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MINUTES FOR FEBRUARY 12, 1994 MEETING OF THE FERNALD CITIZENS ADVISORY TASK FORCE

02/12/94

TASK FORCE/PUBLIC
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MINUTES

FERNALD CITIZENS TASK FORCE

A U.S. DEPARTMENT OF ENERGY SITE-SPECIFIC ADVISORY BOARD

Chair:
John S. Applegate

Members:
James Bierer
Marvin Clawson
Lisa Crawford
Pam Dunn
Dr. Constance Fox
Guy Guckenberger
Darryl Huff
Jerry Monahan
Tom B. Rentschler
Robert Tabor
Warren E. Strunk
Thomas Wagner
Dr. Gene Willeke

Alternates:
Russ Beckner
Jackie Embry

Ex Officio:
J. Phillip Hamric
Graham Mitchell
Jim Saric

Minutes from February 12, 1994 Meeting

Members Present:

John Applegate
Marvin Clawson
Lisa Crawford
Constance Fox
Guy Guckenberger
Phil Hamric
Darryl Huff
Jerry Monahan
Bob Tabor
Thomas Wagner
Gene Willeke

About 12 spectators, including members of public, DOE, and FERMCO representatives.

1. Approval of Minutes:

- The draft minutes of the January 15, 1994, meeting of the Task Force were approved without amendment.

2. Remarks:

Task Force Chair John Applegate introduced Alice Shorett of Triangle Associates. Shorett is teamed with Doug Sarno to support the Task Force.

Applegate said he would be attending a workshop at DOE Headquarters on Site-Specific Advisory Boards. He said he would be gathering ideas on the best way to approach various issues, and sharing Fernald's experience representatives from other sites.

Applegate also reported that Bill Weida, an expert on economic development at Colorado College who is studying economic and

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employment issues at DOE sites, will be speaking at the March 24, 1994, FRESH meeting. Weida has agreed to meet with the Task Force, even though economic development issues are not going to be addressed by Task Force at present. However, because Weida will available in March, he is scheduled to meet with Task Force members over dinner on March 24 before the FRESH meeting. Applegate said he will send out more information prior to the dinner.

3. Change in Agenda:

Task Force members agreed to modify the agenda to have the discussion about the work plan before the discussion of the future use criteria.

4. Discussion of Proposed Activities and Process:

According to the proposed activities and process (also known as the "work plan"), the Task Force is delivering a future use recommendation in October/November 1994. That timing fits into the decisionmaking at Fernald, with the exception of the schedule for Operable Unit 2 Feasibility Study and Proposed Plan, which will identify where waste might be disposed on site. The current schedule for Operable Unit 2 has the draft Feasibility Study report and Proposed Plan issued in April and approved in July. One solution to this problem was to delay the Operable Unit 2 Feasibility Study and Proposed Plan. However, when the Task Force discussed that option, members expressed their concern about delaying the schedule.

The Task Force asked DOE to prepare an analysis of what the impacts of a change in the Operable Unit 2 schedule. However, Applegate reported that, as a result of discussions with DOE, EPA, and Ohio EPA, there is another solution that does not require a change in the Operable Unit 2 schedule. DOE is going to modify the contents of the Operable Unit 2 Proposed Plan to reflect some of the Task Force's initial discussions.

Applegate then asked Doug Sarno, the Task Force's consultant, to explain the problem and solution developed cooperatively among the Task Force, DOE, EPA, and Ohio EPA. Sarno said releasing the Operable Unit 2 Proposed Plan would impact the perceptions of the

alternatives for Operable Unit 2. Under the solution developed with DOE and the agencies, language will be included in the Operable Unit 2 Proposed Plan indicating that it is a tentative proposed plan based on prior information, and does not reflect the work of the Task Force.

Sarno said the solution to the Operable Unit 2 schedule problem has two components: 1) Cooperation from DOE, EPA, and Ohio EPA and, 2) Development of draft language for the documents. He added that it's important to work with DOE to feed results from the Task Force into the feasibility studies so the Task Force and DOE can be on the same path forward. Therefore, if issues need to be addressed in the feasibility studies, DOE can have that information as soon as possible.

