site. Up here at the  
9 table we have a panel, Johnny Reising is with the  
10 Department of Energy, he's the operable unit  
11 manager for this project. With him are Jim King,  
12 Bill Zebick, and John Throckmorton with FERMCO,  
13 that's the Fernald Environmental Restoration  
14 Management Company, who are working on this project  
15 and will help us with questions.

16 I'd like to point out some things  
17 that are on the chair. We have the agenda, I'm  
18 going to get back to that, also an evaluation  
19 form. We really appreciate it if you can give us  
20 some feedback on the meeting, whether it was useful  
21 to you or not. That way we can keep improving them  
22 and making them more useful to you. There's also a  
23 little card and that's for comments.

24 As you look at your agenda, here's

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1 how we'll proceed tonight. First we'll have some  
2 formal presentations to try to get you all up on  
3 the same level of information about this proposed  
4 plan. We don't want to be so formal that you can't  
5 ask a question for clarification, but I would like  
6 you to try and kind of hold your questions if you  
7 can for a question and answer session afterwards.  
8 Often times when these presentations are given and  
9 you hear the whole presentation, your question will  
10 be answered, and it will speed the whole meeting  
11 up. If there's a point that you need some  
12 clarification, it might be all right for a  
13 question, but then we'll have this informal  
14 question and answer session. That's the time for  
15 you to ask your questions, and these folks here  
16 will try to field answers about the plan. We want  
17 to try to get this as open as possible because then  
18 we're going to have a break and we have to do  
19 something very procedural.

20 We have a court reporter here today,  
21 and if any of you want to make a statement to be  
22 entered into the public record, which we will  
23 formally respond to, that's the time to do it. We  
24 will not answer your questions. All we will do is

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1 just take the statements and they will be written  
2 down one after another. So the time to get  
3 exchange of feedback is in that question and answer  
4 period.

5 Now, once the formal comment is  
6 closed, we will remain here for as long as you  
7 would like. We have folks at the back who can  
8 answer questions if you don't understand the  
9 presentation during the formal period.

10 The proposed plan document is  
11 available at the public reading room. We have fact  
12 sheets available as well. Many of you should have  
13 received those in the mail. With that, let me  
14 introduce Johnny Reising.

15 MR. REISING: Thank you, Ken. Good  
16 evening. As Ken indicated, I'm Johnny Reising, I'm  
17 the Deputy Assistant Manager for environmental  
18 restoration at the site. I work directly for Jack  
19 Craig. Jack apologizes he wasn't able to be here  
20 this evening, but he's on tour of duty the last  
21 couple of days in Washington.

22 The purpose of my presentation is  
23 primarily an overview. I'm going to give you a  
24 very quick and general overview of the site

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1 itself. I'll then look at the specifics of  
2 Operable Unit 3, and then I'll make an attempt to  
3 introduce the concept of the interim action as  
4 presented in the proposed plan. After my remarks  
5 and my presentation, Jim King and the panel up here  
6 with FERMCO will make a presentation on the  
7 specifics of the proposed plan.

8           As Ken indicated, the information is  
9 available in more detail in the proposed plan  
10 itself and also from the fact sheets. As Ken  
11 indicated, the proposed plan is available at the  
12 public reading room, public information center, and  
13 also I think we have a couple copies back here at  
14 the back table. My presentation may be slightly  
15 repetitious for those of you who are familiar with  
16 the remediation process, but please, this is a  
17 public meeting, bear with me, we need to present  
18 this information.

19           The site presently is known as the  
20 Fernald Environmental Management Project. As we  
21 indicated, it's owned by the United States  
22 Department of Energy and it once produced highly  
23 purified uranium metal for defense programs.

24           This is a slide giving you the

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1 overall site location. As you can see, it's  
2 located in the Tri-State area, indicates the  
3 location of the rivers, the Great Miami and the  
4 Ohio River. Currently classified as being  
5 approximately 17 miles northwest of Cincinnati.  
6 And for those of you who are not familiar with the  
7 site, it lies just south of the Butler/Hamilton  
8 County line. The total surface area of the site is  
9 approximately 1,050 acres.

10                   The site was formerly known as the  
11 Feed Materials Production Center. In fact, if you  
12 look around at some of the old signs and logos,  
13 you'll note the FMPC insignia. The reason was it  
14 produced feed material in the form of highly  
15 purified uranium metal that was used in the  
16 production reaction. Pictured in this slide are  
17 uranium field cores produced at Fernald and sent to  
18 production reactors at other DOE sites, which were  
19 then transformed into plutonium for nuclear  
20 weapons.

21                   Construction of the Fernald site  
22 began in 1951. The first production at the site  
23 took place in 1952. Many of the plants and  
24 buildings were constructed in a relatively short

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1 period of time. Records show that some of them  
2 went up as quickly as six to twelve months.  
3 Production at the site ceased in July of 1989.  
4 This meant there was approximately 37 years of  
5 production and subsequent contamination.

6           This is a relatively recent aerial  
7 oblique of the site, and it primarily indicates  
8 that the site was designed as a large scale  
9 integrated facility capable of converting uranium  
10 ore into high-purity uranium metal. This was  
11 accomplished through a series of rather complex  
12 chemical and metallurgical processes. A couple of  
13 areas I want to point out for those of you who may  
14 not be familiar with the site, north, south, east  
15 and west, the waste pit area, and this is the  
16 primary production area encompassing approximately  
17 136 or so acres. Storm water retention basins, a  
18 couple lime sludge ponds, and just to give you an  
19 overall view of the actual location of the site.

20           Give you some more recent history as  
21 to the site. In the early '80's it was determined  
22 that the activities that had taken place at Fernald  
23 fell under the jurisdiction of the Comprehensive  
24 Environmental Response, Compensation, and Liability

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1 Act, which I'll from here on out refer to as  
2 CERCLA. As a result of this, in 1986 the  
3 Department of Energy and the United States  
4 Protection Agency entered into a Federal Facilities  
5 Compliance Agreement under CERCLA. This agreement  
6 required that a remedial investigation and a  
7 feasibility study and a subsequent remedial action  
8 take place.

9 In 1988 the Department of Energy also  
10 entered into a consent decree with the State of  
11 Ohio. This addressed the management of water  
12 pollution and hazardous waste. In 1989 the site  
13 was placed on the National Priority List as a  
14 result of a ranking system under CERCLA.

15 In 1990 the Department of Energy and  
16 US EPA entered into a consent agreement. This  
17 amended the 1986 Federal Facilities Compliance  
18 Agreement. The consent agreement has been modified  
19 two times since that date. As mentioned before,  
20 production was discontinued at the site in July of  
21 1989.

22 In 1991 the site mission was changed  
23 from that of production to environmental  
24 restoration.

1                   This is the current mission statement  
2 at Fernald, and I think as we have discussions this  
3 evening pertaining to the proposed plan, a lot of  
4 the terms that are in this existing mission  
5 statement will come to light. For example, we'll  
6 be talking about safe, we'll be talking about least  
7 cost, we'll be talking about earliest, and also as  
8 far as compliance with orders, regulations, and  
9 also addressing stakeholders' concerns, this being  
10 the requirements of the public meeting we're having  
11 as far as public participation and public input.

12                   The site is made up of operable  
13 units. An operable unit is a grouping under CERCLA  
14 for areas of similar contamination. Presently the  
15 site is composed of five operable units. They're  
16 depicted on this diagram.

17                   Operable Unit 1 is the waste pit  
18 area. It's approximately 36 acres or so in size.  
19 It consists of sludge, the waste material from the  
20 various metallurgical and chemical processes that  
21 took place.

22                   Operable Unit 2 is referred to as the  
23 other waste areas. It has five subunits. They're  
24 depicted in blue. It's the solid waste landfill to

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1 the north, two lime sludge ponds near the western  
2 border of the former production area, there's an  
3 active and -- excuse me, an inactive and a formerly  
4 active flyash pile, and also a South Field area,  
5 which is old construction rubble in the area.

6 Operable Unit 3, the subject of our  
7 discussion this evening, is the former production  
8 area. It's referred to as the production area.  
9 However, Operable Unit 3 encompasses a larger area  
10 and more facilities than that. Operable Unit 3  
11 includes all the man-made facilities both above  
12 grade and below grade.

13 Operable Unit 4 consists of the silo  
14 areas. Silos 1 and 2, the K-65 material, silo 3  
15 contains the old metal oxides, and silo 4 is  
16 empty.

17 Operable Unit 5 constitutes the  
18 environmental media. This is the groundwater and  
19 the soils that are not included in the other  
20 operable units.

21 This is probably one of my favorite  
22 slides because it's extremely busy and we show it  
23 at every public meeting. The intent of the slide  
24 is not to confuse you all, though it very easily

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1 can. Primarily this is showing that the site has  
2 been broken down into the five operable units, and  
3 if you will look across the chart, you'll notice  
4 that each operable unit has a specific schedule  
5 that has been agreed upon through the amended  
6 consent agreement. I'd like to very rapidly walk  
7 through the remedial process we're undertaking for  
8 each of these operable units.

9 As you'll note, for example, in  
10 Operable Unit 1, from left to right, you have the  
11 RI, which is the remedial investigation, which is  
12 primarily the determination of the nature and  
13 extent of the contamination that you have within  
14 that operable unit.

15 After the RI is conducted, you move  
16 into the FS/PP, which is the feasibility study and  
17 proposed plan. The feasibility study deals  
18 primarily with evaluating the various alternatives  
19 to be used in order to remediate the site. The  
20 proposed plan is somewhat the culmination of that  
21 process, whereas you take the preferred alternative  
22 and put it into a document and present it to the  
23 public for public comment and input, very similar,  
24 exactly to what we're doing this evening.

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1                   Once the proposed plan is commented  
2 upon, a Record of Decision is generated. Part of  
3 that Record of Decision is what's referred to as a  
4 responsiveness summary. The responsiveness summary  
5 takes into consideration the comments that were  
6 received during the public comment period and may  
7 modify the proposed plan at that point in time.  
8 But the Record of Decision then will formalize the  
9 actual remediation to take place. That then is  
10 followed by the formulation of a remedial design  
11 and remedial action work plan and actually into the  
12 field work.

13                   Again, the purpose of the slide is to  
14 show you that we have five operable units, each of  
15 them has a very specific and definitive schedule  
16 that they must follow. You notice that we have a  
17 lot of activity taking place currently and a lot of  
18 integration taking place within those activities.

19                   The focus of our meeting, as  
20 indicated before, is basically Operable Unit 3, and  
21 again, this is just a reiteration of what is  
22 included within Operable Unit 3. As you can see,  
23 there are some exceptions to that as far as other  
24 man-made structures that are on the site. Again,

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1 primarily the objective is the remediation process  
2 for OU-3.

3 I'd like to take just a minute to  
4 talk about some of the accomplishments that have  
5 taken place within Operable Unit 3. As indicated  
6 by this slide, August of '93 received approval of  
7 the RI/FS work plan addendum. This document, three  
8 or four volume document, basically gives us our  
9 path forward as far as the formal RI/FS process for  
10 OU-3. You'll notice also we talk about a number of  
11 removal actions, 3 or so have been completed and 11  
12 or so are actually ongoing within Operable Unit 3.  
13 Removal actions are activities that are conducted  
14 to quickly address a release or a threat of a  
15 release to reduce risk. They're a mechanism to  
16 address immediate concerns, and they're normally  
17 done in a specific or area for a specific purpose.

18 In the back of the room there are  
19 some displays depicting some of the various removal  
20 actions that are ongoing. As I and Jim talk about  
21 the proposed plan and proposed action that we have  
22 for this removal action, it is important that you  
23 realize that some of these removal actions will be  
24 ongoing with this interim activity. These removal

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1 actions will actually complement and will need to  
2 be coordinated and integrated with the interim  
3 activity. For example, safe shutdown removal  
4 action, the removal of waste inventories, asbestos  
5 abatement, and the approved storage of soil and  
6 debris.

7 Very briefly, what is an interim  
8 action? As you can see, a course of action that  
9 may be pursued in the short term before a final  
10 Record of Decision in order to quickly reduce  
11 existing risks. I think it is important to know  
12 that CERCLA does allow for these interim actions to  
13 take place. There's formal EPA guidance generated  
14 on how to accomplish this.

15 The proposed interim action for OU-3  
16 is to decontaminate and dismantle the man-made  
17 structures and to take this material and put it  
18 into approved storage on-site with a limited amount  
19 of material to be taken off-site. And again this  
20 is the subject of the public meeting.

21 The question then, why pursue the  
22 interim action? As Jim will further explain,  
23 primarily there are four reasons: First, implement  
24 cleanup faster. If we implement it faster,

1 hopefully we will be able to complete it sooner.  
2 Secondly, to reduce risk, risks to workers, risk to  
3 people on-site, and also risk to off-site  
4 receptors. Third, a cost saving, reduce operation  
5 and maintenance costs, the landlord costs that we  
6 have for the buildings and the facilities. Fourth,  
7 to show progress, to show that we are actually  
8 accomplishing the remediation process.

9           This shows the time line for the  
10 actions. There are two actions depicted. The top  
11 one is primarily the consent agreement schedule as  
12 negotiated in the amended consent agreement, which  
13 is the formal RI/FS process. The field  
14 characterization leading into remedial  
15 investigation, the feasibility study, proposed  
16 plan, to the Record of Decision.

17           The bottom line shows you basically  
18 the interim action. The proposed plan allows the  
19 D&D of Operable Unit 3 to begin approximately four  
20 years sooner than it would. It allows it to take  
21 place while the final remedial investigation  
22 process is in place. The final Record of Decision  
23 will address the evaluation of treatment  
24 technologies and methodologies and the final

1 disposition of the Operable Unit 3 material.

2 A couple of remaining slides,  
3 primarily depicting the public comment period, and  
4 as we indicated, the public comment period for the  
5 proposed plan was initiated on December 8, 1993,  
6 30-day public comment period. The end of the  
7 public comment period is January 7, 1994.

8 In looking at the overall proposed  
9 schedule for the proposed plan, indicate that we  
10 have the development of the plan, December 3rd, '93  
11 received both US and EPA approval, excuse me, US  
12 and Ohio EPA approval of the document. Put the  
13 notes of availability in the paper and issued a  
14 public comment period December 8th, as we  
15 indicated, running through January 7. This  
16 evening, January 5th, conducting the public  
17 meeting, solicited comment on the proposed plan and  
18 development of the interim Record of Decision. As  
19 we indicated, the proposed plan is subject to  
20 comment. Those comments will be considered, taken  
21 into consideration. Part of the interim Record of  
22 Decision will be the responsiveness summary, which  
23 will address those comments, and following this  
24 schedule, the draft Record of Decision to the EPA

1 sometime hopefully in early to mid March.

2 Thank you. That's a general overview  
3 of the site of Operable Unit 3 and the interim  
4 action. I'd like to introduce Jim King. Jim King  
5 is the CERCLA, RCRA Unit Director for FERMCO.  
6 Jim.

7 MR. KING: Thank you, Johnny. I'm  
8 Jim King with FERMCO, and I would like to introduce  
9 a couple members of my staff who are up here on the  
10 panel and ready to answer your questions, and they  
11 will answer your questions if you ask them during  
12 the question and answer session, not during the  
13 comment period. I hope you understand that. It  
14 sounds confusing, but it's not.

15 Bill Zebick is our construction  
16 manager in Operable Unit 3 and John Throckmorton is  
17 in the RI/FS Department. John had a big hand in  
18 developing and writing the proposed plan. So any  
19 tough questions on the proposed plan you should  
20 direct to John and not to me.

21 I would like to welcome all of you to  
22 this public meeting. It's a real good chance for  
23 us to get an idea of what the public thinks of our  
24 proposed plan. You know, we technical people tend

1 to work on the technical details, and sometimes we  
2 get accused of looking at the trees rather than the  
3 forest as we get wrapped up in looking at elegant  
4 technical solutions, and you the public have a  
5 habit sometimes of looking at the forest and coming  
6 up with some perceptions that we may occasionally  
7 miss. So we're real anxious to get the public  
8 perceptions on this proposed plan. We're real  
9 excited about it, and we're real proud of it. We  
10 think it's going to do a lot for the cleanup of  
11 Fernald.

12 I would like to get into it a little  
13 bit. I would like to start off by giving you a  
14 little bit of a status report on what we're doing  
15 out there, digressing from the proposed plan for a  
16 moment. I have a picture here of the nitric acid  
17 tank car. We recently completed two removal  
18 actions, the nitric acid tank car and the pilot  
19 plant sump. Back on the exhibits there's some  
20 detail and some photographs, but this is a picture  
21 of the nitric acid tank car. It was a removal  
22 action. That tank car had some nitric acid in it.  
23 The nitric acid has been removed, the tank car has  
24 been cleaned out, it's been cut open and

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1 decontaminated, and it's on the scrap pile. So  
2 that removal action is complete.

3           The next one is the pilot plant sump  
4 removal action, and I always tell people there  
5 finally is what the pilot plant sump looks like.  
6 Those of us who have been working on it, writing  
7 work plans and writing schedules and writing health  
8 and safety plans, everybody has seen the pilot  
9 plant sump in writing, but here finally is the  
10 first pilot plant sump in captivity. We got it out  
11 of the ground, it's been decontaminated, cut up,  
12 all the lines have been blanked off, and it's been  
13 back there. So that removal action is complete.  
14 So we are making some progress and we're making  
15 things happen in the field.

