



**FERNALD
CITIZENS
ADVISORY
BOARD**

December 1997

Newsletter

A U.S. Department of Energy Site-Specific Advisory Board

From the Chair:

The Year in Review

This year has been an eventful one for the Fernald Citizens Advisory Board. As the cleanup at Fernald really gets underway, the focus of the Board has begun to move deeper into technical and resource issues. Using our resources effectively to remediate Fernald in a reasonable period of time is of critical importance. Over the past few months, we have made some necessary changes for playing an instrumental role in this pursuit. This past July, we officially changed our name from the Fernald Citizens Task Force to the Fernald Citizens Advisory Board. This name change is intended to reflect both our association with similar organizations at other DOE facilities and to emphasize the presence of the Citizens Advisory Board as an ongoing part of the cleanup of Fernald. In addition to adopting a new name, the Citizens Advisory Board has added some new members, said good-bye to others, created new committees (the Steering Committee and the Efficiency Committee), and added a new position of Vice-Chair. We have also relocated to a new office in the Jamtek Building (10845 Hamilton-Cleves Highway). These changes will help maintain the Citizens Advisory Board as a strong voice for stakeholders' interests in monitoring of the safe, prompt, and cost-effective clean-up at the Fernald site.

John S. Applegate

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The Fernald Citizens Task Force has been renamed; we are now the Fernald Citizens Advisory Board. This name change is meant to reflect the group's ongoing participation at the Fernald site and to connect it with similarly named citizens groups at other DOE facilities. This name is only one change of a series of changes which will carry the Board into the implementation phase at the site.

Along with our name change, we have established two new committees, the Steering and Efficiency Committees. The Efficiency Committee was formed by unanimous vote at the May 10, 1997 meeting of the Fernald Citizens Advisory Board. This committee was created in response to budget and schedule issues which

members felt would affect the timely and efficient cleanup of the Fernald site. The Steering Committee was created at the Fernald Citizens Advisory Board meeting held on July 9, 1997.

This committee, composed of the chairs of the standing committees, will evaluate the progress of the standing committees and develop or revise the Board's annual workplan. The Efficiency

Committee will allow involvement of the Board in new areas of budget and finance, whereas the Steering Committee's focus will be more internal, helping the Board evaluate its own progress and continued mission.

The Citizens Advisory Board has also created the new position of Vice Chair. At the July 9th meeting, the Citizens Advisory

Board unanimously voted to create this position in order to better distribute the duties of the Chair and confirmed Jim Bierer as the first Vice Chair.

In addition to all of these changes, the Citizens Advisory Board has also had several changes in membership over the last several months. In January, Phil Hamric retired from DOE and the membership committee nominated Jack Craig as his replacement for the *ex officio* position on the Board. Jerry Monahan retired from the Board and was replaced by Dan McElroy of the Tri-County Carpenters Union. Gloria McKinley resigned from the Board in July for health reasons and Tom Rentschler and Warren Strunk retired from the Board as their terms expired. Activities are underway to welcome four new members to the Board in January 1998.

The Restructuring of the Fernald Citizens Advisory Board

Recent Recommendations of the Fernald Citizens Advisory Board

Natural Resources

In February, the Natural Resources Committee made two general recommendations to DOE concerning resource restoration after reviewing the draft Natural Resource Impact Assessment and the draft Natural Resource Restoration Plan. First, the committee recommended that DOE keep stakeholders better informed of ongoing activities and physical changes at the site. This recommendation resulted in the initiation of a bi-weekly publication by DOE which will outline these changes as they occur. DOE began mailing this publication to interested stakeholders and area residents in May. The committee also recommended that early actions be taken to improve the aesthetic quality of the site as construction occurs. DOE has begun implementing activities to address this issue, including a tree screen surrounding the borrow area.