Applegate also asked Phil Hamric to comment on the resolution of this problem. Hamric said DOE is very open to working with any kind of input from the Task Force. DOE needs input from the public, the people who have been affected, and those who have concerns about DOE's plans for the future. Hamric added that DOE is committed to the process of having people participate in the process. Hamric then asked Jack Craig to elaborate on some other measures that are being taken to ensure the relevance of the Task Force.

Jack Craig, DOE's manager of environmental restoration, said that DOE will add language to Operable Unit 4 Proposed Plan indicating that it is a tentative proposed plan based on prior information, and does not reflect the work of the Task Force. Craig asked the Task Force for help in drafting the appropriate language, which Applegate said Sarno would bring back to the Task Force for review.

Craig said that Operable Unit 4 will be the first operable unit that will have a Record of Decision. He reported that DOE reached an agreement with EPA and OEPA about the proposed action. March 7, 1994, is the date of the start of the public comment period, and a meeting to discuss the Operable Unit 4 proposed action is scheduled for March 21, 1994. Craig said the proposed action consists of two actions: 1) Taking the silo contents, vitrifying the material on site, and disposing of the waste at the Nevada Test Site and, 2) Taking the soils, piping, and concrete structures and leaving some of that material on site. But the decision on the soils in Operable Unit 4 will be made during the Operable Unit 5 remedial investigation and feasibility study, which will allow DOE to take into

consideration Task Force recommendations.

Applegate said the Operable Unit 2 question was the only outstanding issue related to the work plan and asked if there were any other comments.

- Bob Tabor moved that the work plan be approved. Gene Willeke seconded the motion. The motion passed unanimously.

5. Waste Shipments Notification Plan:

In response to the Task Force's request at its January 15, 1994, meeting, DOE prepared a letter describing its plan to notify the Task Force and other interested parties about waste shipments from the site. (Copies of the letter were given to Task Force members at the meeting.) Applegate said he wanted to delay a formal response until Darryl Huff and Warren Strunk had a chance to review the plan because their constituencies are significantly affected by waste shipments.

However, Lisa Crawford asked if DOE could start notifications, even without formal Task Force approval. Hamric said DOE would begin notifications on March 7, 1994. Hamric also suggested that Task Force members might want to be notified about shipments of hazardous materials -- such as chemicals used in treatment processes or waste samples returning from laboratory testing -- coming onto the site.

Applegate said that information might be worthwhile to add to the plan. Mitchell said township trustees also might want to receive these notifications, as well as emergency management officials for Hamilton and Butler counties.

Task Force members discussed what kinds of shipments to the site would warrant inclusion in the notification plan. Sarno suggested that DOE notify Task Force members when shipments of hazardous materials are large enough -- 1,000 pounds -- to require that the truck be placarded, according to U.S. Department of Transportation regulations.

- Guy Guckenberger moved to approve DOE's hazardous materials and waste shipments notification plan subject to the changes discussed: Providing the information to local governments and emergency management officials, as

well as any individual or group that requests it, and including notification of incoming hazardous materials. Tom Wagner seconded the motion. The motion passed unanimously.

6. Discussion of Future Use Criteria:

Applegate asked Sarno and Shorett to lead the discussion of future use criteria. These criteria were compiled, based on the future use options generated by the Task Force at its January meeting.

The criteria include:

- Environmental Criteria
  - Identify/preserve significant natural ecosystems
    - wetlands
    - Paddys Run
    - threatened/endangered species
  - no future defacement of environment
  - on-site storage must be protective of groundwater
  - protect the great miami aquifer, protect air and soils, future protection
  - No net increase in risk

- Social and Human
  - gives back to community
    - beneficial to the community
    - offers benefits to the community
  - do not repeat past mistakes
  - all uses must have acceptable risks
  - existing and future people (children)
    - safety be kept in mind
  - must include ideas from the public at large (greater 5 miles)
  - be conducive with off-site uses,compatible with surroundings
  - promotes history/research/education (site, nuclear energy)
  - turning around what was a negative into a positive

- Economic

- provides some type of employment
  - acknowledge the work force may go away after cleanup
- protects tax base
- build on existing infrastructure, if possible (cushioning the impact of a loss of employment at the site)

Tom Wagner said that some criteria appeared to be in conflict. Shorett agreed, and said the Task Force might want to redevelop this list.