16           The next picture I'm going to show  
17 you, this is Plant 7, that's the tallest building  
18 on-site, and that also is a removal action that is  
19 underway. Right now the decontamination has been  
20 completed and the contractor is getting ready to  
21 mobilize, actually tear down this building. This  
22 will be the first large building on the site that's  
23 been torn down.

24           The next photograph, I'll get in a

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1 little more detail in a minute, the next photograph  
2 shows Plant 7 gone. Now, we're not trying to be  
3 deceptive and I want to make sure everybody  
4 understands this is a computer rendered photograph  
5 of what it will look like when Plant 7 is gone, and  
6 a year from now when we have a public meeting or a  
7 get-together like this, I'm confident we'll be able  
8 to show you an actual photograph that will look  
9 exactly like this because about a year from now,  
10 give or take a couple of months, we should be  
11 complete and Plant 7 should be removed.

12 I would like to talk a little bit  
13 about the sequence of the Plant 7 work. Plant 7 is  
14 a removal action that's underway, but it is really  
15 the prototype for the work that will go on under  
16 the interim ROD, because the sequencing of work on  
17 Plant 7 is what we're planning to do on all the  
18 buildings with some modifications, depending on the  
19 characteristics of the buildings. We went into  
20 Plant 7 and first we removed all of the drums of  
21 waste and removed all the current inventory that  
22 was in any of the equipment, and we also then went  
23 down under the safe shutdown, cleaned out the  
24 existing equipment and removed it. We also did a

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1 gross cleanup. Plant 7 was full of pigeon dung, a  
2 real serious cystoplasmosis problem, and it had a  
3 lot of dead bird carcasses. It was pretty nasty in  
4 there. That was all cleaned up by our site workers  
5 under the Safe Shutdown Program.

6 Then we went in and removed all the  
7 asbestos that was used as insulation on the pipes  
8 and to wrap pipes. We did a gross surface  
9 decontamination. This was a washdown with a high  
10 pressure jet of water to remove all of the loose  
11 contamination and that was contained in peeling  
12 paint and was just scaled on material. And then we  
13 did a lockdown, which means we spray painted the  
14 entire interior of the building with a thin coating  
15 of paint to fix any contamination that might be  
16 left.

17 There's a very interesting graphic  
18 back there on the board, Plant 7 dismantling  
19 removal action, it shows a little chart in the  
20 upper right-hand corner. We took readings before,  
21 during, and after the washdown and the lockdown,  
22 and it shows some dramatic results in removing  
23 contamination and really reducing the counts in  
24 that building.

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1                   The next step -- now all of this up  
 2 to this point is completed and we're getting ready  
 3 to start the next step, which will be to remove all  
 4 the interior equipment, the ducting, piping, all  
 5 the items that are in the inside and all the  
 6 interior transite panels. Then we will remove the  
 7 exterior transite panels and actually dismantle the  
 8 building, and then the waste will be disposed of.

9                   That's the scenario we're going  
 10 through on Plant 7, and as I said, there's a  
 11 prototype for the D&D of all the buildings. We've  
 12 had very good success with Plant 7. The cost right  
 13 now for Plant 7 is projected to be roughly some \$20  
 14 million less than the estimate of a year and a half  
 15 ago. So we've really reduced that cost. It was  
 16 some \$34 million, and right now we're looking at  
 17 about \$14 million.

18                   So by really planning and structuring  
 19 the project, doing a lot of creative things, we've  
 20 been able to reduce the cost and also reduce the  
 21 schedule by about a year and a half, and we've done  
 22 this safely because safety is our utmost concern.  
 23 That's why we went through the gross surface decon  
 24 and washdown and lockdown phases. We were able to

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1 fix the contamination and you can now go into that  
2 building without a respirator, whereas six months  
3 ago you couldn't go through the building without  
4 wearing a respirator and full protective clothing.  
5 We still don't let people wander through that, but  
6 we can under controlled conditions allow people to  
7 enter without respirators. So the count has been  
8 reduced, the radiation has been reduced. So the  
9 successes from Plant 7, we want to apply to this  
10 entire interim action and the D&D of all the  
11 facilities on the site.

12                   Now, the proposed plan, as I said,  
13 it's a document we're proud of, it's relatively  
14 thick, not as thick as some of the work plans  
15 you've gotten from us, and there's a lot of good  
16 information in it, it's pretty detailed. Also I  
17 would recommend that you read the fact sheet that's  
18 inside the cover. That has a pretty good summary  
19 of the details. I'm not going to try to go through  
20 all these details because they won't let me have  
21 but about 15 minutes, and I would need many hours  
22 to go through all the details. I'm going to try to  
23 hit some of the highlights.

24                   Why are we pursuing an interim

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1 action? We have four major reasons up here. The  
2 fact that the buildings are already contaminated,  
3 there's exposure to workers and the environment,  
4 potential exposures. The buildings are beyond  
5 their useful design life and require maintenance  
6 for continued use or even to just sit there, and we  
7 can avoid maintenance costs. I would like to  
8 summarize it kind of in laymen's terms. The whole  
9 purpose of the RI/FS program leading to a Record of  
10 Decision is really basically to answer two  
11 questions: Is there contamination and what do we  
12 do about it.

13 Now, on these buildings and  
14 structures, we already know the answers to those  
15 two questions. We know these buildings are  
16 contaminated in various levels with various  
17 materials, and we know what has to be done about  
18 it. We know the buildings have to come down. So  
19 basically what this proposed plan is saying, let's  
20 get on with it, let's make a decision right now  
21 that, yes, we know there's contamination and, yes,  
22 we should tear the buildings down. Instead of  
23 waiting until we go through the whole RI/FS process  
24 and get a Record of Decision in 1997, let's get a

024

1 Record of Decision now and be on with it. That's  
2 really what we're trying to do.

3 In developing the proposed plan we  
4 looked at various alternatives of what we could do  
5 with this problem, the problem being contamination  
6 and risks of exposure to the workers in the  
7 environment. We looked at alternative 0, which is  
8 the no action alternative, that means we don't do  
9 anything, we let everything sit there. And  
10 obviously this is not acceptable to anybody, so we  
11 quickly dismissed that, but we do have to look at  
12 the no action alternative.

13 Alternative 1 was no interim action,  
14 that means we proceed as we are and continue  
15 through the RI/FS process and we get a Record of  
16 Decision that's currently targeted for April of  
17 1997, and then we begin to plan and execute the D&D  
18 of all the structures.

19 Alternative 2 was to go in right away  
20 and do a decontamination of all the surfaces,  
21 interior and exterior on all the buildings to  
22 mitigate the risks to the public and the  
23 environment. And then wait until the final Record  
24 of Decision before we move ahead with the D&D of

025

1 the buildings.

2 Alternative 3, which is the preferred  
3 alternative that we present in this proposed plan,  
4 is to go in right now and to begin to decontaminate  
5 and dismantle the structures and the site. That's  
6 four years earlier than was scheduled, roughly four  
7 years earlier.

8 As required by the CERCLA regulations  
9 and the contingency plan, we evaluated those  
10 criteria or we evaluated those alternatives versus  
11 the EPA evaluation criteria. The key ones are  
12 overall protection of human health in the  
13 environment. Yes, we feel that the proposed  
14 alternative does provide the best overall  
15 protection of human health in the environment.  
16 We're getting the buildings down, getting them  
17 stabilized and removing the decontamination four  
18 years earlier.

19 The short-term effectiveness, again  
20 there's a time factor there. We're getting, moving  
21 faster and we're reducing risks in the near term.

22 Cost, there's a pretty interesting  
23 graphic back there in the exhibits that shows the  
24 cost savings. Just by reducing the landlord and

1 maintenance costs, we're saving some \$360 million  
2 over the life of the project, and there's a chart  
3 back there that shows that. The major source of  
4 this cost saving is the faster we get the buildings  
5 torn down, the less money we have to spend  
6 maintaining them. These buildings are very  
7 expensive to maintain right now. We have to go  
8 through, we have to continually conduct  
9 walk-throughs, we have to, believe it or not,  
10 repair some of these buildings because, frankly,  
11 they're falling apart. They're still there, we  
12 have to keep them repaired, we have to keep  
13 surveillance on them, we have to heat them, we have  
14 to spend a lot of money on lights and there are  
15 safety issues why we have to have safety  
16 inspections, we have fire inspections. All this  
17 stuff adds up. We've taken a long hard look at the  
18 program and projected what our landlord costs would  
19 be if we could accelerate this program by about  
20 four years, and we're looking at a considerable sum  
21 of money over the lifetime of the project, some  
22 \$360 million.

23 State acceptance, this plan has been  
24 reviewed by the Ohio EPA and we're talking to them

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1 about it and any comments will be incorporated in  
2 the final Record of Decision, so we'll have their  
3 buy-off. And community acceptance is why we're  
4 here tonight, to explain the plan to you, answer  
5 your questions, to make sure you understand it and  
6 make sure that you accept it as we hope you will.

7                   The next graphic shows in graphic  
8 form the time savings. It pretty much walks  
9 through in generalities what the program is. I  
10 want to emphasize we are still going through with  
11 the RI/FS process with the Record of Decision in  
12 1997. What we're doing here is decoupling the D&D  
13 of the facilities from the rest of the Operable  
14 Unit 3, and that leaves a final decision in 1997 on  
15 waste disposition. I want to make sure you  
16 understand that this top schedule, going through  
17 the field characterization, the remedial  
18 investigation, the feasibility study, and then we  
19 go to public comment and Record of Decision and  
20 finally the implementation of the removal action.  
21 That was the original plan for all of Operable Unit  
22 3, which includes all the structures, buildings and  
23 facilities. We are still following this path,  
24 except we are only going to follow it in the

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1 proposed plan, we're only going to follow this path  
2 for a decision on the final disposition of the  
3 waste material.

4           The interim action schedule that  
5 we're proposing here, here we are in the public  
6 comment period, and we hope to get through the  
7 public comment period, we hope to get an interim  
8 Record of Decision which will allow us very shortly  
9 to begin interpretation of the remedial action, and  
10 that's roughly a four-year time saving. But it's  
11 important to note, and I know this is a little  
12 confusing, that we still will be pursuing a RI/FS  
13 on the waste disposition issue.

14           Immediately after the Record of  
15 Decision we will present a remedial design/remedial  
16 action work plan. We're actually working on it now  
17 in the preliminary stages. This work plan will  
18 represent the design strategy that's going to be  
19 applied to this whole effort. We're doing a lot of  
20 detailed engineering and detailed studies now.  
21 That will be submitted to the EPA 60 days after  
22 signing of the Record of Decision. The remedial  
23 design and remedial action work plan will be  
24 combined and submitted together. This will be

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1 somewhat ahead of schedule. The remedial design  
2 work plan will be a generic approach to how we're  
3 going to take the facilities apart and also how  
4 that's going to be coordinated with other  
5 activities. We will also address the sequencing of  
6 which buildings are going to come down when, we'll  
7 do more detailed scheduling and more detailed cost  
8 estimates, along with specifications that we're  
9 going to use and how we'll actually go about doing  
10 the work. And that will be submitted to EPA for their  
11 approval. This really represents the  
12 implementation of the design stage.

13 Finally, this is the schedule for  
14 interim action. Immediately after the public  
15 comment period we will begin developing the Record  
16 of Decision. DOE and EPA will sign the interim  
17 ROD. Then we will, as I said before, we will  
18 continue on development of the remedial design/  
19 remedial action work plan. Hopefully we will get  
20 approval of that work plan by EPA. In the meantime  
21 we'll be working on the design and bid package  
22 number, which will be the first package. We'll go  
23 through the bid procurement package. We're  
24 required to implement the action 15 months after

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1 signing of the ROD, and we really feel we'll be in  
2 place to do that. We'll have the first package  
3 ready to let at the end of 15 months, and then we  
4 will actually begin the field work.

5           So as you can see, this is a real  
6 acceleration of the remediation of Operable Unit 3,  
7 an acceleration by up to four years. And we're  
8 hopeful that this plan will go forth with all due  
9 speed, but with deliberate speed. I can't  
10 emphasize to you we want to do this faster, cheaper  
11 and better, as we keep saying, but we also want to  
12 do it safely, and we want to do it in an  
13 environmentally sound manner, and that's really  
14 paramount in all of the work we're doing in  
15 engineering and in developing these work plans.

16           Ken, I'll turn it back over to you.

17           MR. MORGAN: Before we begin our  
18 question and answer session, I would like to  
19 acknowledge a few of the distinguished guests we've  
20 got here tonight. Dr. John Appleby is Chairman of  
21 our Citizens Task Force, who is helping us leading  
22 the citizen effort to do some global planning for  
23 the site, wrestling with those issues. I'm glad to  
24 see you here tonight.

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1 Lisa Crawford, the President of  
2 FRESH, is here. Many of you know her.

3 We have Dave Kozlawski from  
4 headquarters, part of the headquarters staff, is  
5 here this evening with us. Glad to have him here.

6 Jim Saric from US EPA intended to be  
7 here, but because of illness could not be here and  
8 sends regrets, but we do have Graham Mitchell from  
9 the Ohio EPA, and would like to invite him to make  
10 a few remarks about the plan.

11 MR. MITCHELL: Good evening. Jim  
12 Saric asked me to also express his apologies for  
13 not being here tonight due to his illness. I think  
14 the comments that I'll make tonight are also the  
15 comments that he would say as well. We're pretty  
16 much in agreement on the proposed plan.

17 Ohio EPA support the OU-3 proposed  
18 plan concept, and we've been working with DOE over  
19 the last year or so to bring this to what you're  
20 hearing and seeing tonight. We feel this is an  
21 excellent example of speeding up Superfund  
22 process. Those of you who have followed this for  
23 years know the frustration of just seeing us study  
24 and collect samples, at least that's the perception

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1 I think that's out there. This is a good example  
2 of I'd say everyone working together to speed this  
3 process up.

4 The plan will result both in cost  
5 savings and in time savings, as has already been  
6 mentioned here. As DOE and FERMCO were preparing  
7 to conduct a very elaborate remedial investigation/  
8 feasibility study on Operable Unit 3, those of you  
9 who have followed this know the number of samples  
10 that are involved in other operable units, we were  
11 about to embark on that in Operable Unit 3 when it  
12 became clear there was really no future use for the  
13 buildings on the site. It's been mentioned already  
14 tonight that the structure, the integrity of these  
15 buildings just didn't allow future use. So really  
16 I think this interim action was really a very  
17 logical step to take.

18 Some direct advantages of this  
19 strategy are that DOE cycle begins almost at the  
20 end of the Record of Decision, almost four years  
21 earlier than it was planned. Therefore, the actual  
22 cleanup, the actual demolition of the buildings  
23 will start much earlier.

24 It also allows the DOE to continue

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1 with a program that I think is very important,  
2 that's the recycling program that they've been  
3 doing starting with the scrap metal program. They  
4 have made a commitment to continue, not necessarily  
5 under the same contract, but to continue their  
6 efforts to recycle, especially structural steel  
7 associated with the buildings. I think this is a  
8 very important program in that it reduces the  
9 amount of waste that will eventually have to be  
10 disposed of at the site or at some other site.

11 We urge you to take the time to  
12 review this document carefully. This is the OU-3  
13 proposed plan, this is the prime time for you all  
14 to get involved, and if you have comments about it,  
15 to let your feelings to be known. US EPA, DOE,  
16 Ohio EPA will be taking these comments and putting  
17 together what will become the Record of Decision,  
18 so it's very important that we get your input at  
19 this point or in the near future.

20 We look forward to working with you,  
21 we look forward to your input. I want to quickly  
22 introduce Tom Schneider and Laura Hegee, who are  
23 with me tonight to also answer your questions, and  
24 we look forward to the questions and answers.

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1 Thank you.

2 MR. MORGAN: All right. We can now  
3 open it up to questions, and one issue that I would  
4 like to raise myself is the fact that we put this  
5 document out right in the middle of the Christmas  
6 season, beginning of December, and I know a lot of  
7 people have been busy. It is possible to extend  
8 the comment time available to the public. I think  
9 there's some, there may be some cost to that,  
10 something you might want to discuss if people feel  
11 they need more time. I encourage discussion about  
12 that.

13 I heard Lisa, saw Lisa waving with  
14 the first question.

15 MS. CRAWFORD: Actually, I'll talk  
16 loud, actually I have several questions, and, Mr.  
17 King, I would like if we could, I want to go back  
18 to one of the slides you had up there, it was  
19 sequence of Plant 7 work.

20 MR. KING: Okay, sure. Can you put  
21 that one back up.

22 MR. MORGAN: What I'll try to do is  
23 when you make questions, I'll try to repeat the  
24 question, that gives our answerer some time to

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1 think of the answer.

2 MS. CRAWFORD: I don't want you to  
3 do that. Okay.

4 I know several people around me, I  
5 heard them asking these same questions when this  
6 was put up. It says remove drums and inventory.  
7 Where did you put them?

8 MR. KING: We moved them to interim  
9 waste storage facilities on the site.

10 MS. CRAWFORD: Where?

11 MR. KING: I can't tell you  
12 specifically this drum went there, this drum went  
13 here, but on the site we have designated areas  
14 where we store the waste drums while they wait for  
15 removal off-site, and I don't know the specifics of  
16 which drum went where.