Recent Recommendations Continued on Page 3

**Recent Recommendations of the
Fernald Citizens Advisory Board
(Continued from page 2)**

OU4 Silos

The Waste Management Committee has been heavily involved with issues surrounding the OU4 Silos throughout 1997. In March, the committee recommended to the full Board that vitrification remain the technology of choice for Silos 1 and 2 but that alternative technologies be investigated as back-up options. The committee also recommended that Silo 3 wastes be treated separately from those in Silos 1 and 2 using a different stabilization method. In subsequent decisions, DOE separated Silos 1 and 2 from Silo 3. Technology decisions will be based largely on information and proposals provided by vendors in the procurement process. For more information, see the related article "The Historical Basis for OU4 Recommendations and Reactions."

Supplemental Environmental Projects

As part of the OU4 Dispute Resolution, the EPA proposed several Supplemental Environmental Projects to be funded with the penalties imposed on DOE. They included: the creation of a habitat area, research grants for ecological studies, and recycling and reuse projects. The Natural and Cultural Resources Committee reviewed these projects for comment to the EPA. In general, the committee did not believe that new land should be purchased for these projects, and preferred those projects which were based on expanded recycling and reuse of waste materials. The committee proposed that projects promoting wildlife studies and providing wildlife habitat should be done as part of the course of resource restoration and are not Supplemental Environmental Projects. The committee recommended reinterment of Native American remains as an additional Supplemental Environmental Project.

Priorities List

The creation of the Efficiency Committee has led to an increased involvement of the Citizens Advisory Board in budget and schedule issues. The Efficiency Committee began its new role by examining the "FEMP FY 1999 Budget Priorities List" and the "Ohio Field Office FY 1999 Integrated Priorities List." In reviewing both of these documents, the committee noted that large amounts of funding and high priorities were being given to non-remediation activities. Although the committee knows that some of these activities are necessary, they also indicated that many non-remediation activities should be reevaluated to determine if they are deserving of the resources and emphasis given to them. At the September meeting of the Citizens Advisory Board, the Efficiency Committee introduced a letter to the full Board outlining these sentiments. The Board unani-

Priorities List Continued on Page 4

Priorities List Continued from Page 3

mously agreed with the Committee that reevaluation of these non-remediation activities is important to the cost-effective and timely cleanup of the Fernald site. The recommendations letter was approved and sent to the Acting Director of the Ohio Field Office.

Citizens Advisory Board Takes Tour of Site

of the site. A great deal of on-site construction had taken place since the last time the Citizens Advisory Board toured the site together.

them to visualize the future appearance of the site.

