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**FERNALD CITIZENS TASK FORCE - MINUTES FROM JANUARY 14,  
1995 MEETING**

02/22/95

**APPLEGATE      TASK FORCE**  
**10**  
**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 January 14, 1995 Meeting

The Fernald Citizens Task Force met from 8:36 a.m. until 12:17 p.m. on January 14, 1995, at the Joint Information Center, 6025 Dixie Highway, Fairfield, Ohio. The meeting, which was advertised in local newspapers, was open to the public; time was reserved for accepting public comments.

**Members Present:** John Applegate  
Jim Bierer  
Marvin Clawson  
Lisa Crawford  
Pam Dunn  
Constance Fox  
Guy Guckenberger  
Phil Hamric, DOE  
Darryl Huff  
Gene Jablonowski, U.S. EPA  
Graham Mitchell, Ohio EPA  
Jerry Monahan  
Phil Hamric, DOE  
Warren Strunk  
Gene Willeke

**Members Absent:** Tom Rentschler  
Bob Tabor  
Thomas Wagner

**Deputy Designated  
Federal Official**

**Attending:** Ken Morgan, DOE Ohio Field Office

**Task Force Staff:** Doug Sarno, consultant  
Suzanne Gray, Battelle  
Sarah Snyder  
Judy Armstrong  
Brad Connley

About 30 spectators, including members of the public and representatives from DOE, the Ohio Department of Health, the Agency for Toxic Substances and Disease Registry, FERMCO, the Oak Ridge site, Morgan Township Trustees, the Hamilton-Fairfield Chapter of the League of Women Voters, and other state and federal agencies.

1. Approval of Minutes:

The draft minutes of the December 8, 1994, meeting of the Task Force were approved without amendment.

2. Remarks:

Chair John Applegate noted that he neglected to name Jack Hoopes, director of Public Affairs for FERMCO, at the December meeting when he was thanking people who had helped make the Task Force a success.

Applegate announced that Jack Craig has been named the director of Fernald Area Office, replacing Phil Hamric, who was named manager of the Ohio Field Office in June 1994. The Task Force extended its congratulations. He also introduced Brad Connley, the new clerical support for the Task Force, and Suzanne Gray, a senior scientist at Battelle Columbus, who will be working on the writing of the final report.

Lisa Crawford and Pam Dunn have a conflict with the February 11, 1995 meeting date and asked if the Task Force meeting could be moved back a week to February 18, 1995. Crawford said there was also a conflict with the May meeting, and asked if that meeting could be held a week later on May 20, 1995. There were no objections to rescheduling the February and May meetings.

The Task Force will hold a public workshop on January 25, 1995, at 7 p.m. at the Plantation in Harrison, Ohio. The purpose of the workshop is to discuss the Task Force process and to show stakeholders how members evaluate information in order to make recommendations. Applegate distributed a list of invitees for that meeting and asked members to see if there should be any other people invited.

Applegate told members that the letters they received from DOE headquarters asking them if they wanted to serve on the Task Force

were generated because the Task Force now is approved under the Federal Advisory Committee Act. The letters were not generated because a separate group is forming, although DOE needs a response from members. If members need help generating a response letter, they should call Judy Armstrong.

Applegate also distributed a copy of a letter the Nevada Test Site Citizens Advisory Board sent to DOE commenting on the Operable Unit 2 Proposed Plan.

The chair asked Dave Rast of DOE to update Task Force members on the status of the Nevada lawsuit. Rast said that on January 12, 1995, the judge in the case granted Fernald's motion to be dismissed from the lawsuit. Ongoing shipments to the Nevada Test Site continue.

Applegate discussed the status of the subcommittees. He said that the modeling subcommittee, which will examine the assumptions that have gone into developing the groundwater modeling programs, will be chaired by Gene Willeke. Warren Strunk, Jim Bierer, and Lisa Crawford have agreed to serve on the subcommittee. The attendees for the national meeting of representatives of DOE site-specific advisory boards in February will be Jerry Monahan, Pam Dunn, Marv Clawson, Bob Tabor, and Darryl Huff.

Applegate said the budget information for Fernald is not finalized, but that cuts are certain. He suggested that the Task Force agree to cut its own budget in proportion to the rest of the site and divert that money to remediation activities. Task Force members agreed; Applegate said he would pass along that information.