17 MS. CRAWFORD: So they kind of went  
18 hither and yon?

19 MR. KING: That's right, but they  
20 did stay on the site, which I think is probably  
21 what you're asking.

22 MS. CRAWFORD: What about the  
23 asbestos, what did you do with it?

24 MR. KING: The asbestos again went

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1 into white metal boxes, and it's ready to be  
2 shipped off to NTS.

3 MS. CRAWFORD: Then under gross  
4 surface decontamination, washdown, where did all  
5 the water go?

6 MR. KING: The water went into tanks  
7 where it's going to be run through the water  
8 treatment system in Plant 8.

9 MS. CRAWFORD: And remove interior  
10 equipment and items, you haven't gotten that far.

11 MR. KING: That's right.

12 MS. CRAWFORD: That's like the next  
13 step.

14 MR. KING: That's right.

15 MS. CRAWFORD: When you talk about  
16 lockdown, you're talking about putting a thin coat  
17 of paint to fix the contamination on there?

18 MR. KING: That's right, yes.

19 MS. CRAWFORD: Those are some things  
20 I felt needed to be clarified.

21 MR. KING: Was there a question on  
22 the lockdown?

23 MS. CRAWFORD: No, I just wanted to  
24 make sure I understood that correctly.

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1 MR. KING: There's a picture of it  
2 back there.

3 MS. CRAWFORD: The next slide says  
4 EPA evaluation criteria.

5 MR. KING: That's right.

6 MS. CRAWFORD: I think my question  
7 is why are there five highlighted in yellow and  
8 four that are not highlighted? Does the highlights  
9 make it more important than the one that's not  
10 highlighted?

11 MR. KING: Frankly, the highlighted  
12 ones are the ones I was going to discuss briefly.  
13 Not that they're more important, but I think  
14 they're a little more significant in the context of  
15 what we're doing. They are all important and they  
16 all have to be considered. It's interesting, we  
17 had a little discussion during the dry run as to  
18 whether they should be highlighted and people would  
19 think that they're significant, and I said if you  
20 don't highlight them, I'll forget which ones I'm  
21 going to discuss. I think the people who didn't  
22 want to highlight them won out.

23 MS. CRAWFORD: I'll let somebody  
24 else ask some questions. I'll have some more. (38)

1 MR. MORGAN: Yes, Edwa.

2 MS. YOCUM: The slide just before  
3 the EPA evaluation.

4 MR. KING: The alternatives?

5 MS. YOCUM: It's on potential  
6 avoidance of maintenance costs. With the drums  
7 being stored here and there, here and yon, and the  
8 water and that, OU-3, the alternative for D&D, how  
9 are you going to avoid maintenance costs if you're  
10 still going to have temporary storage with that  
11 alternative with the D&D? You can't avoid  
12 maintenance costs under any circumstances as long  
13 as you have temporary storage because it has to be  
14 monitored.

15 MR. KING: Right. You can't avoid  
16 it completely, but we can reduce it.

17 MS. YOCUM: But you were saying  
18 potential avoidance of maintenance costs.

19 MR. KING: Right, avoidance by  
20 reducing maintenance costs. There will still be  
21 maintenance costs, but they'll be less. You have a  
22 good point as far as the drums if they're still  
23 there. Our plan is to get them shipped off-site as  
24 soon as we can, but as long as they're there,

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1 you're right, no matter where they are, they have  
2 to be maintained and inventoried, but there are a  
3 lot of other costs associated with maintenance, the  
4 heat, the light, the --

5 MS. YOCUM: You're still going to  
6 have some utilities as far as the heat and the  
7 lights.

8 MR. KING: Not if we tear the  
9 buildings down.

10 MS. YOCUM: I'm talking about your  
11 other storage areas, where you're storing these --

12 MR. KING: But those costs in the  
13 building that we're tearing down.

14 MS. YOCUM: In that particular  
15 building.

16 MR. KING: You're right, we still  
17 have some maintenance costs associated with that  
18 waste as long as it's on the site, but we're seeing  
19 a reduction in the maintenance costs just because  
20 the building is no longer there.

21 MR. MORGAN: Yes, Pam.

22 MS. DUNN: I have a bunch of  
23 questions too and a comment on Edwa. Maybe you  
24 should have used the word "reduction" instead of

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1 "avoidance," that maybe is a little better  
2 fitting.

3 MR. KING: That's true.

4 MS. DUNN: My comments have to do  
5 with this little pamphlet here on OU-3.

6 MR. KING: The fact sheet?

7 MS. DUNN: Yes. On page 2 you talk  
8 about below ground storage or buildings or  
9 whatever. What types of structures are below  
10 ground and what was their purpose, either prior or  
11 current?

12 MR. KING: Below ground structures  
13 are primarily tanks, underground tanks, but also  
14 there are utilities, process pipelines that are  
15 below ground that we're responsible for. We have  
16 to dig all those up.

17 MS. DUNN: Are there contaminants in  
18 the tanks though?

19 MR. KING: Yes, some of them do have  
20 contaminants in them. There's also basements and  
21 foundations in buildings naturally.

22 MS. DUNN: That leads me to another  
23 question. Do you have like a very, like detailed  
24 layout of all these utilities? Do you go in and

1 start knocking down these buildings; how do you  
2 know when you go to disconnect those utility lines  
3 that you're going to knock out utilities for a  
4 building that's not going to come down?

5 MR. KING: That is a good question.  
6 One of the big efforts during the engineering  
7 phase, and I keep telling my boss that's why the  
8 engineering costs are so high, is to get in and  
9 detail all those utilities. We don't have real  
10 good as-built drawings. For some of the plant, it  
11 being so old, we don't have exact drawings on where  
12 all these utilities are. So what we have to do  
13 during the engineering phase is to go in and locate  
14 all those utilities and make sure that they're  
15 disconnected.

16 Part of the Safe Shutdown Program,  
17 their responsibility is utility disconnect. Now  
18 inside the building that's easy, they go to each  
19 piece of equipment, they cut all the lines and make  
20 sure a section of it has been cut out so there  
21 can't be any power. But they're also going to be  
22 looking at the underground utilities, obviously to  
23 make sure that they're all either disconnected or  
24 if they're live, that their tag has been marked.

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1 We're very concerned about that. That's a problem  
2 on any construction project, anybody that's worked  
3 construction, or if you've ever tried to plant a  
4 tree in the backyard and, sure enough, you find out  
5 where the telephone company wire was. It's always  
6 where you're going to put your tree. We have the  
7 same problem. We anticipate going in with probes  
8 also. There are probes that will locate these  
9 lines. But that is a big concern, and it's  
10 something you have to pay a lot of attention to.

11 MS. DUNN: Is that going to be done  
12 prior to tearing down these facilities?

13 MR. KING: That will be done as part  
14 of the engineering phase before we ever tear the  
15 building down. That will be an engineering task,  
16 to get all the spreads, all the layouts, and at  
17 that time they'll locate all the utilities and put  
18 them on a plan, and it sounds contradictory that  
19 here we're making, we're tearing down a building  
20 but first we have to make a drawing before we tear  
21 it down, but we do have to do that in some cases.

22 MS. DUNN: My next question, you  
23 talk about 12 acres and then like 1. something  
24 acres of wetland that you're looking at for this

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1 temporary storage. Is this an area that can also  
2 be converted to permanent storage should you have  
3 to retain waste on-site rather than being able to  
4 ship it, or in 15, 20 years are you going to have  
5 expended money for a temporary storage unit only to  
6 turn around and have to build a permanent and no  
7 cost savings is going to be realized at all?

8 MR. KING: Well, we anticipate  
9 possibly having to have some permanent storage  
10 on-site, and we're trying to plan it so that  
11 temporary storage that we're putting in now and  
12 will put in the next couple of years will not  
13 interfere with any permanent storage that has to be  
14 built. I might emphasize that temporary storage is  
15 only up to 1997 because we get our final decision  
16 on waste in 1997, and then we'll know whether it's  
17 going off-site or going to stay on-site or what  
18 we're going to do with it.

19 Does that answer your question? I'm  
20 not sure I understood what your point was.

21 MS. DUNN: No. I'm saying you're  
22 going to spend money to construct temporary storage  
23 facilities.

24 MR. KING: That's right.

1 MS. DUNN: When by 1997 or '98 you  
2 may find out you can't ship this stuff.

3 MR. KING: That's right.

4 MS. DUNN: That would have been a  
5 waste of taxpayer money on a temporary storage  
6 facility that cannot be converted to permanent, and  
7 my question, is that factor being considered in the  
8 location of the temporary storage and is it going  
9 to be constructed in a way that it can be converted  
10 to permanent?

11 MR. KING: Well, the answer to the  
12 first part of that, is that being considered, yes,  
13 it is, we're not putting a temporary storage that  
14 we will have to rip out because that's where a good  
15 spot for permanent disposal facilities would go.

16 As far as designing the temporary  
17 storage so that it could be converted later on to  
18 permanent storage, that would be difficult because,  
19 first of all, we're not sure what kind of permanent  
20 storage we would even need and, for example, if we  
21 were to spend money, spend extra money to build  
22 temporary storage facilities that could later be  
23 converted, we probably would find that we didn't do  
24 it right by 1997 and it wouldn't be useful anyway.

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1 But, yes, we've taken that into account, the added  
2 cost of the temporary facilities.

3 MS. DUNN: Is that in your cost  
4 assumptions?

5 MR. KING: That's in the cost  
6 assumptions.

7 MS. DUNN: The fact that you may  
8 have to spend more money down the road for a  
9 permanent facility?

10 MR. THROCKMORTON: No, that is not  
11 in this cost analysis.

12 MS. DUNN: So in actuality, the four  
13 years you're going to save in time may not actually  
14 save us as much money as what we're spending in the  
15 long run?

16 MR. KING: No, because we have to  
17 build those permanent facilities anyway, no matter  
18 what happens in the next four years.

19 MR. THROCKMORTON: The benefit of  
20 the temporary storage facilities is that there's  
21 two scenarios that really can occur in '97, going  
22 off-site or staying on-site. If we stay on-site,  
23 those temporary storage facilities would act as a  
24 staging area as materials are coming down, going to

1 the staging area and then going into an on-site  
2 disposal facility. So their life span would be for  
3 the most part the life of the project. Now, if we  
4 go off-site, those same areas would be used as a  
5 staging area to package and ship materials off-site  
6 to our final location. The problem here is that we  
7 can't make a decision until '97 as to where the  
8 materials will really go.

9 In addition, to answer your first  
10 question on the 12 acres of the facilities, we  
11 don't necessarily envision that all 12 acres will  
12 be used. What is portrayed there is a maximum  
13 scenario where if we don't have the availability to  
14 release any materials off-site in this interval  
15 period, we would have to utilize that maximum  
16 space. But we are looking at possibilities of  
17 using space existing on-site, meaning if the Plant  
18 1 Pad becomes available with, drum storage space  
19 becomes available, we will be utilizing that area  
20 for storage of these materials. So the 12 acres is  
21 a maximum situation.

22 MS. CRAWFORD: Where is the 12  
23 acres?

24 MR. THROCKMORTON: It's located on

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1 the northeast corner of the site in the buffer  
2 zone, so it is outside of the production area  
3 itself. What we have done is we tagged our interim  
4 storage onto Removal Action 17, which is the  
5 central storage facility. That removal action has  
6 previously been approved, and construction shall be  
7 starting fairly soon for a soil storage facility.  
8 So we will just be building in essence an  
9 additional phase onto that structure.

10 MS. YOCUM: Is that on the buffered  
11 area?

12 MR. THROCKMORTON: Yes, it is. It  
13 is between the fence lines, ma'am.

14 MS. YOCUM: What happens if say the  
15 Nevada Test Site closes the doors and does not  
16 allow our waste to come into their plant, and now  
17 you've taken up the buffer area for storage of  
18 contaminated waste materials, now what about the  
19 homes that are living right on the fence line?

20 MR. THROCKMORTON: The buffer zone  
21 we are talking about is about a 100 meter area  
22 right next to the production area. We are still  
23 talking about 500 meters to the nearest house. So  
24 it's the definition of the buffer zone.

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1 MS. CRAWFORD: Don't talk in meters,  
2 you've got to talk in feet or miles, we don't  
3 understand meters.

4 MR. THROCKMORTON: Sorry, ma'am.  
5 About one meter is about one yard, so you're  
6 talking about the length of about five football  
7 fields.

8 MS. CRAWFORD: Okay.

9 MR. KING: I think we should show  
10 the location of that zone that we're talking  
11 about. There is a map in the book, but could you  
12 go up and point it out, John.

13 MR. THROCKMORTON: Yeah, sure.

14 MR. KING: I don't think we're  
15 talking about the same buffer zone you are maybe.

16 MS. DUNN: Is that storage area  
17 going to be over the aquifer?

18 MR. THROCKMORTON: Yeah, the entire  
19 site is over the aquifer.

20 MS. DUNN: What's that one area in  
21 the northwest corner there?

22 MR. THROCKMORTON: The specific area  
23 we would be looking at is this location right in  
24 here short of the pine fields, so if you're

1 familiar with the site, the north access road comes  
2 out this direction here off the picture, and there  
3 is a significant difference to the corner residents  
4 out along the north and along the east side of the  
5 site.

6 MS. NUNGESTER: I have a real  
7 problem with that, and I'm at the microphone  
8 because I don't talk as loud and clearly as they  
9 do, because the prevailing winds go right from west  
10 to east, and if there's any kind of breakage or  
11 tornado goes through again, it's going to carry  
12 that stuff. It's not going to bother me, I'm the  
13 other way. But that's really a problem, having  
14 that stuff sit up there.

15 MR. THROCKMORTON: I agree, ma'am,  
16 if the prevailing winds are from the southwest to  
17 the northeast. The risk analyses that we performed  
18 in the document -- we need to put it in the context  
19 of the processes that the materials will have gone  
20 through getting to that point. They will have gone  
21 through a surface decontamination, as Jim alluded  
22 to, where we wash off and remove the  
23 contamination. We then go through with a spraying,  
24 a lockdown mechanism on it, which will really fix

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1 any contamination into it. So before any materials  
2 would go into that facility, really the  
3 contamination has been dropped by, in Plant 7 we  
4 estimated about a 95 percent reduction. In  
5 addition to that, any loose material will have been  
6 packaged and boxed, so we're really talking about  
7 an act of God causing significant releases to the  
8 area.

9 MS. NUNGESTER: Your act of God  
10 could very well happen because we had one go  
11 through here that wasn't very far from that place.

12 MR. THROCKMORTON: Yes, I agree with  
13 you.

14 MS. NUNGESTER: And again, no matter  
15 what safety precautions are taken, that's the worst  
16 area for these acts of God for that stuff to be  
17 sitting.

18 MR. THROCKMORTON: Ma'am, that's a  
19 very valid question. I think further --

20 MS. NUNGESTER: I have another  
21 question. What do these facilities consist of?  
22 What are you building, are they aluminum buildings?

23 MR. THROCKMORTON: No, they are a  
24 concrete pad with containment systems to hold any

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1 material and tension support structures.

2 MS. NUNGESTER: Tension support  
3 structures, is that tin, what --

4 MR. KING: Is there a picture up  
5 there you can show them?

6 MR. THROCKMORTON: These are tension  
7 support structures here.

8 MR. KING: That's a big steel bow  
9 with a fabric material over it.

10 MS. NUNGESTER: So, in other words,  
11 it is temporary?

12 MR. KING: Yeah.

13 MS. NUNGESTER: It could in no way  
14 be considered -- Could somebody refresh my memory,  
15 when we toured this place back in 1990 with then  
16 Congressman Tom Luken, Plant 2-3 had zillions of  
17 barrels in it and around it. Do you remember what  
18 was in them; what's packaged in them? You should  
19 know what's in those barrels at Plant 2-3.

20 MR. KING: I don't offhand.

21 UNIDENTIFIED SPEAKER: Plant 2-3 has  
22 stored around it the residue materials from which  
23 we were leaching uranium as part of our production  
24 work. They were drums which had been stored on 52

1 Plant 1 Pad at some point and were brought to 2-3  
2 in process, in anticipation of their being  
3 processed consumed. So in '90 there were still  
4 some of those sitting there.

5 MS. NUNGESTER: I don't know if  
6 they're still sitting there, but there were  
7 actually barrels inside the building because when  
8 we toured it in '86, we went through those  
9 buildings.

10 UNIDENTIFIED SPEAKER: That's  
11 right. Production formally ceased in '89, is that  
12 right, so there were in '90 still many of those  
13 drums sitting there which had not yet been returned  
14 to the Plant 1 storage.

15 MR. MORGAN: What is the question?  
16 We have a lot of barrels in a lot of the buildings.

17 MS. NUNGESTER: Right, but the  
18 problem is some of those barrels on Plant 1 were  
19 falling apart and leaking thorium and everything  
20 else on the ground. I'm getting to the question:  
21 Is there thorium in those barrels? Were they going  
22 to be stored, is it all going to be shipped off? I  
23 know the plan is to get the thorium off-site.

24 MR. KING: Right. There's a program

1 underway now to overpack all the remaining  
2 deteriorated thorium drums. A number of them have  
3 been done, and it's ongoing now to get those things  
4 overpacked and eventually get them shipped  
5 off-site.