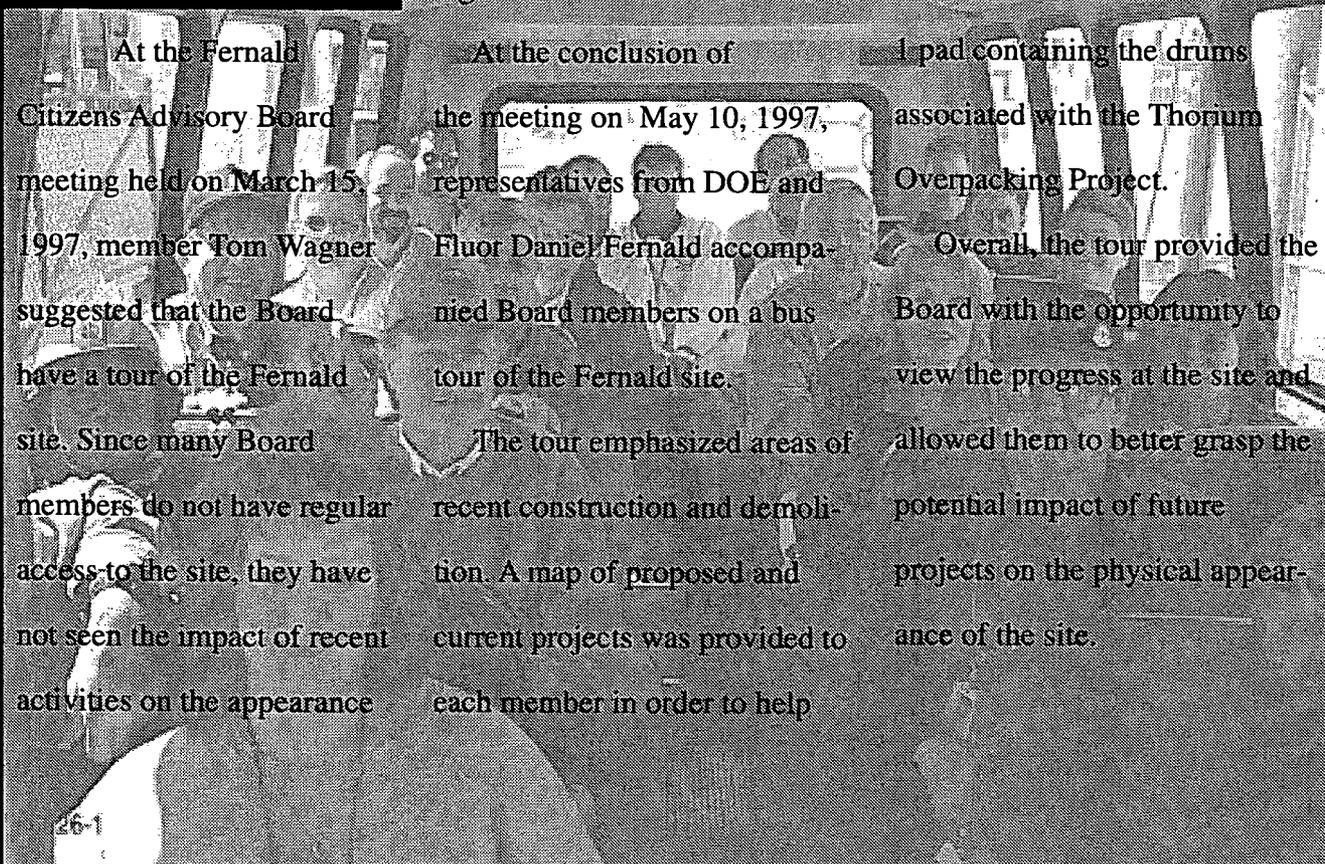
The tour began by viewing recent construction activities at the on-site disposal facility and the railyard. Next, the members saw the recent destruction and demolition (D & D) activities at Plants 5 and 9. The group then viewed the OU4 Silos and Plant 1 pad containing the drums associated with the Thorium Overpacking Project.

Overall, the tour provided the Board with the opportunity to view the progress at the site and allowed them to better grasp the potential impact of future projects on the physical appearance of the site.

At the Fernald Citizens Advisory Board meeting held on March 15, 1997, member Tom Wagner suggested that the Board have a tour of the Fernald site. Since many Board members do not have regular access to the site, they have not seen the impact of recent activities on the appearance

At the conclusion of the meeting on May 10, 1997, representatives from DOE and Fluor Daniel Fernald accompanied Board members on a bus tour of the Fernald site.

The tour emphasized areas of recent construction and demolition. A map of proposed and current projects was provided to each member in order to help



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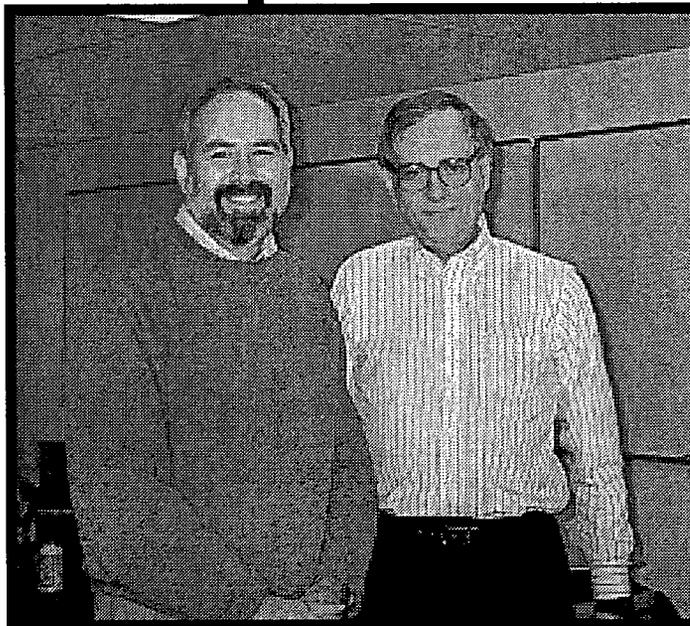
Al Alm Attends the March Meeting of the Fernald Citizens Advisory Board