The chair also discussed the consensus process. He reminded members that the charter says the Task Force is to try to achieve consensus, but, failing that, members can vote. The Task Force has not had to test this yet because it has achieved unanimity of all major issues, but Applegate said he wanted to make it clear that he doesn't think that every decision the group makes has to be absolutely unanimous. He said they have an obligation to try and reach consensus or to reach consensus on as much as possible and limit the areas of disagreement. But Applegate said it is okay not to agree; these are very difficult problems and there is no heavy-handed pressure from him to march in lock-step on everything. He said minority or dissenting views will be fully and fairly reflected in the final report.

3. Waste Disposal Overview:

Applegate asked Doug Sarno to lead the discussion on waste disposal. Sarno said there are four questions framing the discussion:

- What is the material under consideration?
- What are the options?
- How do the options compare?
- What else do we need to know?

He introduced a new toolbox, and told members that they really won't be referring to the old toolbox for this portion of the Task Force's deliberations. He said he prepared for members a description of the materials at Fernald requiring disposal; the categories are ranked by highest relative hazard, moderate relative hazard, and low relative hazard. Sarno said these descriptions have no regulatory basis -- they are descriptive and used simply to frame the discussion. He also discussed the table showing volumes of waste materials at Fernald, and listed the relative hazard of the materials, as well as the disposition options.

Currently, decisions about the Operable Unit 4 and Operable Unit 1 materials have been made, as reflected in the Records of Decisions -- Operable Unit 4's is signed; Operable Unit 1's has conditional approval. But the majority of the material, which is in Operable Unit 5, has not had disposition determined. Crawford reminded members that there is no guarantee that even Operable Unit 4 and Operable Unit 1 materials will be able to go off-site, if other states refuse.

Waste disposition represents the third strategic question for which the Task Force will make a recommendation, Sarno said.

4. Waste Disposal Options:

Sarno said there are basically three options: on-site disposal, off-site disposal, and treatment. However, he said there is no treatment that eliminates radioactivity: the best treatment can do is reduce volume or improve the handling of waste material. He said soil washing was considered promising because it was thought that contaminants could be washed out of the soil, leaving clean soil and contaminated residue. Then only the contaminated residue would need to be disposed. But Sarno said treatment is not viable because soil washing cannot clean the soil to a level that would allow it to be returned to the site without

restrictions. DOE still is examining several technologies to help reduce the volume of contaminated materials, and those technologies may be used in conjunction with other methods.

Jerry Monahan asked if vitrification were considered for all Fernald wastes; Sarno said it is not feasible for the volumes of material in any of the operable units except Operable Unit 4. Sarno said the Task Force needs to find a disposal option because at present there is no treatment option.

Sarno then gave an overview of on-site and off-site disposal. He said the options were framed in terms of requirements. For example, DOE has to meet federal and state design requirements, protection requirements for the aquifer, etc. Sarno said protection of the aquifer is the main driver, and that the design standards assume protection for 1,000 years. (The 1,000 years are based on the standards developed for uranium mill tailings.) Another requirement is a waiver of the state law that prohibits siting a disposal facility over a sole-source aquifer. Graham Mitchell said any waiver would be operable unit-specific. He said the off-site requirements include transportation, political ramifications, and other concerns.

Sarno showed members a photo of a Uranium Mill Tailings Remediation Act (UMTRA) cell located about 20 miles south of Pittsburgh. This cell contains similar material to the materials at Fernald, although in higher concentrations than are found at Fernald. Task Force members discussed whether the cell were fenced, whether it was protective of groundwater, etc. Sarno said he used the photo only to provide an aesthetic sense of a disposal cell; the Pennsylvania cell is only about 40 acres, which is half the size of what is proposed for Fernald. The Pennsylvania cell was built about 1986.

Gene Willeke asked about the conservative assumptions calculated into the design. Sarno explained that the cell was designed as though it would fail in order to have that extra level of protectiveness. The Task Force discussed the cap and liner layers, which are illustrated conceptually in the tool box.

Guy Guckenberger asked what happens if bottom leaks. Would DOE dig it up? Sarno said he didn't think DOE could repair the liner, adding that the cap provides 99.9 percent of the protection. Once the cap is finally sealed, water won't be getting into the cell, he said.