6 MS. NUNGESTER: My next question is,  
7 are all the underground water areas, Plant 8, Plant  
8 9, Plant 6, are those plumes underneath those  
9 plants, is it all --

10 MR. KING: Perched water?

11 MS. NUNGESTER: Perched water, thank  
12 you. Are all those going to be pulled out of there  
13 before you do any tearing down of the buildings?  
14 Plant 6 seem to be pretty well gone. Plant 2-3 has  
15 them.

16 MR. KING: Not necessarily before we  
17 tear the buildings down. But there's a removal  
18 action underway in another operable unit to deal  
19 with the perched water and it's underway now. I  
20 don't know the schedule offhand.

21 MR. THROCKMORTON: The remediation  
22 of the buildings will be scheduled in conjunction  
23 with soil and perched water removal. It's  
24 unrealistic to try to address a building and the

1 contents under the building without addressing the  
2 potential perched water contamination in the soil.  
3 So it's going to be a unified approach doing all  
4 that work at the same time.

5 MS. NUNGESTER: I should hope so  
6 because I hate to think of someone digging  
7 something and then getting into that water.

8 MR. THROCKMORTON: Yes, we all are  
9 in agreement with that.

10 MS. NUNGESTER: Thank you.

11 MS. CRAWFORD: I have a couple  
12 questions on page 4 of your, whatever this thing is  
13 called. This fact sheet thing. It says, number 5,  
14 it says shipping some of the nonrecoverable waste  
15 and debris generated by da, da, da. Some of this  
16 stuff you're tearing down, some of the building  
17 stuff you're taking down, you can actually  
18 decontaminate it and then ship it before you get  
19 your ROD?

20 MR. KING: Well, yeah, we ship it  
21 to -- We're talking here about shipping it to  
22 Nevada Test Site.

23 MS. CRAWFORD: That was my question,  
24 where?

1 MR. KING: Nevada Test Site.

2 MS. CRAWFORD: Everything is going  
3 to go to NTS, everything?

4 MR. KING: Not everything. Some of  
5 it is going to NTS, some of it we are looking at  
6 recycling and beneficial reuse programs. For  
7 example, our plan is all of the structural steel  
8 from Plant 7 removal action again, not the interim  
9 ROD, but the same thing, our plan is for all that  
10 structural steel to go to recycle, and we're  
11 working on a RFP now for various companies to  
12 propose taking that steel, melting it down, and  
13 forming it into waste boxes, which then we would  
14 ship back and put our waste in.

15 MS. CRAWFORD: Do we have approval  
16 from the Nevada Test Site to ship the melted  
17 materials?

18 MR. KING: Yes.

19 MS. CRAWFORD: We do have that?

20 MR. KING: Yes.

21 MS. CRAWFORD: Through -- I mean  
22 forever?

23 MR. MORGAN: That's part of our  
24 permit. I'm not sure what the parameters are.

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1 Forever is a long time.

2 MS. CRAWFORD: I know. It's like  
3 temporary storage, you know, people tell us  
4 temporary storage. Well, hell, temporary storage  
5 could mean 50, a hundred years, depending on who  
6 you talk to and which site you talk to them.

7 MR. KING: It better mean until 1997  
8 because 1997 we are going to have a final ROD on  
9 waste disposition, and then it better not be  
10 temporary much longer after that. But we're  
11 looking at getting that stuff off.

12 MS. CRAWFORD: That follows into  
13 number 6, which basically -- it doesn't have a date  
14 on it, but basically this temporary storage cannot  
15 go beyond 1997, correct?

16 MR. KING: Well, no, it says until a  
17 final decision is reached. And then that decision  
18 will say here's what you're going to do with the  
19 waste, and then just like with this action, 15  
20 months later, we will begin implementing that final  
21 Record of Decision. So let's say the final Record  
22 of Decision is solution A, I don't even want to  
23 come up with any scenarios because it will  
24 prejudice everybody, but say it's solution A,

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1 shipping it to the moon. Well, that means in 15  
2 months after that Record of Decision in April of  
3 1997, 15 months after that we have to have started  
4 implementing and building launching pads to the  
5 moon or whatever.

6 MR. SCHNEIDER: Lisa, if you look at  
7 the proposed plan, in there it talks about they  
8 estimated a volume of material that they'll  
9 generate in these four years before a find ROD is  
10 determined, and that volume of material is the most  
11 that can be shipped to NTS and the most that can be  
12 stored in those facilities in that amount of time.  
13 So, one, either they're going to run out of storage  
14 facility because we only designed enough to hold  
15 the maximum amount of volume they could generate in  
16 those four years. If at the end of those four  
17 years we don't have an answer, they have full  
18 buildings and something is going to have to come to  
19 a head at that point.

20 MS. CRAWFORD: Where would I find  
21 that in here, Tom?

22 MR. SCHNEIDER: It's probably in the  
23 bigger one.

24 MR. KING: It's in the big book.

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1 MS. CRAWFORD: It's not in this  
2 little one. Not everybody get a copy of the big  
3 one.

4 MR. MORGAN: We did that  
5 deliberately because it would have been a big  
6 expense if we'd sent out all those big ones, but  
7 you're welcome to the big one.

8 MS. CRAWFORD: I realize that, but  
9 that should be in here somewhere because people  
10 need to know that.

11 MS. YOCUM: Yes, there will be some  
12 comments made on that.

13 MS. CRAWFORD: The other question I  
14 have is over on page 5, I understand where the 12  
15 acres is now, that made, thank you for pointing  
16 that out because I think we are all a little  
17 confused. The other thing is does this 1.2 acres  
18 of wetlands, is that included right down there?

19 MR. THROCKMORTON: No, the 1.2 acres  
20 of wetlands actually are drainage ditches along  
21 most of the access roads. So the wetlands are not  
22 -- there is an area of wetlands on the other side  
23 of the road going from east to west across that  
24 buffer zone on the opposite side, on the north

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1 side. We are not going to be impacting that north  
2 side and there will be no impact to those wetlands.

3 MR. MORGAN: The EPA defines a  
4 wetland as anywhere a frog can live. So it can be  
5 little ditches, little wet spots.

6 Let's go over to this side here.

7 MR. CLAWSON: Is the drum shipment  
8 in order or has it been stopped or how is that  
9 going? You know, you had a problem with shipping  
10 drums and you stopped all shipment of drums to  
11 Nevada, and is that on line again or not?

12 MR. MORGAN: That is -- have we got  
13 that pretty well resolved? Certain classes of  
14 waste had been held up.

15 MR. KING: I believe the shipment of  
16 the drum waste is continuing. There is one  
17 category of waste, it's the bale scrap that has  
18 been held up, and I have to confess, I don't know  
19 since about three weeks ago what the status of that  
20 is. So we would have to get somebody to answer  
21 that that knows what they're talking about,  
22 somebody from Waste Management.

23 MR. CLAWSON: Can you find out?

24 MR. MORGAN: We're going to have an

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1 issue of the Cleanup Report out here real soon, and  
2 that issue is addressed in there. I can remember  
3 reading it, but I don't remember now what the  
4 answer was, but an update on the status of that  
5 class of waste.

6 Dr. Appleby.

7 DR. APPLEBY: I was wondering if any  
8 thought has been given to temporarily reusing some  
9 of these buildings you're planning to tear down? I  
10 noticed with the K-65 silos, and I suppose with the  
11 waste pits as well, you're going to have to build  
12 buildings, not just fabric buildings, real  
13 buildings for the vitrification process and others,  
14 and it seems, I guess sort of like what Pam was  
15 saying, kind of a waste to build at least two pilot  
16 plants or a pilot plant and a regular plant for the  
17 K-65 silos, and then tear them down after they've  
18 been used and contaminated while you are also  
19 tearing down all these other buildings. Now, I'm  
20 sure some of them are not usable anymore, but is  
21 that true of all of them?

22 MR. KING: Well, we are using some  
23 of the buildings; for example, Plant 8 there's a  
24 water treatment system, 2-3 is the digester, and we

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1 have other buildings where processes will go on for  
2 some time. As far as new processes that we have to  
3 build, to put those in an existing building,  
4 anytime we've done a cost study on that, it has not  
5 been cost effective.

6 MS. CRAWFORD: Can you share your  
7 cost studies with the public?

8 MR. KING: Yeah, I guess they could  
9 be, yes, we can do that. Here's what you get into  
10 when you look at those buildings. They were built  
11 in the '50's, they don't meet code right now. They  
12 don't meet the DOE code, and if we want to use an  
13 existing building full of existing process  
14 equipment, you know, if it's operating, you can  
15 grandfather that in and go ahead and use it, but if  
16 we want to build a new process, put it into an old  
17 building, we would have to upgrade that building to  
18 the new codes. I know since the '50's, the  
19 earthquake and seismic code, the tornado loads have  
20 all been upgraded. So we would have to go to and  
21 structurally reinforce those buildings after we  
22 decontaminated it, and it just doesn't wash anytime  
23 you look at that. I know, I've eyed those  
24 buildings.

1 In fact, it's kind of funny, you  
2 know, our construction people are all for let's get  
3 these buildings torn down because that's their job  
4 and they want to get on with it. After we finished  
5 deconning the interior of Plant 7 and spray  
6 painting the whole inside, a couple of them came up  
7 to me and said, boy, that building looks so good,  
8 it's a shame to tear it down, can't we use it for  
9 something. But, unfortunately, it still is pretty  
10 heavily contaminated underneath all the lockdown,  
11 and the money we would have to spend deconning  
12 would far outweigh anything we're saving by not  
13 putting up a new building.

14 Now, there are a lot of buildings  
15 on-site that will remain until the very end, like  
16 the Administration Building, probably most of the  
17 lab buildings, services building, we're planning to  
18 use those.

19 MS. NUNGESTER: What about Plant 8  
20 with the MAWS stuff going on?

21 MR. KING: That will keep operating,  
22 I'm not sure what the time frame is on that, but  
23 the MAWS is in that building.

24 MR. MORGAN: That's a pilot plant.

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1 If MAWS were to expand, there would probably have  
2 to be a new facility built for that.

3 MR. KING: Right, there would be a  
4 new facility.

5 MS. NUNGESTER: Where are you going  
6 to house the workers in the meantime?

7 MR. KING: House the workers?

8 MS. NUNGESTER: Well, in this  
9 inclement weather. Obviously they can't always  
10 work inside. In this type of weather that we've  
11 been having.

12 MR. KING: I guess I don't follow  
13 you.

14 MS. NUNGESTER: Will there still be  
15 some buildings that they can go into?

16 MR. KING: Oh, yeah. There are  
17 plenty of buildings out there.

18 MS. NUNGESTER: I have one request,  
19 please do not use Plant 2-3 for anything else. I  
20 don't know what you have done to it since 1986, but  
21 it has cracks in the walls and the floors and  
22 everything else. Put that on the top of your  
23 priority list.

24 MR. MORGAN: We have a number of 064

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1 questions. Maggie.

2 MS. MERRITT: Gentlemen, I've been  
3 sitting back here tonight listening to my  
4 colleagues ask some very good pointed questions,  
5 and it seems strange to me that it's all men up  
6 there. I know that has nothing to do with cleanup,  
7 then maybe it could have a lot to do with making  
8 for a change on your panel and being more in tune  
9 with the modern day. I feel like some of you  
10 people are squirming in some of your answers up  
11 there. I feel like there's women out there in the  
12 nation somewhere that could be filling some of  
13 those seats that you people play musical chairs  
14 with for so long. Give us a break.

15 MR. KING: We do have a number of  
16 women in Operable Unit 3. Joan White is manager of  
17 our field investigation program right there.

18 MS. MERRITT: She isn't sitting up  
19 front.

20 MR. KING: I'd gladly give my seat  
21 up to her.

22 UNIDENTIFIED SPEAKER: Come on,  
23 Joan.

24 MS. MERRITT: I would like to hear

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1 something from headquarters about that too.

2 MR. MITCHELL: I would just like to  
3 comment briefly on a comment Pam made. I think  
4 that that was one of our big concerns when we  
5 reviewed the proposed plan was about the building  
6 of new structures where maybe old structures or old  
7 facilities could work, and that was one of the  
8 points, and we're going to be looking at that very  
9 carefully as that goes on, trying to encourage the  
10 drums to get off-site and using the Plant 1 Pad,  
11 which is being rehabilitated right now as a removal  
12 action just for that purpose, that's to use the  
13 existing structures. That's a key point, and I  
14 think it's a really good point.

15 Norma, your concern about tornadoes.  
16 I mean, I think that's all of our worst nightmare  
17 out here is that a tornado will come through here.

18 MS. NUNGESTER: It might be a  
19 hundred years, who knows?

20 MR. MITCHELL: That's right, but  
21 unfortunately, these sprung structures that would  
22 hold this material, that would be one of our least  
23 concerns if a tornado went through the site. It's  
24 a frightening thought but --

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1 MS. NUNGESTER: If I lived  
2 northeast, that would be my first concern.

3 MR. MITCHELL: This whole process is  
4 to get us to the point where everything out there  
5 is tornado protected.

6 MS. NUNGESTER: I've got a question  
7 for you real quick. Is this particular area under  
8 bedrock that you explained to us before, is that  
9 more protected, the aquifer underneath there?

10 MR. MITCHELL: All the areas that  
11 we're talking about tonight pretty much are all  
12 over the aquifer. As you move north, there is more  
13 till, not bedrock, but more clay till that is more  
14 protective of the aquifer, and that's why those  
15 areas are being looked at as temporary and sometime  
16 in the future looking at that being a location for  
17 final on-site disposal if that is necessary.

18 MS. DUNN: There is containerized  
19 waste stored in some of those old buildings. Are  
20 those not going to be torn down?

21 MR. MITCHELL: I think we're making  
22 a leap here like that in 1995 all the buildings are  
23 going to start dropping like crazy. I think what  
24 you're going to see is a progression of buildings

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1 dropping. This early interim Record of Decision or  
2 proposed plan that we're talking about allows that  
3 process to start sooner. So the buildings that  
4 have a temporary use right now, and that temporary  
5 use could be 10, 15 years until we're done. If  
6 they're storing waste in it and they need to  
7 continue to store waste in it, then that building  
8 will stay unless it's falling down. I don't think  
9 we should look at it as all the buildings are going  
10 to be down in the next five years. We're looking  
11 at that process starting and continuing and as a  
12 building no longer has a use for cleanup, it comes  
13 down.

14 MS. DUNN: I guess what concerned me  
15 was on page 6, and it's like long-term  
16 effectiveness was not considered. I don't know how  
17 you can adequately prepare a short-term action  
18 without considering the long term. The long term  
19 has got to drive the short term, and it bothered me  
20 to read in there that there was no consideration  
21 given to the long-term effectiveness of this OU.

22 MR. KING: That's for this interim  
23 action. The long-term effectiveness for the final  
24 Record of Decision will be considered, and that's

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1 what we were trying to say.

2 MS. DUNN: But the long term should  
3 still drive the short-term interim.

4 MR. KING: Right, it does.

5 MS. DUNN: That's not what this  
6 says.

7 MR. KING: Not in selecting among  
8 the alternatives.

9 MS. DUNN: How can you consider the  
10 alternatives if you haven't considered the  
11 long-term effectiveness?

12 MR. KING: We're saying the  
13 long-term effectiveness is the same for all the  
14 alternatives. There's a difference of four years.

15 MR. THROCKMORTON: What we're saying  
16 is we're not making a final decision on what we're  
17 going to do with the waste. When you talk about  
18 long-term effectiveness, you're really looking at,  
19 okay, if we put this material in a disposal vault  
20 somewhere, over a hundred, 200 years from now, what  
21 are the potential leachate from that facility that  
22 can cause problems way down the road. What we're  
23 saying is we can't assess that at this time because  
24 it's a black box, we don't know what it is. And

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1 so, granted, our long term for this action is we  
2 know the buildings have to come down, that is our  
3 long-term decision, we know they have to come down,  
4 and because they are significant problems. So what  
5 we're saying is we know they're coming down, but we  
6 don't know what we're doing to do with them.  
7 That's what the RI/FS is going to tell us in 1997.

8 MS. DUNN: That's my concern. By  
9 not addressing the long term, you're going to have  
10 to come back and you're going to have to revisit  
11 things that you've spent money on and time on in a  
12 short term Band-Aid action because you didn't pay  
13 attention to long term. I just, I'm sorry, I have  
14 a problem with ignoring long-term effectiveness.

15 MR. KING: We're not ignoring it,  
16 we're saying that it has no relevance in looking at  
17 the interim action.

18 MS. DUNN: Because the proposed  
19 alternatives are for an interim action only, none  
20 of the alternatives provide a permanent solution,  
21 and therefore an evaluation of their effectiveness  
22 in the long term is not appropriate, and I don't  
23 agree with that.

24 MR. KING: You can only evaluate the

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1 long-term effectiveness of something that's  
2 permanent. I think maybe we're talking semantics.  
3 We're talking here about only evaluating this  
4 interim action whether to start it now or start it  
5 four years from now. We're saying the long-term  
6 effectiveness really doesn't have any meaning for  
7 those two alternatives.

8 MS. NUNGESTER: The perfect example  
9 of what she's saying is the silos. They were  
10 built, what, in the last 25 years and they have the  
11 Manhattan project. That addresses what she's  
12 talking about perfectly.