Al Alm, DOE Assistant Secretary of Environmental Management, attended the meeting of the Fernald Citizens Advisory Board held on March 15, 1997. His visit focused on budget issues and the DOE Accelerated Cleanup Plan. He began his discussion of the Accelerated Cleanup Plan by reaffirming the commitment of the President and the DOE Appropriations Committee to a balanced budget. With this in mind, DOE has set three major priorities for the Accelerated Cleanup Plan: 1) to reduce the most urgent risks as quickly as possible; 2) to reduce landlord costs; and 3) to meet compliance agreements. Alm stated that it is imperative that Fernald meet the Accelerated Cleanup Schedule. The Accelerated Cleanup Plan should be able to be met under current funding, but if funds should become unavailable for Fernald to these goals, then funds will be reallocated to ensure cleanup at Fernald. He stated, "If we can't achieve it (the Accelerated Cleanup Plan) here (at Fernald), then we won't

make it anywhere." Alm went even further to say that adhering to the improved efficiency and lower support costs outlined in the Accelerated Cleanup Plan could actually result in cleanup ahead of schedule (nine years). He stated that since Fernald was the first site to make a real cleanup commitment, DOE would ensure that Fernald has the resources to make this commitment a reality.

Alm stayed for the entire meeting and addressed some additional concerns of the Board. Members of Board expressed concern that many terms and concepts outlined in DOE reports were confusing to stakeholders. Alm concurred and promised to develop a glossary of DOE terms for stakeholders as part of the Accelerated Cleanup Plan. Alm also participated in the Board's discussion of vitrification for Silos 1 and 2 in OU4. He expressed interest in how vitrification has proceeded at other DOE facilities.

Members of the Board were pleased to hear that DOE remains committed to the timely cleanup of the Fernald site. The Board used this opportunity to become more involved in budget and efficiency issues associated with Fernald's Ten-Year Plan through the working of the newly created Efficiency Committee.



John S. Applegate, chair of the Fernald Citizens Advisory Board and Al Alm, DOE Assistant Secretary of Environmental Management at the March 15th FCAB meeting.

Numerous problems with testing of the vitrification technology for the remediation of wastes in Silos 1, 2, and 3 led the Fernald Citizens Advisory Board to recommend that DOE seek outside assistance on this issue. DOE appointed an independent team of experts in October of 1996 to evaluate remediation alternatives for these wastes.

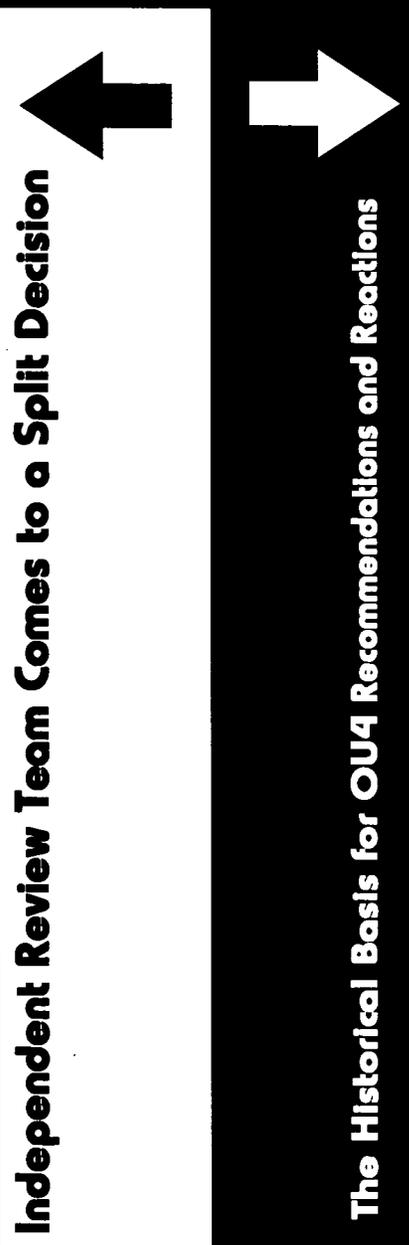
The team began its evaluation by examining three initial options: the vitrification of wastes from all three silos, the vitrification of wastes from Silos 1 and 2 and the solidification of Silo 3 wastes, and the solidification of wastes from all three silos. The team held numerous meetings and workshops to evaluate these options.