- Long Term Management
  - create trust and funding mechanism for control
    - long-term entity to control property, responsibility in perpetuity
  - reconcile w/local zoning and planning
  - flexibility to provide for future changes in use/better cleanup (tradeoffs)
  - federal government must retain responsibility/ownership regardless of ownership (discussion of ownership came up in terms of taxes for local communities)
  - assurance citizens will be involved in decision process about the site
  - monitor and be accountable for any contamination and waste left on site
    (Mitchell noted that if allow for flexibility for some of these, then there would need a storage facility versus a disposal facility. Storage would allow access, but because storage allows retrieval, it may be less protective)

- General Use
  - recognize mixed uses may exist
  - reduce physical barriers
    - to be a better neighbor, surrounding community
  - no waste import
  - recognize impacts of off-site waste shipment
    - political, safety and health impacts
  - only non-hazardous uses
  - no net increase in risk
    - want a decrease of risk

Upon request of the chair, some members of the audience volunteered potential criteria during the Task Force's discussion of future use

criteria at Fernald. Vicky Dastillung, vice president of FRESH, suggested that the Task Force look at funding under long-term management. Another individual suggested looking at guidelines on long-term interim storage.

7. Discussion of Information Needs:

Sarno said he wants to keep Task Force members focused and to prevent them from being buried in a lot of detail. Sarno said he didn't want to keep detail from the Task Force, but explained that members didn't have the time to spend two out of three hours at meetings shuffling through big heavy volumes of information. He asked Task Force members to indicate what information they felt they needed in order to accomplish their mission. That information included:

- history and strategy for managing uranium discharges (where it is, how it got there, where is it going, where be in future, etc.)
- vocabulary and concepts land use planning
- levels of contamination (how hot is it, contamination primer, levels, type, etc.)
- formats similar to the draft Site Development Plan
- consistency of data in tables
- how and to what extent the aquifer is being affected
- terminology be defined, chemicals, metals, emergent wetlands
- disposal storage, tradeoffs discussion
- information about the quality of the resources (Great Miami River) and infrastructure
- methods of removing wastes, technologies
- resource people available from doe and fermco
- current situation -- what's going on on-site, current happening and work force activities

8. Discussion on Classes of Use:

Sarno said that DOE has identified several classes of use, including:

- industrial/commercial (usually no living on site, no

minors as would be the case for day care centers or schools)
  - assumes large amount of site is covered with asphalt or concrete in the risk assessment
- residential (small children playing in dirt, etc.)
- agricultural (can be most stringent because of farming, grazing, intake into animals, etc.)
- recreational (usually allows for higher levels of contamination because limited to surface use and limited amount of time on that site)
- Native American/cultural

Applegate said industrial and commercial uses are not the same, and should be considered separately. Marvin Clawson said he didn't think there was a need to consider the Native American/cultural use at the Fernald site. Willeke said that the recreational use should be divided according to types of activity, whether passive or active. Ken Moore of the Hamilton County Planning Department suggested adding public utilities as a potential use. Lisa Crawford suggested that agricultural be divided into food versus non-food usage. Mitchell suggested adding a waste management use.

Sarno said he would be working with the risk assessment experts to help Task Force members understand how the future use scenarios compare. He said Task Force members would be revisiting these uses in the next few meetings.

9. New Business:

Applegate suggested that the Task Force is missing representation from local businesses. He said there is one available slot, according to the limits set in the charter, and he asked the Task Force if it is worth pursuing to have a representative from local businesses. Applegate said the membership subcommittee -- Applegate, Crawford, and Guckenberger -- would be responsible for recommending a new member to the Task Force.

- Jerry Monahan moved that the Task Force approach the local businesses in Ross or other local communities to find a representative for the Task Force. Darryl Huff

seconded the motion. The motion passed unanimously.

10. Materials Distributed at Meeting:

- Various maps of the Fernald site
- DOE's letter containing the proposed notification plan for waste shipments

11. Next Meeting:

The next meeting of the full Task force is scheduled for 8:30 a.m. to noon on March 12, 1994, at the Amerisuites in Forest Park.

The meeting adjourned at noon.

Approved March 12, 1994