13 MR. KING: In what regard?

14 MS. NUNGESTER: They were temporary,  
15 they were supposed to last maybe 25 years, 15  
16 years, it wasn't 25 years, and that stuff was put  
17 in there in the '50's. We are now into the '90's  
18 and we're living with this material. You have to  
19 look into the long term because if they had done  
20 that in the '50's's, we wouldn't be subject to  
21 what's coming out of those silos.

22 MR. KING: That's right. And my  
23 point is, we will look at the long-term  
24 effectiveness of the permanent solution in 1997.

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1 MS. CRAWFORD: Wait, Ken, you can't  
2 cut people off because of the time.

3 MR. MORGAN: I'm sorry, I didn't  
4 mean -- if there's more, go right ahead.

5 MS. CRAWFORD: I have a couple more.

6 MR. MORGAN: There were a couple  
7 questions over here that I was --

8 MS. CRAWFORD: I just want to make  
9 sure we don't cut this off because it's past 8:15  
10 because people have questions and --

11 MR. MORGAN: Oh, yes, I agree. I  
12 fully think that it's much better that we work this  
13 out and get a good understanding of that before we  
14 move into the formal statements.

15 There was a fellow here with a  
16 sweater, you had a question earlier.

17 UNIDENTIFIED SPEAKER: Yes, she  
18 brought an interesting subject up here about what  
19 are you going to do with people when you tear the  
20 buildings down, and while you tear the buildings  
21 down, you're not going to leave them in the rain.  
22 You've already addressed that, if I'm not mistaken,  
23 in the OU-3 proposed plan under socioeconomics,  
24 haven't you?

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1 MR. THROCKMORTON: Yes, we have.

2 UNIDENTIFIED SPEAKER: Isn't that  
3 statement under socioeconomics inaccurate?

4 MR. THROCKMORTON: No, it isn't. We  
5 expect that the work force that is currently  
6 on-site -- we don't really expect any impacts to  
7 the current work force. Those people will be  
8 transitioned into new jobs.

9 Jim, do you have a clarification?

10 MR. KING: I'm not sure what the  
11 question is.

12 UNIDENTIFIED SPEAKER: The question  
13 is, isn't the socioeconomics statement in the  
14 proposed plan inaccurate?

15 MR. KING: What is the socioeconomic  
16 statement?

17 UNIDENTIFIED SPEAKER: There will be  
18 no effect, basically no effect with respect to the  
19 current employment. Here, I'll read it.

20 The alternative would result in no  
21 change to the number of employees. It is  
22 anticipated the shift in the site activities from  
23 environmental investigation and design to  
24 construction and remediation will result in

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1 approximately the same number of workers. The  
2 construction activities associated with the CSF  
3 decontamination and dismantling activities and  
4 on-site transportation will occur in phase  
5 approach, thus minimizing impacts on the existing  
6 work force.

7 MR. KING: Where is it inaccurate?

8 UNIDENTIFIED SPEAKER: Isn't that at  
9 odds with the baseline, OU-3 baseline?

10 MR. KING: When we say it will have  
11 no impact on the number of total workers, we're  
12 looking at it as the number of people working on  
13 the D&D goes up and ramps up, the number of people  
14 doing landlord activities would go down and be  
15 essentially the same for the life of the project.  
16 Obviously when the project is over, some day there  
17 won't be many people working on the site, but we're  
18 looking at this interim action and the  
19 socioeconomic effect of this interim action, which  
20 would result in the same number of people on the  
21 site. They may be different types of people.

22 UNIDENTIFIED SPEAKER: Maybe  
23 different bargaining units?

24 MR. KING: Possibly, yes.

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1 MR. CLAWSON: What about Building 7,  
2 we have a cocoon built upon the ore silos. Do you  
3 propose to tear Building 7 down with the cocoon or  
4 do you stabilize it and take a panel down at a  
5 time, a beam down at a time, or do you put a cocoon  
6 over it? How are you going to do that?

7 MR. ZEBICK: What we propose to do  
8 is to -- first of all, we went through the safe  
9 shutdown, we went through the gross decon, we went  
10 through the lockdown. Then what we'll do is take  
11 care, do the interior structural members and piping  
12 while the transite is still on. That will come  
13 down. You're in that particular building, there is  
14 two layers of transite panels, there's the interior  
15 transite and the exterior transite. After all the  
16 miscellaneous interior structures are taken down,  
17 the interior asbestos transite will come down, and  
18 then the last thing will happen, then we'll go  
19 through and look at if there's any contamination on  
20 the interior of the exterior transite. We lock  
21 that down, and then what we have is we still have a  
22 shell left, and then we start to take the building  
23 down from there, the panels, the transite panels  
24 will come off. Keep in mind that the structural

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1 steel has been painted and locked down, so that  
2 contamination is fixed. So when we feel that we  
3 can take that building down and have minimal  
4 problems with contamination.

5 MS. CRAWFORD: You didn't answer his  
6 question. Are you going to build a plastic  
7 building over the building?

8 MR. ZEBICK: No.

9 MS. CRAWFORD: Okay, good.

10 MR. MORGAN: Vicki.

11 MS. DASTILLUNG: Back when we were  
12 being told about the Plant 7 take down situation,  
13 we were told that air sampling would be done for  
14 asbestos and there would be real time monitoring  
15 while you were going through the process. Where  
16 can we as the public see the results of that kind  
17 of sampling? What document or --

18 MR. KING: I don't know offhand.

19 MR. ZEBICK: Repeat the question,  
20 please.

21 MS. DASTILLUNG: For Plant 7 when  
22 you originally started talking about the removal  
23 action, we were told there would be air sampling  
24 for asbestos in the air and there would be real

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1 time monitoring occurring as the process went  
2 forward. Where can we see the results of those  
3 sampling?

4 MR. ZEBICK: I've got a guy sitting,  
5 raise your hand, Terry. I think he can get you  
6 that information if that's what you want. We do  
7 have that information.

8 MS. CRAWFORD: And you will continue  
9 to have that information as you begin to tear this  
10 building down?

11 MR. ZEBICK: Right.

12 MS. CRAWFORD: And it will be made  
13 available to the work force and the public at any  
14 time?

15 MR. MORGAN: How would you like it?

16 MS. CRAWFORD: Both.

17 MR. MORGAN: Well, I mean in what  
18 form?

19 MS. CRAWFORD: Readable.

20 MR. MORGAN: We could probably make  
21 some sort of synopsis and keep it in the, perhaps  
22 in the Reading Room or something like that. Often  
23 times it's data, it's quite raw, people wouldn't  
24 necessarily understand it. It might take us a

1 little Round Table just to work out how you might  
2 want that.

3 MS. NUNGESTER: Do not talk about it  
4 in averages, please.

5 MS. CRAWFORD: Do not average it.

6 MR. MORGAN: We need to find  
7 something that will useful for you, and so maybe we  
8 ought to have a little group to work on it because  
9 we want to please you, but on the other hand, just  
10 putting lots of stuff in the Reading Room doesn't  
11 seem to always work in getting you what you need.

12 MS. DASTILLUNG: I have another  
13 question. During the washdown you said that the  
14 water went into tanks and then to Plant 8 after it  
15 was treated. Where does it go, to the river I  
16 assume?

17 MR. KING: It hasn't been treated  
18 yet because Plant 8 is shut down.

19 MS. DASTILLUNG: You're holding all  
20 that --

21 MR. KING: Yeah, that part is being  
22 held in tanks. Do you know the volume?

23 MR. ZEBICK: Terry, do you remember  
24 the gallons?

1 UNIDENTIFIED SPEAKER: Approximately  
2 10 to 15,000 gallons.

3 MS. DASTILLUNG: Is that in like one  
4 good size tank?

5 UNIDENTIFIED SPEAKER: It would be a  
6 tank that would be approximately 6 feet in diameter  
7 and 6 feet high, you would use approximately three  
8 of those.

9 MS. DASTILLUNG: Could somebody  
10 elaborate on after you dismantle the buildings, how  
11 big are they, I mean how big will it be, what kind  
12 of containers, what kind of format are you going to  
13 do this temporary storage in? Will it be in a form  
14 that you can just pick it up and send it off to NTS  
15 some day, or can you give us a better picture of  
16 what this is going to look like?

17 MR. ZEBICK: After the transite is  
18 removed, the structural steel will come down in  
19 module form, be lifted with cranes and brought down  
20 to the bottom where it will be size reduced with  
21 shears. That is to the top level. What they're  
22 going to do, there's seven floors there, the top  
23 roof and the floors 7 through 5, I believe, or 7  
24 through 4 will be cut and lifted down in module

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1 form and then cut up with a shear. The remaining  
2 part of the building will be cut with shears from  
3 the ground. These shears cut and grab the material  
4 and place it gently on the ground.

5 MR. THROCKMORTON: Part of your  
6 question was, the materials going in interim  
7 storage, what form would they would be in. Loose  
8 materials would obviously be boxed in sealand  
9 containers or B-25, small white boxes, so we will  
10 also have a tracking system so we can track where  
11 those materials came from, we'll have sampling data  
12 tell us what contaminants are in those boxes, so  
13 we'll be able to have real information on each of  
14 those boxes so it can be released off-site or to  
15 whatever decision is made in 1997.

16 MS. DASTILLUNG: So the structural  
17 steel will be in big chunks to go off for recycling  
18 I'm assuming?

19 MR. THROCKMORTON: Yes.

20 MS. DASTILLUNG: So just not great  
21 big flatbeds behind the tractor trailer?

22 MR. ZEBICK: No, the structural  
23 steel would be put in probably white metal boxes  
24 that are approximately 8 foot by 8 foot by 20,

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1 right, Terry?

2 UNIDENTIFIED SPEAKER: Yes.

3 MR. ZEBICK: The other miscellaneous  
4 material will be put in white metal boxes, most of  
5 it is put in white metal boxes that is 8 by 8 by  
6 20. Some of the smaller stuff will be put in the  
7 smaller white metal boxes, which I believe is 4 by  
8 4 by 8. And then they're all segregated, all the  
9 material is segregated and we know what it is and  
10 where it's at.

11 MS. DASTILLUNG: Will it need no  
12 further processing or storage changes to go to NTS,  
13 assuming that NTS would take some of this? Will it  
14 be ready to go or will you have to redo what you're  
15 doing in order to ship?

16 MR. ZEBICK: What happens, the stuff  
17 that goes to NTS, we have procedures that we have  
18 to prep the boxes and set the material in the boxes  
19 because there's a weight criteria, there's a volume  
20 criteria, there's a criteria for materials, types,  
21 and everything. That's all looked at by the people  
22 doing the work, and it is prepped and looked by the  
23 people that pick up the boxes before it is shipped  
24 to NTS.

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1 MR. MORGAN: Yes, sir.

2 UNIDENTIFIED SPEAKER: What you're  
3 removing out of there right now is low level  
4 radiation stuff. Somebody has been through there  
5 and taken readings already. How hot is this place,  
6 what are we looking at here? Somebody give me  
7 something, you know, some kind of scale, tell me,  
8 you know, I mean you know where the hot spots are.  
9 What kind of readings do we have?

10 MR. ZEBICK: If you looked -- we  
11 mentioned that chart up in the back of the room on  
12 the upper right-hand corner there. I believe it  
13 has the Alpha count and the Beta count up there,  
14 and where we're at now --

15 UNIDENTIFIED SPEAKER: I'm concerned  
16 about gamma rays. I don't want to know about Alpha  
17 and Beta.

18 MR. ZEBICK: I don't think there's  
19 any problems with gamma rays there.

20 UNIDENTIFIED SPEAKER: We're not  
21 dealing with something that is too awful bad then,  
22 are we?

23 MR. ZEBICK: No.

24 MR. MORGAN: Yes, sir.

1 UNIDENTIFIED SPEAKER: The white  
2 metal boxes, you were talking about them being  
3 packed and the gentleman back here asked you a  
4 question, or the young lady did, something about  
5 them being ready to ship. Will they be ready to  
6 ship when they're packed, or do they have to be  
7 done again?

8 MR. ZEBICK: What we're trying to do  
9 is they do a final check. You place this stuff in  
10 the boxes, and when you move them around with heavy  
11 equipment, you still have a problem with settlement  
12 and everything. And some of these have to be  
13 looked at and there's more material has to be put  
14 in so we can get the maximum material in there. So  
15 to answer your question, some of these -- we have  
16 to deal with the problem of settlement and  
17 sometimes we have to go in and repackage one.

18 MR. MORGAN: The answer is not  
19 completely but almost?

20 MR. ZEBICK: Yeah.

21 MR. MORGAN: Okay. Edwa.

22 MS. YOCUM: What exactly material is  
23 going to be decontaminated, just the structure  
24 material? Will that just be the only part that

1 will be decontaminated, or are you just putting  
2 them in the sealanders and shipping them off to  
3 Nevada?

4 MR. KING: The structural steel we  
5 don't plan to decontaminate.

6 MS. YOCUM: What actually are you  
7 going to decontaminate?

8 MR. KING: We're going to  
9 decontaminate the building as it stands, the  
10 existing building, to get all of the loose  
11 contamination off, and really, we're not -- when we  
12 say we're decontaminating, for example, in Plant 7,  
13 we don't mean we are removing all the contamination  
14 and ending up with something that's totally  
15 pristine and decontaminated. I want to make sure  
16 you understand that. When we do the gross, that's  
17 why we refer to it as gross decontamination, we get  
18 all the loose material off to mitigate the  
19 possibility of releasing something as we move it  
20 around or lower it down to the ground. That's what  
21 we're going to decontaminate, we're going to  
22 decontaminate in place. The structural steel, as I  
23 said, on Plant 7, we're planning to ship that off  
24 to have it recycled for beneficial reuse, so that

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1 would not be decontaminated on-site. However, in  
2 the RI/FS study that we're working on and will be  
3 until 1997, we are conducting various treatability  
4 tests. We're looking into all kinds of ways to  
5 decontaminate for the final waste disposition  
6 solution.

7 Don't want to leave the impression  
8 that we've decided what we're going to do with the  
9 waste, it's all going to NTS. Just in the interim  
10 we're shipping some of it to NTS, the rest of it  
11 will remain on-site. Some of it we're reserving  
12 and we're going to run tests on it. Because  
13 there's a lot of development work going on within  
14 DOE and around the country on various  
15 decontamination methods, and there are a lot of  
16 promising methods of decontaminating material that  
17 you can get it clean, and we're doing all kinds of  
18 tests on that. That will all be included in the  
19 RI/FS study.

20 MS. NUNGESTER: I still have a  
21 problem with your tents on the northeast area. Do  
22 you know what the material is going to be made out  
23 of?

24 MR. KING: That's a fabric material,

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1 and I don't know the exact spec. Do you? Terry?  
2 Does anybody know the -- We'll have to get that to  
3 you.

4 MS. NUNGESTER: I mentioned  
5 tornadoes before, and I probably should not have  
6 because we may not see one for 2 or 300 years  
7 around here, but my problem is the material can  
8 tear whether it's plastic or fabric or whatever,  
9 and those, after we've been through what we've been  
10 through with drums falling apart on Plant 1, the  
11 metal, even when they're overpacked and the white  
12 metal boxes and everything, metal rusts, and when  
13 it gets subject to weather conditions, whether it's  
14 a small tear or a big tear, whatever you have  
15 stored there, are you planning on mixed waste,  
16 hazardous waste? The thorium I understand is going  
17 out to Nevada.

18 MR. KING: Right.

19 MS. NUNGESTER: The mixed waste and  
20 hazardous waste can be bad also, and if that stuff  
21 is leaching into the ground, I'm just trying to  
22 look to the future, and I am sure you are too.

23 MR. KING: That's right. That's why  
24 our goal is to get the waste treated and

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1 dispositioned as soon as we can, and that's what  
2 our final ROD will address. Understand, we're  
3 talking about from now until 1997 or beyond,  
4 however long it takes us to implement the  
5 solution.

6 But as far as, you bring up the  
7 question of tornadoes hitting the storage area.

8 MS. NUNGESTER: Let's forget the  
9 tornadoes, let's worry about them breaking.

10 MR. KING: Well, I was going to talk  
11 about a tornado or even a heavy wind storm.

12 MS. NUNGESTER: What about heavy  
13 snow?

14 MR. KING: That's right, but the  
15 buildings as they stand now, I wouldn't want to see  
16 what would happen if a tornado hit them, and I  
17 believe the results would be less if we had the  
18 buildings torn down, all the waste put into white  
19 metal boxes on a controlled storage pad under a  
20 sprung structure. I think that would be safer than  
21 having the buildings standing.

22 MS. NUNGESTER: So you're confident  
23 that would be safe?

24 MR. KING: Yeah, I believe we're

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1 going to reduce the risk tremendously by just  
2 getting --

3 MS. NUNGESTER: I don't have any  
4 more questions, I just want to tell this gentleman  
5 back here, Gamma is the worst, okay, but Alpha and  
6 Beta are also bad. Don't ever let them tell you it  
7 isn't, because if you ingest that stuff, it can be  
8 a problem, as dangerous or more dangerous.

9 UNIDENTIFIED SPEAKER: The liquid  
10 waste is what they have the greatest problem with.

11 MS. NUNGESTER: Perhaps. Some of  
12 the stuff is powder form in the drums now.

13 UNIDENTIFIED SPEAKER: How deep does  
14 it go? Somebody has taken readings there too,  
15 somebody has drawn some samples. How deep does it  
16 go?