Members of the Waste Management Committee and Citizens Advisory Board staff attended many of the IRT meetings to gain information and insight from these experts in order to make their own recommendations to DOE concerning treatment of these wastes. The committee was instrumental in framing the issues for the IRT to consider.

In April, the IRT released the results of its investigation. The majority opinion stated that vitrification should continue to be pursued for treatment of Silo 1 and 2 wastes, but that the process should be carried out by an experienced subcontractor; the large quantity of sulfates in Silo 3 waste would eliminate vitrification as a possible treatment for this waste.

The minority opinion stated that cementation was the best

OU4 Silos Project



option for wastes from all three silos. The minority also felt that the high sulfate concentrations in the wastes from Silo 3 made vitrification unwise. Vitrification, however, was not a viable option for Silos 1 and 2 wastes because the technology itself is unproven and unpredictable.

The Waste Management Committee has made several recommendations and requests for information to DOE concerning the handling of wastes in Silos 1, 2, and 3. In March, the Waste Management Committee responded to three key questions concerning the next step in the treatment of this waste.

The first question posed was "Should materials in Silo 3 be treated separately from materials in Silos 1 and 2?" The committee responded that the silos should be treated separately because treating them together could prevent successful treatment of wastes in Silos 1 and 2 (due to the chemical composition of Silo 3 wastes being significantly different from those in Silos 1 and 2).

The committee, however, did not endorse a single remediation technology for either type of waste.

The committee concluded that there was insufficient information to respond to the second question, "What is the appropriate treatment technology for materials in Silo 3?" The committee had several informational needs that would have to be met before answering this question, including: gaining an understanding of who would accept solidified waste from Silo 3, performing an evaluation of the effect of a change in treatment on the current ROD, conducting a compound analysis of Silo 3 waste, and obtaining a more detailed description of cementation.

**Historical Basis for OU4
Continued on Page 7**

Historical Basis for OU4

Continued from Page 6

The third question posed was "What is the appropriate treatment technology for the materials in Silos 1 and 2?"

The committee recommended vitrification as the preferred technology for the treatment of these wastes and a continued evaluation of stabilization to determine whether or not it is a *bona fide* back-up remedy. Because vitrification increases stability, reduces volume, and controls radon emissions from this type of waste, the committee continued to recommend vitrification as the remedy of record for waste from Silos 1 and 2. More information was needed to determine if stabilization is a viable alternative to vitrification.

The recommendations of the Waste Management Committee were endorsed by the full Board at the March meeting of the Citizens Advisory Board. However, the third recommendation (that vitrification be the remedy of choice for Silos 1 and 2 waste) was amended to include the need for a side-by-side analysis of vitrification and cementation.

Because of concerns about the transport of solidified waste from Silo 3 to NTS, the committee also recommended that a member of the Nevada Citizens Advisory Board be invited to join the Waste Management Committee.