Darryl Huff asked about the failure of the liner in Waste Pit 5. Graham Mitchell said the liner for the cell would be much more complex and more sophisticated than the liners in the waste pits. He also explained that the cell would be located on the best geology of the site, where there is a thick layer of clay. The clay is not part of the design per se, but will add another level of protection.

Huff said that several years ago, DOE was looking at two disposal locations near the Fernald site, but that it was determined that the geology of the two locations was unsuitable. Mitchell said the problem with those sites was the cracked bedrock; the disposal cell would be built above, not in the bedrock.

Willeke suggested that the Task Force change its terminology and not call it a "cell liner." Rather, he said it should be called a cell lining system, which is qualitatively different.

At present, the location for cell -- according to best geology -- is in the northeast corner of site. The state requires a 300-foot buffer from the property line and a 1000-foot buffer from the nearest well.

Sarno also explained the development of the waste acceptance criteria for on-site disposal, which is presented on page 13 of the tool box.

Willeke said the conservative assumptions made sense at an earlier stage of the calculations, but make no sense now. He said the Task Force should look at the assumptions and do some additional recalculations of the groundwater modeling that reflect what the Task Force has done in the last several months. He said there needs to be a presentation of information about earlier models. Two things are likely to be affected: the waste acceptance criteria and the volume of earth that needs to be disposed. Willeke said examining the assumptions could help reduce the risk during construction because less earth would need to be disrupted, while maintaining the same level of protection of human health.

Sarno discussed the issues related to off-site disposal. Willeke asked for information about intermodal transportation costs to the Nevada Test Site. He also asked why the actuarial figures show fewer deaths with the Nevada Test Site option? The Task Force asked for safety information comparing unit train and regularly scheduled freight train service, as well as information about the actuarial figures.

5. Discussion of Options:

Pam Dunn asked if there were any coordination among sites for shipping to the Nevada Test Site and Envirocare so each site knows when it is putting this stuff out into the transportation system? Dave Rast said nine DOE sites ship to the Nevada Test Site and that NTS controls the schedules. Task Force members asked for information on the sites, routes, volumes, and types of materials now being shipped to NTS.

Rast added that the U.S. Environmental Protection Agency and the Department of Defense also ship material to Envirocare in Utah.

Applegate invited members of the public to comment on the discussion. Peggy Collins, co-president of Hamilton-Fairfield chapter of the League of Women Voters, said she agreed that it was of the utmost importance to protect aquifer. Given risks of off-site transport, keeping stuff on site makes sense to her, she said.

Bob Copeland, a Morgan Township trustee, said he gave a written comment to Gary Stegner, DOE. He said Morgan Township could accept an on-site disposal cell if the conditions were right. He added that he was personally concerned about off-site wastes being brought to Fernald, saying that the Midwest Compact for siting a low-level radioactive waste repository was of concern.

Graham Mitchell said the state's view is that any disposal cell at Fernald is for that site's waste only.

- Huff moved that the Fernald Citizens Task Force strongly opposes the use of the Fernald site for the permanent disposal of any waste materials originating from other locations. Warren Strunk seconded the motion.

Guckenberger suggested that the word "temporary" be added to motion.

Ken Morgan said that DOE's technology programs sometimes require bringing in materials from other sites only for testing, after which time it is returned to the site of origin. He suggested the Task Force make a distinction between treatability and disposal activities.

Jack Craig said DOE is not allowed to bring in waste, according to an agreement with OEPA. Applegate said if the motion includes language about temporary storage, the motion become more complex. Crawford

also said that DOE does not have a good definition for "temporary;" she said it seems to mean "indefinite" to DOE.

Mitchell raised the issue of the Federal Facilities Compliance Act (FFCA), a program that addresses treatment of mixed waste. He described the dialogue on the FFCA as "very political," adding that a lot of states are nervous because Ohio looks like big exporter of waste materials. He said it is very possible that Ohio sites could get waste for treatment only from other sites. He added that the Task Force may back itself into corner if it says it will take no waste from other sites for treatment. Fernald then may not be able to get the wastes off-site that it wants to ship to NTS or Envirocare, or elsewhere for treatment.