17 MR. THROCKMORTON: Are you talking  
18 in the aquifer?

19 UNIDENTIFIED SPEAKER: Anywhere in  
20 there.

21 MR. MORGAN: We have a rather  
22 comprehensive document we issue every year that  
23 shows the media sampling that we've taken. It  
24 would take a long answer to answer that.

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1 UNIDENTIFIED SPEAKER: Somebody took  
2 samples though, what kind of readings do you have  
3 at this moment? Somebody took samples.

4 MR. MORGAN: Yeah, we have lots of  
5 samples and they're published.

6 UNIDENTIFIED SPEAKER: How deep does  
7 it go?

8 MR. MORGAN: How deep is the  
9 aquifer?

10 UNIDENTIFIED SPEAKER: What is the  
11 worst case scenario here? How deep does this go?

12 MR. THROCKMORTON: Sir, the  
13 groundwater is one of the issues of concern that  
14 Operable Unit 5 is addressing. We as experts in  
15 OU-3, unfortunately, do not have all the  
16 information that OU-5 is privy to and is working  
17 on. If you would like to give us that question, we  
18 can go back and attempt to find an answer for you  
19 and have somebody get in touch with you and  
20 transmit that information to you.

21 MR. MORGAN: We can give you a good  
22 detailed answer on that, we've got it. If you will  
23 leave your name with the girls -- the women at the  
24 desk, we'll be happy to get back with you on that.

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1 MS. CRAWFORD: Don't call them girls  
2 anymore.

3 MR. MORGAN: I know, I'll pay for  
4 that. But I did catch myself.

5 MS. NUNGESTER: We'll sic Maggie on  
6 you.

7 MS. CRAWFORD: I have a question.  
8 This is my last question for the night too, I  
9 promise. Page 6, it says the surface decontaminate  
10 only alternative and the decontaminate and  
11 dismantle alternative would use proven and reliable  
12 technologies. Can you give me an example of what  
13 kind of proven and reliable technologies we're  
14 talking about?

15 MR. THROCKMORTON: Sure. Like a  
16 high pressure washer, we'll be throwing water at a  
17 high pressure and low volume at these facilities as  
18 we did in Plant 7 to remove surfaces. We'll be  
19 going over with a scabler, which will remove off  
20 the top quarter to top inch of concrete layer where  
21 most of the contamination will be embedded,  
22 techniques like that. There's a whole listing in  
23 the document itself in Section 3, there's a listing  
24 of techniques, the media they apply to, and what

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1 potential waste streams will come out of that,  
2 whether it's a liquid, a solid, or a waste residue  
3 itself.

4                   So there are many techniques, and as  
5 Jim was alluding to, the DOE complex as a whole has  
6 really reoriented its mission to the cleanup of  
7 these problems as well as national and  
8 international consortiums are looking at these  
9 issues.

10                   MS. CRAWFORD: Okay, thank you.

11                   MR. MILLER: The fact sheet that you  
12 passed out said that there were two purposes for  
13 this particular proposed plan, the first was to  
14 solicit public input on the interim action and the  
15 second was to comply with the National  
16 Environmental Policy Act, which a lot of people  
17 call NEPA for short. Is it true that an  
18 environmental assessment is usually done to  
19 determine whether or not environmental impact  
20 statement is required?

21                   MR. KING: Yes.

22                   MR. MILLER: Has there been a  
23 determination made to do an environmental impact  
24 statement as a result of this environmental

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1 assessment?

2 MR. THROCKMORTON: No, that  
3 determination has not been made yet.

4 MR. MILLER: And what are you  
5 proposing to do?

6 MR. THROCKMORTON: As far as the  
7 determination or as far as their action?

8 MR. MILLER: In terms of whether  
9 you're going to do a full environmental impact  
10 statement.

11 MR. THROCKMORTON: Well, that  
12 determination has not been made yet. Once the  
13 determination has been made and if there is an  
14 issue of a FONSI in the Federal Register, there  
15 will be a 30-day period to comment upon that  
16 determination.

17 MR. MILLER: Could you explain what  
18 a FONSI is.

19 MS. CRAWFORD: Please do.

20 MR. THROCKMORTON: Oh, I'm sorry. A  
21 FONSI is a finding of no significant impact. It is  
22 a determination that will be made by the Department  
23 of Energy based upon the information presented in  
24 this environmental assessment.

1 MR. MILLER: Is there a reason they  
2 didn't discuss that option about whether or not to  
3 do an EIS in your EA here? Forgive all the  
4 acronyms. Is there a reason why you didn't discuss  
5 whether or not that if the EA's purpose is to make  
6 that determination, why is it that that discussion  
7 is not reflected in this document?

8 MR. THROCKMORTON: I will defer to  
9 Dave Kozlawski from headquarters.

10 MR. KOZLAWSKI: Just to clarify, in  
11 April an action description memorandum was written  
12 for this project, which indicated that an  
13 environmental assessment would be most likely be  
14 documentation that would be needed from NEPA, and  
15 that was submitted for public comment and it  
16 appeared in the Federal Register for the period of  
17 time and submitted to the State of Ohio just for  
18 informational purposes, and that's for compliance  
19 with NEPA or the National Environmental Policy  
20 Act. That's a standard operational process for  
21 us. So that would be, that was the initial  
22 indication that we thought an EA would be most  
23 appropriate for this action.

24 MR. MILLER: Does the EA make a

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1 determination of whether you need to do an EIS, and  
2 then you weigh the various factors?

3 MR. THROCKMORTON: Yes, and that  
4 determination has not been made yet.

5 MR. MILLER: No, it hasn't been  
6 made, but you're contemplating making a finding of  
7 no significant action, impact.

8 MR. KING: That's what we would  
9 expect, yes.

10 MR. MILLER: Have you submitted that  
11 document?

12 MR. THROCKMORTON: To whom?

13 MR. MILLER: Well, I would assume  
14 the Department of Energy would be submitting that;  
15 isn't that correct?

16 MR. THROCKMORTON: Yes.

17 MR. MILLER: Although it's my  
18 understanding that the CEQ, I don't know if it's  
19 been abolished yet or not, but EPA carries out  
20 partial implementation of that and DOE carries out  
21 partial implementation of NEPA. The question is:  
22 Is that something that's already been drafted?

23 MR. THROCKMORTON: Yes.

24 MR. MILLER: It has been drafted?

1 MR. KING: We've written up a draft.

2 MR. MILLER: Has that draft been  
3 mentioned at all in the environmental assessment?

4 MR. THROCKMORTON: No, it has not.

5 MR. MILLER: Is there a reason for  
6 that?

7 MR. THROCKMORTON: The FONSI, the  
8 finding of no significant impact, is the result of  
9 the environmental assessment. If the determination  
10 is to proceed with an EIS, the EIS will then be  
11 performed.

12 MR. MILLER: Would it make sense to  
13 solicit comment on that from people here who are  
14 concerned about whether or not the document is  
15 properly scoped at this time?

16 MR. KING: We are soliciting  
17 comments.

18 MR. MILLER: No, you're not, the DOE  
19 is soliciting comments.

20 MR. THROCKMORTON: The issue on the  
21 finding of no significant impact and the  
22 environmental assessment, those questions would be  
23 raised as a result of the release and the  
24 determination of the finding of no significant

1 impact.

2 MR. MILLER: Right, right. So this  
3 evening, for example, when Pam, I believe, raised  
4 questions which fairly could be described as scope  
5 issue, in other words, you mentioned, Jim, I think  
6 you described those as semantics, and I think from  
7 Pam's view of the world, they're not just  
8 semantics, they're actually a question of scope,  
9 what questions do you look at in terms of long term  
10 versus short term. You defined one form of long  
11 term versus short-term assessment; she came up with  
12 a different long-term versus short-term question.  
13 Those kinds of questions are usually related to  
14 issues of scope. In other words, what questions do  
15 you ask in an environmental assessment and then  
16 what questions do you answer. So if you're  
17 prepared to make a finding of no significant impact  
18 and you submit it or prepare at least a document to  
19 that effect so that's the direction you're moving  
20 in, wouldn't it be fair to flag that for people up  
21 front now so they know the train is leaving the  
22 station? The first I heard about it was tonight  
23 too.

24 MS. NUNGESTER: The Federal Register

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1 is very, very expensive. I happen to know, my boss  
2 used to get it. We can't afford to get that  
3 document. We have no idea what you're doing with  
4 an EIS. We should be informed.

5 MR. THROCKMORTON: This document in  
6 front of us today, the proposed plan and the  
7 environmental assessment, is a combined document of  
8 both CERCLA and NEPA and represents the  
9 requirements of both. We are attempting to combine  
10 the requirements of CERCLA and NEPA into a combined  
11 document, reducing the document requirements and  
12 expediting the process, trying to make it a little  
13 easier and trying to coordinate it into one  
14 effort. The information in the environmental  
15 assessment is identical to the CERCLA document  
16 because they're both here in one document.

17 If the public agrees with the concept  
18 of the proposed plan and what we are proposing,  
19 they would also be agreeing to the concepts of the  
20 environmental assessment. So in essence they would  
21 be agreeing to the finding of no significant  
22 impact.

23 MR. KOZLAWSKI: Perhaps I can help  
24 clarify. The environmental assessment is not

1 complete until the public comments are completed,  
2 your responsiveness summary is prepared, and that  
3 becomes an amendment to the document we have, and  
4 then that becomes our environmental assessment.  
5 The finding of no significant impact, if we can  
6 make a determination at that time that that's the  
7 appropriate way to go under NEPA, is then published  
8 for public comment. So there will be a second time  
9 that that will be issued, the finding of no  
10 significant impact will appear in the Federal  
11 Register, but I would imagine we will have that  
12 available here also. It restates everything that  
13 is in the proposed plan. There is a structure  
14 though to a finding of no significant impact that  
15 you must put the information in. You have to have,  
16 for example, in the second section the addressees  
17 to whom you could write to get a copy of the EA  
18 document and to get you more information. So  
19 there's formatting problems, it's not content. I  
20 think the issue is more formatting, but again, the  
21 Department cannot issue the finding of no  
22 significant impact for this project until the  
23 public comment period is complete, the  
24 responsiveness summary is completed, and then we

1 will have a complete environmental assessment.  
2 Once that is accomplished, the Department will  
3 consider it and make the recommendation and then  
4 put that out again for public comment, and we are  
5 -- I will have to confirm it -- I believe that we  
6 are precluded from doing any actions associated  
7 with the action for 30 days after the issuance of a  
8 finding of no significant impact in the Federal  
9 Register, and I think it is the time period I have  
10 to confirm, but that's typically the process we  
11 have to follow for complying with NEPA.

12 MS. DUNN: But how can you go ahead  
13 and enter an interim ROD agreement and then what  
14 happens when a finding of no significant impact  
15 comes out, a lot of negative public comment, you do  
16 an EIS, and you get negative comment. In the  
17 meantime you've already signed the Record of  
18 Decision for an interim action. Haven't you put  
19 the cart before the horse here?

20 MR. KOZLAWSKI: Again, in trying to  
21 integrate the requirements of both acts, I think  
22 there have been some concerns placed in the past  
23 that the Department has not moved in a forthright  
24 manner to accomplish NEPA compliance, to try to

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1 serve more, to try to meet the CERCLA by cleanup  
2 actions. In this activity we're trying to overlay  
3 them and to try to meet both requirements with the  
4 issuance of one document. We do not expect -- if  
5 the proposal that you are putting out is what  
6 really occurs, that there is significant negative  
7 public comment on the interim action for CERCLA, I  
8 would imagine that action would be delayed. I  
9 couldn't imagine a Record of Decision being issued  
10 with significant public negative comment.

11 MS. DUNN: I'm saying you don't get  
12 it off of this particular document, but then when  
13 these other two things follow, you would get it on  
14 those, you have already entered into this  
15 agreement, and those other two documents which you  
16 should get public involvement on, aren't even out  
17 there yet for the public to comment.

18 MR. KOZLAWSKI: You have the EA, the  
19 proposed plan is the EA or the environmental  
20 assessment, that is our environmental assessment,  
21 that document that is being referred to this  
22 evening. When the proposed plan or the comments  
23 come back on that, we provide a response to  
24 comments on that. What was submitted or what was

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1 originally done and the responsive comments will  
2 then become the full environmental assessment and  
3 that will be our document under NEPA that we will  
4 call our environmental assessment. If we can issue  
5 a Record of Decision at that time, we would expect  
6 that a finding of no significant impact should be  
7 able to be issued at that time also, because again,  
8 if there are no major issues under CERCLA, we don't  
9 expect that there would be any major issues under  
10 NEPA. That is our intent.

11                   If indeed a Record of Decision is  
12 issued under CERCLA, then, yes, the Department is  
13 at some risk, but I think the Department is  
14 committed to making sure that these two acts are  
15 integrated into one to try to speed the process.  
16 We're not trying to -- I think the attempt here is  
17 not to say, we'll get a Record of Decision under  
18 CERCLA and then wait until we get our NEPA  
19 decision. We want to get them both as concurrent  
20 as possible. And the 30-day waiting period for no  
21 action coincides with the 15-month period under  
22 CERCLA, within which time you have to begin some  
23 type of sustained and continued action. So that's  
24 why we were trying to integrate at that time and

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1 trying to issue those documents in that sequence.

2 MR. THROCKMORTON: Additionally, in  
3 all likelihood, I can't guarantee this, but if a  
4 FONSI, if a finding of no significant impact was  
5 deemed the appropriate mechanism to release, it  
6 would likely be released prior to a Record of  
7 Decision being signed between the DOE and EPA. So  
8 there would have been that time frame to verify and  
9 assure ourselves and the Department that there was  
10 no public concern over our action. Does that  
11 help?

12 MS. DASTILLUNG: I'm really getting  
13 confused. I'm going to go through how I've seen  
14 this develop over the years before I start straying  
15 in the wrong direction.

16 Quite a few years ago we were asked  
17 to come in, the public, and scope for a EIS. That  
18 was to be done for the renovation as well as the  
19 restoration of the site. We came, we commented, a  
20 couple years went by, there was no EIS done. We  
21 kept asking about what happened to it, where did it  
22 go. We had another meeting. They called another  
23 scoping meeting, and they said come and make  
24 comments on the restoration EIS that we're going to

1 do, and we said we thought that was in the first  
2 one, and they no, we had to kind of drop all that  
3 and we're starting over again. So we came and we  
4 did it again. We were told at that time that the  
5 environmental restoration would be incorporated in  
6 the CERCLA documents and we would be able to see  
7 where this was. I was expecting a full EIS to be  
8 done, and what I'm hearing tonight is that no,  
9 we're not going to get an EIS, we're going to get  
10 EA's instead.

11 MR. THROCKMORTON: Ma'am, no, there  
12 is an EIS that is being performed. It is  
13 coordinated with the OU-4 feasibility study, so it  
14 is tied with the CERCLA document. Those documents  
15 are with review with the EPA's, and I believe final  
16 review. If they are approved in the very near  
17 future, they will be coming out for public review  
18 and a public comment period and meeting very  
19 similar to this process. So the EIS for the site  
20 as a whole is in the works, and it will be coming  
21 out for public review in the very near future.

22 MS. DASTILLUNG: Will that occur  
23 before the IROD for OU-3 is signed?

24 MR. THROCKMORTON: I can't guarantee

1 that, but yes, it may.

2 MS. DASTILLUNG: It seems to me it  
3 must be out before you can go forward with the IROD  
4 for OU-3 because we won't have any idea what the  
5 EIS is going to say. Do you follow what I'm  
6 saying?

7 MR. THROCKMORTON: I understand what  
8 you're saying.

9 MS. DASTILLUNG: It just doesn't  
10 seem right.

11 MR. THROCKMORTON: Technically what  
12 the OU-4 EIS will do is represent the site as that  
13 first CERCLA document does come out. The reason  
14 why we incorporated the NEPA review and the  
15 environmental assessment into this proposed plan  
16 this evening was to avoid issuing a document and  
17 not having the NEPA review of it. So we performed,  
18 because this document was not scheduled, not  
19 anticipated, we incorporated our own NEPA  
20 documentation into it.

21 MS. DASTILLUNG: I think we need to  
22 sit down with a Round Table or something and go  
23 back over what EIS's are versus EA's and how this  
24 whole process is working because we tried it in

1 previous years and it still doesn't seem like it's  
2 making sense.

3 MR. MORGAN: Very good, and it's  
4 fairly complicated because of the issue of CERCLA  
5 and NEPA and trying to unite the two. It's very  
6 difficult.

7 MS. DASTILLUNG: Frankly, it feels  
8 like you're trying to circumvent CERCLA and the  
9 whole process and the NEPA process. If you don't  
10 intend to be doing that, you need to make that very  
11 clear to us that that's not what's being done  
12 because that's the feeling we're starting to get  
13 here.

14 MR. MORGAN: Yes, sir.

15 MR. MILLER: Could you define for us  
16 what significant impact is, and could you tell us  
17 what the significant impacts are that you chose to  
18 measure here?