In April, the Waste Management Committee was again asked to make recommendations for the methodology for remediating Silos 1, 2, and 3 at OU4. At the May meeting, the

More on the OU4 Silos Project

The Waste Management Committee Travels to Brookhaven National Laboratory

On July 16, 1997, the Waste Management Committee traveled to Brookhaven National Laboratory to evaluate Brookhaven's solidification process for hazardous waste, polymer-based microencapsulation. The Waste Management Committee is evaluating alternative technologies to cementation for treatment of the wastes contained in Silo 3. Because there have been problems with cementation at other DOE facilities, the committee is carefully considering alternative remediation techniques before making a final recommendation of a remediation technology. Whereas cementation involves the solidification of the wastes with materials such as fly ash, kiln dust, or cement, the process of polymer-based microencapsulation involves the mixing of wastes with polyethylene. The microencapsulation process used at Brookhaven is a well-developed and tested stabilization method. While at Brookhaven, the committee received a specially-tailored presentation on the technique by Paul Kalb. As a result of the committee's work on evaluating this technology, polymer-based microencapsulation has been included as one of the preferred technologies for Silo 3 treatment.

committee recommended that progress continue with the current technology on Silos 1 and 2. Also at this meeting, Jim Saric (EPA Region V) announced that EPA would separate treatment of wastes from Silos 1 and 2 from those in Silo 3.

This change in remediation technologies was accompanied by some legal ramifications. The difference from the original cost estimate would create the need to prepare a new Record of Decision (ROD) for Silos 1 and 2. Silo 3 would only need an Explanation of Significant Differences (ESD), as the scope of the project, the technology, and the cost would be similar to those outlined in the original ROD. A 12-18 month time frame will be required to complete the new ROD.

After EPA decided that a new ROD would be needed for Silos 1 and 2, the Waste Management Committee was asked to review several different approaches to creating the new ROD. The Committee recommended that a proof of principle process be used for the new ROD. This process would allow the most opportunity for stakeholder input and evaluation of the latest technologies to treat this waste. DOE followed this recommendation.

In September, DOE released the draft Commerce Business Daily notice for remediation of wastes from Silos 1 and 2 as part of the proof of principle process. This purpose of this notice was to select vendors to receive the Request for Proposals. The Waste Management Committee reviewed

**Historical Basis for OU4
Continued on Page 8**

Historical Basis for OU4*Continued from Page 7*

this draft notice. The committee had several comments and recommendations. In general, the committee found that the notice was vague and did not adequately define certain terms, such as "proof of principle" or conditions at the site.

DOE incorporated these changes in finalizing the draft document. The Waste Management Committee will continue to remain active in the issues surrounding remediation of the Silos waste.

The committee is currently considering alternatives to cementation for the wastes from Silo 3. In July, members from the committee traveled to Brookhaven National Laboratory to evaluate polymer-based microencapsulation as an alternate technology for these wastes. For more information see the related article on page 7.

Tom Wagner Travels to NTS

On June 4, 1997, Tom Wagner, Chair of the Transportation Committee, traveled to Nevada Test Site to attend meetings of the Transportation Protocol Working Group and the Nevada Test Site Community Advisory Board. Both of these meetings focused on intermodal transport issues associated with shipping wastes to the NTS.

At the Transportation Protocol Working Group meeting, members discussed the need for the Department of Energy-Nevada to have input into what routes were to be used and how to ship these wastes. Wagner stated that this concern was most adamantly expressed by county and state representatives. The State of Nevada is opposed to any intermodal transfer of wastes occurring in the Las Vegas Valley, and would prefer that no trucks carrying this waste travel through that area.

At the Nevada CAB meeting, a suggestion was made that DOE conduct a comprehensive study on transportation occurring at all points in the waste stream – from the generation of waste to its disposal. Members of the Nevada CAB seemed to appreciate Wagner's presence at these meetings; they recognized that his attendance was an indication of Fernald's concern about their views on these transportation issues.

The Fernald Citizens Advisory Board will continue to pursue the option of intermodal transport of wastes to the NTS and work closely with the Nevada CAB to include their concerns. The Fernald Citizens Advisory Board also supports the Nevada CAB's request for a comprehensive DOE study of transportation issues.