Applegate said it is possible to take the position that the Task Force would not want treatment on site, but the Task Force would require a lot more information before it could make that decision.

Guckenberger said the Task Force could adopt additional motions in the future, and the chair agreed. He proposed adding the language "...long-term storage or permanent disposal."

Willeke said he liked the original motion, adding that the long-term storage clause doesn't add anything.

- Guckenberger moved that the clause "long-term storage" be added after the words "permanent disposal." Crawford seconded. The amendment to the motion passed with Willeke dissenting.
- The motion, as amended, now reads: The Fernald Citizens Task Force strongly opposes the use of the Fernald site for the permanent disposal or long-term storage of any waste materials originating from other locations. It passed unanimously.

Applegate asked Task Force members if there were additional information they needed before the next meeting. Willeke asked what decision the Task Force is expected to make. Applegate said the question is on-site or off-site disposal of wastes; he said he doesn't think the Task Force needs to resolve NTS or Envirocare question. He also said that the Task Force probably would want to define what kind of material would go in the cell, if members accept the concept of an on-site disposal cell.

6. New Business:

Applegate also asked Willeke if he wanted to talk about what his subcommittee would be doing. Willeke said the subcommittee was formed to give some consideration to the modeling, which is a major driving force. The subcommittee will look at the levels of concentrations and solubility of compounds and how those assumptions affect the modeling. He said he doesn't expect to take a long period of time to do this.

7. Announcements:

Applegate said the Consortium for Environmental Risk Evaluation (CERE) is beginning to set up various focus groups to inventory issues about the Fernald site. The focus groups will be held in next three weeks. If you are interested in participating in a focus group, call Steve Depoe, the local project coordinator, at 800-556-1774. A draft of the report will be available for review around February 15, 1995; copies can be obtained at the Public Environmental Information Center.

Applegate also urged Task Force members to attend the public workshop scheduled for January 25, 1995.

Graham Mitchell reported that the State of Ohio is involved in an ongoing legal discussion with DOE on the UNH project. He said DOE has not been doing very well with plans for treating the UNH, and that there was likely to be some news coverage in the next few days. Mitchell said he wanted Task Force members to know that the UNH situation is just one part of site remediation, adding that the rest of the work is going very well.

Lisa Crawford noted that the January 31, 1995, meeting on the Remedial Design and Remedial Action process has been postponed (the date was on the calendar of public meetings distributed to Task Force members). She also announced that on January 30 and January 31, the League of Women Voters will be doing training on computer networking. The training is the result of a grant to the League of Women Voters. The training is scheduled from 6 to 9 p.m. at CompUsa at Forest Fair Mall. People interested in this training should talk to Lisa Crawford.

Crawford also said the Military Production Network has written a letter to DOE on the issue of budget cuts. She said the Hanford group wrote a letter telling DOE that it was expected to meet its commitments

regardless of budget cuts. Pam Dunn said the letter was prompted by some discussion of having DOE renegotiate its agreements on an annual basis to reflect budget cuts. Applegate said he would distribute a copy of the letter and asked the Task Force if it also wanted to send a letter. Task Force members indicated that they did. He and Crawford will draft a letter for the Task Force's approval.

8. Opportunity for Public Participation:

There were no additional comments; public input was received during the discussion about waste disposal issues and the motion on disposal and long-term storage of non-Fernald wastes at the Fernald site.

9. Materials Distributed at Meeting (Attached):

- Fernald Citizens Task Force 1995 Tool Box
- Letter from the Nevada Citizens Advisory Board commenting on the Operable Unit 2 Proposed Plan
- List of invitees for January 25 public workshop
- Agenda

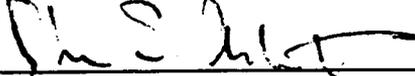
10. Next Meeting:

The next meeting of the full Task Force is scheduled for 8:30 a.m. on February 18, 1995, at the Joint Information Center in Fairfield, Ohio.

The meeting adjourned at 12:17 p.m.

Approved

I certify that these minutes are an accurate account of the December 8, 1994, meeting of the Fernald Citizens Task Force.

  
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John S. Applegate, Chair,  
Fernald Citizens Task Force

2/18/95  
Date

  
\_\_\_\_\_  
Ken Morgan  
Deputy Designated Federal Official

2/18/95  
Date