19 MR. THROCKMORTON: Craig Straub,  
20 would you like to define significant impact for the  
21 audience.

22 MR. STRAUB: We look at human health  
23 in the environment within the EPA, and based on the  
24 risk numbers and based on the impacts to the

1 natural resources, we have written FONSI to  
2 basically say that based on those two factors, the  
3 impacts would not be significant based on the risk  
4 numbers and based on there only being 1.2 acres of  
5 wetlands being the only impacts of the natural  
6 resources. With those two combined, that's what  
7 led us to write the FONSI.

8 MR. MILLER: So if I understand what  
9 you're saying correctly, the demolition of roughly  
10 200 radioactive and otherwise contaminated  
11 buildings over a period of time in OU-3, which is I  
12 guess roughly the number that's in there, that the  
13 demolition of these 200 structures, one could  
14 fairly say that what you're proposing or will be  
15 proposing is a finding of no significant impact  
16 from that activity; is that correct?

17 MR. KING: That's correct.

18 MR. MILLER: Now, the question of  
19 significant impact on human health in the  
20 environment is an interesting question. In your  
21 environmental assessment you put together a series  
22 of numbers which calculated what you estimated to  
23 be the risk, the risk was detailed in the  
24 assumptions that are laid out there. Now, the

1 questions that I have is what risk factors -- let  
2 me back up a second. Did you consider the risk  
3 factor, for example, that was laid out earlier  
4 about having basically a fabric tarp over  
5 radioactive contaminated relevant piles; is that  
6 reflected in this document here in terms of the  
7 factor that you could have what are all sorts of  
8 unanticipated acts of nature that are beyond your  
9 control, and where would one find that particular  
10 risk calculation and assessment on that  
11 particular --

12 MR. KING: Let me just address that  
13 qualitatively without getting into the details of  
14 calculating risk.

15 MR. MILLER: I just want to know if  
16 you could point to the book where we could find  
17 that, that's what I'm asking for.

18 MR. THROCKMORTON: The risk numbers  
19 for the central storage facility were calculated in  
20 Appendix E of the proposed plan.

21 MR. MILLER: Did it include the  
22 assumptions that were raised in the questions here  
23 earlier?

24 MS. NUNGESTER: It's not in this

1 fact sheet.

2 MR. THROCKMORTON: You are correct,  
3 it is not. The short appendix on assessing those  
4 numbers alone would double or triple that fact  
5 sheet. The objective of the fact sheet was to  
6 release a summary level of information and to tell  
7 the public where they could obtain the entire  
8 document if they so desired that information.

9 MS. NUNGESTER: But we the public  
10 who have to live out here with this crap work full  
11 time and take care of our families, and you don't  
12 always get to the Public Library. That one bit of  
13 information should have been given to us.

14 MR. MILLER: The risk factor that  
15 you raised about that stuff being dispersed in a  
16 storm or in a tornado --

17 MR. THROCKMORTON: Two situations  
18 are assessed in that appendix, one, the natural  
19 occurring situation where work proceeds as normal,  
20 the second is an accident scenario where we have  
21 catastrophic failure of the tension support  
22 structures with a full-blown release of the  
23 materials underneath. Both situations showed no  
24 risk to the off-site residents.

1 MS. NUNGESTER: None?

2 MR. THROCKMORTON: Negligible, less  
3 than 10 to the minus 6 risk range.

4 MR. MILLER: Finally, when assessing  
5 the significant impact risks, the question I have  
6 is did you consider, for example, the fact that you  
7 recently had what has now been disclosed as a  
8 uranium hexafluoride release from a canister? I  
9 don't know how well documented that is at this  
10 point, although I know it's been investigated by  
11 DOE. Do you look at risk factors like that in  
12 there, and what was the particular risk from that  
13 event, and how does that become encompassed in your  
14 assessment?

15 MR. THROCKMORTON: What we look at  
16 in our assessment is we looked at, as I mentioned  
17 earlier, two situations, the normal occurrence,  
18 normal action situation where everything proceeds  
19 under control and catastrophic failure accident  
20 scenario. Both situations are in there, and what  
21 we assumed is that we had four buildings being  
22 decontaminated, dismantled at the same time, and we  
23 had a catastrophic failure of a hepa filter, in  
24 essence a collector of all the residues and dust

1 and accumulation in that facility, a catastrophic  
2 failure that released that into the air. The  
3 results of those assessments are contained in this  
4 document in the appendices, or the decontamination  
5 is in Appendix D, the risk assessment is in  
6 Appendix E, and the information is contained in  
7 there.

8 MS. DUNN: I have another question  
9 that follows kind of along with his, I wasn't going  
10 to ask it but maybe I will now since it might have  
11 been something that would have been covered under  
12 an EIS which I may not get to see. Did you do any  
13 analytics or a comparison of if there's no interim  
14 action taken of the contaminants that would be  
15 released if the buildings stand in comparison to  
16 historic releases from the site or current releases  
17 now, is there that kind of, was that taken into  
18 consideration when you did this?

19 MR. THROCKMORTON: An assessment of  
20 what you are asking for, the, quote, baseline  
21 conditions are part of the full RI/FS situation and  
22 are being done as part of the remedial  
23 investigation report. It is believed that the  
24 current conditions will lead to an assessment that

1 existing situation is not acceptable.

2 MS. DUNN: I'm saying, are the  
3 releases now, is there that -- I mean what releases  
4 were greater coming from that facility; I mean like  
5 compared to production years, to what we're going  
6 to release by tearing the buildings down or if you  
7 let them stand for a couple of years, and is that  
8 different material?

9 MR. THROCKMORTON: The production  
10 years under most -- this is hypothetical right now,  
11 but the releases during production years would be  
12 estimated to be greater than what we're expecting  
13 from this action, because, basically because of the  
14 administrative and engineering controls that we  
15 will use performing the action, the washdowns, the  
16 lockdowns, the immobilization of the contaminants  
17 as we're pulling it off. The requirements of the  
18 environmental laws to perform actions now are so  
19 stringent that the work practices that we are  
20 forced to use that we gladly accept to make the job  
21 safe will allow us to dismantle these facilities in  
22 a safe situation. We expect these potential  
23 releases to be significantly less than under  
24 production years.

1 MS. DUNN: Or to let them stand for  
2 a couple more years.

3 MR. THROCKMORTON: Yes, I agree. If  
4 we leave them in their current state, you'll have  
5 continuing releases through airborne paths, through  
6 potential leachates, through rainfall, contributing  
7 to perched groundwater sources underneath the  
8 facilities and further soil contamination. Really  
9 the action that is proposed under this preferred  
10 alternative, it is in essence we are hoping that  
11 the public agrees that we are trying to advance our  
12 action by getting started on the work of getting  
13 the buildings down.

14 MS. DUNN: Is that analytical data  
15 in the document, or you're saying it's still being  
16 processed?

17 MR. THROCKMORTON: It's in the  
18 process. Joan White that we referred to over here  
19 is our field characterization manager. She and her  
20 staff are currently in the field collecting data on  
21 the media contained in these facilities, being  
22 concrete, structural steel, loose materials,  
23 liquids that are in the facilities themselves. So  
24 we are in the process of collecting that data and

1 establishing a remedial investigation report for  
2 OU-3.

3 MS. DUNN: What about additional  
4 contamination to the structures that aren't going  
5 to be torn down; is that being analyzed too?

6 MR. THROCKMORTON: Technically,  
7 the -- excuse me?

8 MS. DUNN: Are you looking at the  
9 fact that like your Administration Building, your  
10 medical facilities, the building that that counting  
11 machine is in, what's that thing, that in vivo  
12 machine --

13 MR. THROCKMORTON: Plant 6 I  
14 believe.

15 MS. DUNN: Are those buildings going  
16 to analyzed for contamination --

17 MR. THROCKMORTON: Under this  
18 action, technically we are looking at addressing  
19 all facilities on-site except those few excluded  
20 under other operable units. They will be  
21 eventually remediated. The Administrative Building  
22 eventually will decay, exceed its design life, and  
23 we will need to perform remediation on it, take it  
24 down. All those facilities really will. The few

1 that will likely remain after the 16-year period  
2 will be related to a lot of the OU-5 groundwater  
3 remediation efforts, and even once they are  
4 complete with their groundwater remediation, we  
5 will have to go in and clean up and remove those  
6 facilities too if that is the decision. So  
7 technically we are addressing all the facilities  
8 on-site through this document.

9 MR. MORGAN: Yes, sir.

10 MR. MILLER: Who prepared the risk  
11 assessment?

12 MR. KING: That was done by the  
13 FERMCO staff.

14 MR. MILLER: Who has reviewed the  
15 risk assessment, has EPA or Ohio EPA reviewed the  
16 risk assessment?

17 MR. THROCKMORTON: Both EPA's have  
18 reviewed it.

19 MR. KING: Both EPA's and DOE.

20 MR. MILLER: Have they signed off on  
21 it?

22 MR. THROCKMORTON: Yes, they have.  
23 They've approved the document as is to go to public  
24 comment.

1 MR. MILLER: It's funny, because I  
 2 thought there was an EPA policy, at least that  
 3 referred to private sector ERP's, that prevented  
 4 ERP's from doing their own risk assessments because  
 5 of the inherent conflicts associated with that. So  
 6 in this case the ERP is in essence really DOE since  
 7 they're the owner of the facility, and you are  
 8 their agent, and I just wondered whether anybody  
 9 considered that particular policy and how does it  
 10 except, how is the exception made here?

11 MR. SCHNEIDER: DOE is the lead  
 12 agency on this site not US EPA. We have  
 13 responsibility for conducting the RFP efforts.

14 MR. MILLER: DOE is the lead agency,  
 15 but with respect to CERCLA, EPA CERCLA policy is  
 16 that when they, whether they're the lead agency or  
 17 not, is not to have the ERP's to do their own risk  
 18 assessment. That's all.

19 MR. MITCHELL: That's never been an  
 20 issue here.

21 MR. MILLER: I'm raising it as an  
 22 issue now.

23 MR. SCHNEIDER: I'm telling you  
 24 that's not an issue here.

1 MR. MILLER: Why isn't it an issue?

2 MR. SCHNEIDER: All the Superfund  
3 projects in Ohio -- ERP's have done the risk  
4 assessments on all Superfund sites in Ohio, at  
5 least in our district.

6 MR. MILLER: I can produce for you  
7 an EPA policy to the contrary.

8 Let me ask you, in the volume here on  
9 page J-9 under injuries and fatalities, it  
10 calculates 420 injuries over this period of time  
11 for OU-3 and .71 fatalities. How did you all  
12 determine what an acceptable number of injuries  
13 is? In other words, is 420 injuries an acceptable  
14 level of risk?

15 MR. THROCKMORTON: Those numbers are  
16 generated based upon Department of Labor statistics  
17 for accidents. The track record of Fluor Daniel as  
18 well as the track record of our site is  
19 significantly better than those numbers. We  
20 perform safety checking and we do everything in our  
21 power to prevent accidents from occurring on our  
22 site.

23 MR. MILLER: Did you answer the  
24 question?

1 MR. THROCKMORTON: I believe I did.

2 MR. MILLER: Okay. I just never  
3 knew that 420 injuries constituted, what you  
4 foresee as constituted an acceptable risk.

5 MR. KING: Nobody said that was an  
6 acceptable risk. This is an estimate of what we  
7 could expect with the total number of injuries with  
8 this number of people involved in work. There are  
9 people out there now involved in work and we can  
10 expect a certain number of injuries by statistics.  
11 I want to make it clear that we're not saying,  
12 well, yeah, its okay if we have 420 injuries, it's  
13 not.

14 MR. MILLER: Is that a significant  
15 impact if 420 people are injured?

16 MR. KING: It's not significant if  
17 you can show that more people would be injured if  
18 we didn't do this interim action, and that's the  
19 whole point of that FONSI, is we're looking at the  
20 risk and the effects if we don't do the action  
21 versus doing it.

22 MR. MILLER: On November 30th, the  
23 Department of Energy found a number of significant  
24 deficiencies with FERMCO's health and safety plan.

1 How are those factored into this environmental  
2 assessment?

3 MR. KING: I don't believe I could  
4 comment on that. I'm not sure of the relevance.

5 MR. MILLER: Well, if you have  
6 deficiencies in your health and safety plan, that  
7 would have an impact on the risks and that would  
8 have an impact on whether your risks numbers are  
9 correct, and so that goes to the heart of the  
10 representations that are made here.

11 MR. KING: Any alleged deficiencies  
12 in the health and safety plan would certainly be  
13 addressed and corrected or I don't believe we'd be  
14 on the site very long. We have to assume that  
15 we're going to pursue this work in conformance with  
16 all the regulations, and that includes all the  
17 health and safety regulations and with a very high  
18 probability of success.

19 MR. MORGAN: It's 9:20. We haven't  
20 reached the formal comment period yet. People have  
21 been sitting for a long time. Does anybody have  
22 any compelling question that they would need to be  
23 answered right now?

24 UNIDENTIFIED SPEAKER: The issue

1 that you brought up earlier, Ken, about the  
2 extension of time on the response, the 30 days that  
3 you addressed when you opened up, yes, I have an  
4 interest in that area.

5 MR. MORGAN: Fine.

6 UNIDENTIFIED SPEAKER: I would like  
7 to see it extended.

8 MR. MORGAN: How long?

9 UNIDENTIFIED SPEAKER: I think you  
10 addressed it as 30 days, didn't you?

11 MR. MORGAN: We could do it for 30  
12 days. I would like to hear some feedback from the  
13 group a little bit. Do we have any sense of what  
14 the impact of that would be?

15 MR. KING: Nominally a day per day  
16 slip in the overall program, but --

17 MS. YOCUM: What about two weeks?

18 MR. MORGAN: We would have to make a  
19 notification that we were extending the time, get  
20 that out to everybody that we've had the mailings  
21 to before. I don't know if two weeks would really  
22 be sufficient given the notifications that we would  
23 have to make.

24 Yes, sir, in the back.

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1 UNIDENTIFIED SPEAKER: Ken, I saw  
2 some of the people here had these risk assessment  
3 books. How are those made available or how can we  
4 get a copy of that?

5 MR. THROCKMORTON: There are several  
6 copies of the proposed plan and environmental  
7 assessment. Is that what you're referring to, the  
8 large document under discussion here this evening?

9 UNIDENTIFIED SPEAKER: That blue  
10 booklet.

11 MR. KING: There's a sign-up sheet.

12 MR. THROCKMORTON: There's several  
13 copies available here this evening if they have not  
14 already all been picked up. There's also a sign-up  
15 sheet so that we can get you a copy. And, thirdly,  
16 they are also available at the Public Information  
17 Center, the PEIC, which is up on State Route 128.

18 UNIDENTIFIED SPEAKER: Thank you.

19 MR. MORGAN: Do I have a sense that  
20 additional time would be valuable to the public to  
21 review the document?

22 MS. CRAWFORD: It sounds like you're  
23 going to have to do it.

24 MS. YOCUM: Yes.

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1 UNIDENTIFIED SPEAKER: Definitely  
2 the more time to review, the better.

3 MS. CRAWFORD: There were a lot of  
4 questions, and it sounds like people need some  
5 clarification on some issues. I don't like to see  
6 us spend any more money than we have to spend, but  
7 at the same time, if we're going to do true public  
8 participation and we're really going to look at  
9 what the public is concerned about and begin to  
10 answer their questions and deal with their issues,  
11 then I think we have to do this.

12 MR. MORGAN: Johnny, do you think we  
13 can -- let's try 30 days?

14 MR. REISING: Yes, we can go ahead  
15 and extend it for 30 days.

16 MR. MORGAN: We will have to make a  
17 notification on that. There will be a formal  
18 notification of that.

19 Let's take 10 minutes. At 9:30 we  
20 will begin the formal comment period. In that  
21 period we will not answer any questions. The court  
22 reporter will record those oral statements.

23 (Brief recess.)

24 MR. MORGAN: All right folks, back

1 to work. There were some people that signed up as  
2 they came in who wished to make statements. I will  
3 give their names and call them up. People who wish  
4 to make a statement, you need to come up to the  
5 microphone, state your name clearly so the recorder  
6 can easily get your comment.

7 I would like to start with Bob  
8 Schwab.

9 MR. SCHWAB: Ken, Bob Tabor is going  
10 to make that presentation in behalf of the  
11 Council.

12 MR. MORGAN: All right, fine.

13 MR. TABOR: I have some comments,  
14 the Fernald Atomic Trade --

15 MR. MORGAN: You need to state your  
16 name.

17 MR. TABOR: Oh, I'm sorry, I'm  
18 Robert Tabor, speaking in behalf of the Fernald  
19 Atomic Trades and Labor Council.

20 The comments of the Fernald Atomic  
21 Trades and Labor Council on the environmental  
22 assessment for the Fernald Operable Unit 3, you'll  
23 have to bear with me, I have a relatively lengthy  
24 statement here, I'll try to move this along as fast

1 as I can.

2 January 5th, 1994. The Fernald  
3 Atomic Trades and Labor Council has been the  
4 primary representative of the hourly work force at  
5 the Fernald site for over four decades. In the  
6 course of this period we have not only performed  
7 production work but have performed virtually every  
8 kind of environmental cleanup work. Indeed, since  
9 the shutdown of the site in 1989 our work has  
10 focused on the environmental cleanup.

11 In the brief period in which the EA  
12 has been publicly available, the FATLC has not been  
13 able to undertake the full analysis, including  
14 assessing backup documents that is required.  
15 FATLC, therefore, respectfully requests that the  
16 record be kept open for the reasonable period of  
17 time to permit the FATLC and other stakeholders to  
18 provide fuller comments, two or three weeks or  
19 whatever the decision was.

20 However, information available to the  
21 FATLC does raise basic questions which we hope will  
22 be addressed by those who prepared the EA. These  
23 questions go to both the EA's premises and the  
24 extent to which relevant facts and law have been

1 considered.

2 In essence, the EA supports the  
3 recommended alternative immediate facility  
4 dismantlement and demolition on grounds that quick  
5 reaction will save costs and reduce needless worker  
6 and community exposure to risk. In the absence  
7 FATLC agrees this sounds plausible. However, it  
8 has recently become clear evidence that present  
9 site health and safety rules and practices, work  
10 force plans, and by that token cost and safety  
11 assumption are inadequate and indeed contrary to  
12 law. Hither to these matters have not been  
13 addressed. By that token it does not appear that  
14 they are addressed in the EA. In raising them at  
15 this same time, FATLC wants to make clear that it  
16 hopes to work in good faith with FERMCO and the DOE  
17 and other stakeholders to address these matters.  
18 However, given the limited time available to file  
19 comments and the fact that these matters remain to  
20 be resolved, FATLC is obliged to raise these  
21 matters here. We also will provide for the record  
22 further documentation transmitted to DOE which  
23 addresses these questions.

24 Firstly, it is now clear that the

1 site safety standards and required practices are  
2 not adequate. If the EA's conclusion is to proceed  
3 sooner rather than later, is to mitigate risk and  
4 not increase it, these issues must be addressed by  
5 the EA and solutions buttoned down before the  
6 recommendation is approved. For example, A, FERMC0  
7 and DOE documents record that the site it yet to  
8 comply with many basic standards and protocol,  
9 including alarm, rat control, and OSHA standards.  
10 FATLC has previously provided such documents to DOE  
11 and would be pleased to put them in the record  
12 here. How have these deficiencies, some of which  
13 have been commented upon critically by the defense  
14 facility's Nuclear Safety Board and others, been  
15 factored into the risk assessment?

16 B, in September 7th, 1993 memo on the  
17 status of the site hazardous communication program  
18 for compliance with OSHA, 29 CFR 1910-1200, a DOE  
19 consultant reported that, "The overall site haz com  
20 program is not in compliance with the current OSHA  
21 standard, 29 CFR 1910-1200, nor the site document  
22 chemical hazardous communications program, RN2806."

23 Most of FERMC0's internal time align  
24 dates have not been met, nonetheless in a September

1 30th, 1993 road map of the site, FERMCO stated that  
2 it is in compliance with 29 CFR 1910 Occupational  
3 Safety and Health standards. The FERMCO prepared  
4 road map was forwarded by DOE Fernald to  
5 headquarters, evidently for public distribution.  
6 Is FERMCO in compliance with OSHA? Has anyone  
7 checked? What does the EIS assume? What effect  
8 would noncompliance have if work is speeded up?

9 C, in a November 30th, 1993 letter to  
10 FERMCO, DOE informed FERMCO of basic deficiencies  
11 in the FERMCO health and safety plan. In  
12 particular, DOE stated the plan lacked basic worker  
13 empowerment provisions which DOE stated are  
14 essential to assuring health and safety. What does  
15 the EIS assume about the adequacy of the basic site  
16 health and safety plan? What effect would speedup  
17 have in light of an inadequate plan?

18 D, the EA concludes that there is  
19 relatively little risk of radioactive release from  
20 the site. Once again, it is not clear whether this  
21 assumption is founded on full knowledge of the site  
22 activities. For example, FATLC has recently  
23 brought to DOE and Congressional attention a  
24 release of uranium hexafluoride that to FATLC's

1 understanding was not reported as required. DOE  
2 has been on-site investigating this release and  
3 related issues of nuclear safety. Are those who  
4 prepared the EA aware of this episode and the  
5 practices that underlie it? Has such an episode  
6 been factored into the risk assessment?

7 E, documents confirm that FERMCO has  
8 at least until extremely recently displayed what  
9 has been called an insensitivity to health and  
10 safety issues. For example, as discussed at recent  
11 Congressional hearings, FERMCO's safety manual  
12 actually counseled FERMCO employees not to provide  
13 information on potential safety violations to  
14 government compliance inspectors. Similarly,  
15 FERMCO documents show that FERMCO ES&H staff  
16 compared the cost of complying with health and  
17 safety rules against the penalties for  
18 noncompliance.

19 In the most recent past DOE and  
20 FERMCO have stated a commitment to address basic  
21 health and safety issues and deficiencies in  
22 ongoing programs. FATLC looks forward to working  
23 with them and all others in this process.  
24 Nonetheless, the timing and extent to which they

1 will be addressed remains to be seen.

2 In addition to the specific questions  
3 noted above, examples such as those above raise  
4 more basic questions, including:

5 One, did those who -- let me see  
6 here -- did those who reviewed the EA at the EPA  
7 and the Ohio EPA question health and safety  
8 assumptions provided by FERMCO and DOE?

9 Two, did the EA examine and/or  
10 contemplate the health and safety deficiencies that  
11 have recently surfaced? If not, how does their  
12 presence affect the presumption that workers in the  
13 community will be benefited by speedy action?

14 Three, what actions will be taken in  
15 revising the EA to bring to bear critical analysis  
16 on the deficiencies that have surfaced and on the  
17 remedies that must be provided before action can  
18 proceed?

19 Secondly, FERMCO has planned to  
20 replace the FATLC work force which has long  
21 performed cleanup tasks with a new work force, much  
22 likely with less experience at the site and, for  
23 all anyone knows, maybe less experience with  
24 nuclear materials. This work force is to be

1 employed under a document called Project Labor  
2 Agreement. Workers hired under this agreement will  
3 be governed by the very FERMCO health and safety  
4 plan which the DOE has just found deficient. In  
5 contrast, FATLC, the negotiators of the Project  
6 Labor Agreement, failed to insist on the worker  
7 empowerment provisions which the DOE has confirmed  
8 are essential for Fernald site health and safety.  
9 FERMCO'S design to replace the long-term work force  
10 is made plain by the baseline document which FERMCO  
11 has recently provided to DOE. This document in  
12 essence lays out the plans for the site, and DOE  
13 must approve the document. The baseline volumes  
14 for Operable Unit 3 show that virtually all work  
15 will be subcontracted out under the Project Labor  
16 Agreement. That is even though FATLC worker has  
17 long performed cleanup at the site, the FERMCO plan  
18 shows he or she will likely be fired to be replaced  
19 by a new worker hired under a subcontract, perhaps  
20 with no site experience, who will perform the same  
21 or similar work and probably at higher pay.

22                   The replacement of a worker with  
23 nuclear cleanup experience is contrary to common  
24 sense as well as equity. In the case of nuclear

1 sites there is a special premium on maintaining  
2 those who have dealt with nuclear waste and no  
3 particulars of the site. This experience is  
4 essential because, as has been repeatedly found and  
5 as DOE has acknowledged, traditional oversight  
6 agencies such as OSHA, DOE, and environmental  
7 agencies have lacked staff and other resources  
8 needed to follow site work in the detail needed.

9 In this case the planned replacement  
10 of the existing work force is without evident  
11 regard for statutory and DOE policy to maintain, to  
12 the extent practicable, the long-term work force as  
13 cleanup proceeds. For example, see Section 31 of  
14 the fiscal year 1993 Defense Authorization Act in  
15 the DOE Five-Year Plan.

16 In addition to jeopardizing safe and  
17 efficient cleanup, the replacement of the long-term  
18 work force will obviously have impact on the  
19 communities in which they live. We emphasize this  
20 is not a case where workers will become unemployed  
21 because there is no work to be done, rather it is a  
22 case where experienced workers will be replaced for  
23 the same or similar work with no apparent economic  
24 or health and safety logic.

1                   In light of the above, FATLC requests  
2 that the revision of the EA address the following  
3 questions: One, did those preparing the EA  
4 consider Section 3161 and the work force continuity  
5 policies expressed in the DOE Five-Year Plan? If  
6 not, these must be considered.

7                   Two, what assumptions does the EA  
8 make about work force to be used in the cleanup of  
9 OU-3? For example, does the EA assume that  
10 whatever is stated in FERMCO's baseline will  
11 govern? If not, what is assumed?

12                   Three, if the EA made no assumptions  
13 or accepted FERMCO's, what consideration was given  
14 to the costs and health and safety effects of the  
15 planned replacement of the Fernald Atomic Trade and  
16 Labor Council work force as indicated in the FERMCO  
17 OU-3 baseline? For example, in deposition  
18 testimony FERMCO's president stated that in  
19 determining to employ subcontract workers and  
20 replace FATLC on cleanup work, FERMCO does not make  
21 cost comparisons. That is, FERMCO would  
22 subcontract work out even if it costs taxpayers  
23 more. Does the EA's cost analysis and conclusions  
24 contemplate this logic? Have those performing the

1 EA performed their own cost analysis of the way in  
2 which FERMCO proposed to do the work?

3 As stated above, the Project Labor  
4 Agreement lacks health and safety provisions which  
5 DOE has recently told FERMCO are essential to  
6 worker protection. Does the EA's recommendation to  
7 press on with the work contemplate the use of a  
8 work force that failed to insist upon protections  
9 required by workers and the community? If so, what  
10 consideration has been given to the effect on  
11 worker and community safety?

12 The introduction of hundreds of new  
13 workers to replace the FATLC work force will  
14 require extensive training. However, at the same  
15 time FERMCO would fire workers in whom taxpayers  
16 have invested many thousands of dollars in training  
17 and experience. Does the EA consider the cost and  
18 safety consequences of this waste of scarce  
19 taxpayer dollars?

20 Thirdly, if work is to proceed  
21 expeditiously, then safe and efficient performance  
22 requires an assured supply of trained personnel.  
23 On the other hand, FERMCO has proposed to fire the  
24 experienced FATLC work force. And on the other

1 hand, it admittedly does not have the plans and/or  
2 resources to train needed workers. For example,  
3 the November 30th, 1993 FERMCO baseline document  
4 records that FERMCO is or has terminated contracts  
5 who have been providing radiation worker protection  
6 classes. This says FERMCO will reduce the number  
7 of qualified RAD Worker II personnel by  
8 approximately 50 percent weekly.

9                   Additionally, development of other  
10 DOE mandated training will be delayed because of  
11 insufficient personnel to develop identified  
12 training.

13                   Have those preparing and reviewing  
14 the EA considered the adequacy of the training  
15 programs and related resources which underlie the  
16 recommended alternative? If so, where is the  
17 analysis? If not, such analysis is essential to  
18 any recommendation for quick action.

19                   Fourthly, have those preparing the EA  
20 considered the impact on community dislocation of a  
21 plan which would rapidly remove a long-standing and  
22 community based work force and replace it with an  
23 alternative work force, one which may have far less  
24 roots in the Fernald communities? If so, where is

1 the analysis? While community impacts may be hard  
2 to quantify, they will nonetheless be real.

3           FATLC notes that whatever rules may  
4 govern the triggering of the EA/EIS where one is  
5 prepared, it is axiomatic that related sociological  
6 impacts must be considered. Moreover, in this  
7 situation the need to consider community impacts is  
8 independently mandated by Section 3161 and DOE's  
9 own policies, including order 47.1 as well as the  
10 Five-Year Plan. The EA states that there will be  
11 no change in employment levels.

12           Fifthly, the EA proceeds on the  
13 premise that the proposed actions can be considered  
14 interim and, therefore, analysis of permanent  
15 actions is not required at this time. As the  
16 Fernald Atomic Trades and Labor Council understands  
17 it, however, the OU-3 work includes shipping waste  
18 off-site for permanent disposal elsewhere. This  
19 would seem to be an action which could not be  
20 characterized as interim.

21           Thank you for this opportunity. We  
22 look forward to your response to our comments and  
23 the opportunity to submit supplementary comments.  
24 And I have here an additional document that I would

1 like to submit for the records.

2 MR. MORGAN: Thank you.

3 MR. TABOR: Thank you.

4 MR. MORGAN: Jerry Monahan.

5 MR. MONAHAN: Jerry Monahan, Greater  
6 Cincinnati Building Trades. I would like to make  
7 just some brief remarks, mostly in response to Mr.  
8 Tabor's remarks, but what I believe is inaccurate  
9 description of the Project Labor Agreement.

10 The Project Labor Agreement that we  
11 negotiated with the FERMCO Company in a traditional  
12 fashion that is usually implemented at sites of  
13 this type includes provisions for training of all  
14 of our employees who previously might not have had  
15 training. We have had employees at this site from  
16 its inception; in fact, we were there before FATLC,  
17 we built it before FATLC entered the picture. Our  
18 workers currently attend training through grants of  
19 the United States Government through our various  
20 internationals, and in fact many of the FATLC  
21 employees went to those same schools that we have  
22 attended. Our record of safety has been  
23 outstanding, and in fact the most recent accidents  
24 have involved the FATLC Council and not the

1 Building Trades Council.

2 As far as the issue of local, all of  
3 our locals are in the Cincinnati area. I represent  
4 approximately 13,000 employees who have worked at  
5 this site whenever there was a need for  
6 construction activities.

7 I also would like to bring up the  
8 economics, that FATLC people did not normally  
9 perform functions of construction, and to retrain  
10 workers who had previously performed duties that  
11 were in the plant and then to educate them and  
12 bring their skill level up to the construction  
13 trade would be very cost prohibitive. We're  
14 sympathetic to the idea that the employment in the  
15 past or whatever contribution the FATLC people  
16 might have made. We are also aware of the laws  
17 that govern it. As we understand it, many of these  
18 decisions that had been made on the work or all of  
19 them that have been made up to this time on the  
20 work, are under provisions of law, the Davis Bacon  
21 Law or the Service Contract Act. That has been the  
22 guiding principle. That is separate from the  
23 Project Labor Agreement.

24 Again, our workers will always be

1 safe and they will be productive, and they are  
2 trained. It's a misconception that they are not  
3 trained or they're not aware of the dangers of  
4 radiation or construction activities.

5 We have also attempted to resolve  
6 these issues in separate fashion whenever requested  
7 by the Department of Energy, by the FERMCO Company,  
8 or any third-party politicians. We'll continue to  
9 be cooperative. We intend to protect our  
10 traditional work, which is construction activities,  
11 and we have no intent of performing duties that  
12 rightfully belong to FATLC. Thank you.

13 MR. MORGAN: Thank you. Virginia  
14 Least.

15 Virginia Least.

16 Lisa Crawford.

17 MS. CRAWFORD: I defer my time, I  
18 will hand my comments in in written fashion.

19 MR. MORGAN: Thank you. Edwa Yocum.

20 MS. YOCUM: I defer my time and I  
21 will hand my comments in in written fashion.

22 MR. MORGAN: Thank you. Are there  
23 any others who would like to speak? Vicki.

24 MS. DASTILLUNG: Vicki Dastillung.

1 I won't wish to make any formal comments at this  
2 time, but I do seem to feel that we do need the  
3 30-day extension to the comment period, and I would  
4 like to formally request that DOE provide us with a  
5 Round Table or workshop on the EIS and NEPA process  
6 as it relates to the OU-3 and the RI/FS process and  
7 perhaps discuss with the public whether they would  
8 need a Round Table or workshop of more detail on  
9 the OU proposed plan. I would also like to ask  
10 that the US EPA and Ohio EPA be included in those  
11 meetings. Thank you.

12 MR. MORGAN: Thank you. Yes, sir.

13 MR. RICHARDSON: My name is Robert  
14 Richardson, with Labor's Local Union 265. I didn't  
15 sign up to speak, but I want to just for the  
16 record, I want to submit a written statement.

17 MR. MORGAN: Thank you. Anyone  
18 else?

19 MS. DUNN: I want to ditto what  
20 Vicki said, and I will submit written comments.

21 MR. MORGAN: Thank you.

22 MS. CRAWFORD: FRESH dittos what  
23 Vicki said.

24 MR. MORGAN: Thank you. Anyone

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1 else?

2 MR. MILLER: My name is Richard  
3 Miller. I would like to know whether there's going  
4 to be a public hearing on the finding of no  
5 significant impact for the public to be able to  
6 comment on that? I would like to know whether the  
7 environmental assessment is being performed  
8 separate from the environmental impact statement  
9 and why, and I would like to know why the finding  
10 of no significant impact was not incorporated in  
11 the discussion in the environmental assessment. In  
12 other words, why you're bifurcating the discussions  
13 since they are clearly interrelated. Thank you.

14 MR. MORGAN: Thank you. Anyone  
15 else? Going once, going twice, three times. Thank  
16 you. If anyone has any questions informally, we  
17 will remain here.

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19 MEETING CONCLUDED AT 9:50 P.M.

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C E R T I F I C A T E

I, LOIS A. ROELL, RPR, the undersigned, a notary public-court reporter, do hereby certify that at the time and place stated herein, I recorded in stenotypy and thereafter had transcribed with computer-aided transcription the within (139) one hundred thirty-nine pages, and that the foregoing transcript of proceedings is a complete and accurate report of my said stenotypy notes.

*Lois A. Roell*

MY COMMISSION EXPIRES: LOIS A. ROELL, RPR  
AUGUST 12, 1997. NOTARY PUBLIC-STATE OF OHIO

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