Committee Reports**Monitoring and Recycling Committee***Current Areas of Involvement:*

- Project-Specific Monitoring Plans
- Integrated Environmental Monitoring Plan (IEMP)
- Recycling Issues at OU3
- Recycling Protocol

1997 Activities:

- Attended Workshop on Recycling Protocol on July 8, 1997
- Finalized Recycling Protocol
- Discussed on-site treatment of mixed wastes
- Discussed recycling issues at OU3
- Conducted recycling survey of Citizens Advisory Board members on January 11, 1997

Upcoming Activities:

- Recommendations on recycling at OU3
- Review Integrated Environmental Monitoring Plan

Committee Reports Continued on page 9

Committee Report Continued
from page 8

Natural Resources Committee

Current Areas of Involvement

- Addressing the Natural Resources Trustee Program
- Protection of natural and cultural resources on site

1997 Activities

- Reviewed draft Natural Resources Plan from the Natural Resources Trustees
- Reviewed Natural Resources Restoration Plan and Habitat Equivalency Analysis
- Oversaw reinterment of Native American remains on May 25, 1997
- Made recommendations to DOE to keep citizens informed of activities that change the appearance of the site and to implement actions that improve the aesthetic quality of the site during construction.
- Made recommendations on the Supplemental Environmental Projects for the OU4 Dispute Resolution Process

Upcoming Activities

- Review of Natural Resource Restoration Plan, Natural Resource Impact Assessment, and Sitewide Excavation Plan

Efficiency Committee

Current Areas of Involvement

- Recommendations on budget and efficiency issues

1997 Activities

- Created committee on May 10, 1997
- Reviewed Building and Cost Tracking Systems information
- Reviewed the DOE Accelerated Plan
- Reviewed priorities outlined in the FY1999 budgets for the Ohio Field Office and the Fernald Environmental Management Project

Upcoming Activities

- Evaluation of site nonremediation activities

Committee Reports Continued on Page 11

Fernald Cleanup Progress Briefings

In July, DOE Public Affairs and Fluor Daniel Fernald (FDF) held a public meeting to receive input on a new plan for providing information on site activities to the public.

DOE and FDF proposed a regular monthly meeting, to be held the second Tuesday of each month. The first half of these meetings would provide project updates and the second half would deal with a "Topic of the Month" to be selected by stakeholders.

These meetings would in effect increase the total amount of information presented while reducing the number of meetings for stakeholders. Stakeholders supported the idea.

The first "Fernald Cleanup Progress Briefing" was held in September and they have been held every month since. The meetings have been effective in providing timely and useful information to stakeholders.

The Fernald Citizens Advisory Board actively attends these meetings and regularly provides useful input into deciding relevant "Topics of the Month."

Fernald Citizens Advisory Board Reacts to DOE Injunction

In August 1996, Waste Control Specialists (WCS), a commercial disposal facility located in Andrews County, Texas, submitted a bid in response to the Request for Proposals (RFP) issued by DOE for Operable Unit One at Fernald.

The RFP stated that disposal of the low-level waste should occur at a licensed off-site facility which would be able to accept title for the wastes. Wastes would be shipped from Fernald to the off-site disposal facility via rail.

WCS was unable to obtain a license for receipt of this waste; the state of Texas does not issue licenses for the receipt of low-level waste by a commercial facility. WCS also could not obtain an appropriate license from the Nuclear Regulatory Commission (NRC).

Instead, WCS submitted a proposal to develop an oversight board whose members would include representatives from Texas

Tech University, Texas A & M University, and a private consulting firm. WCS also proposed to include members of DOE or its representatives on the oversight board. DOE did not accept this proposal and denied WCS the ability to bid on the RFP.

The dismissal of WCS from the bidding process led WCS to file a civil suit against DOE. In this suit, WCS contends that it was unfairly denied from bidding on the RFP. WCS does not need a license to operate and no license is needed to be in accordance with all applicable laws and regulations. WCS contends that its proposal for an oversight board was adequate.

In September 1997, the United States District Court, Northern District of Texas, agreed with WCS and issued an injunction against DOE. DOE is not allowed to deny future bids to WCS for waste disposal based on lack of appropriate license. DOE is further prevented from issuing

further contracts to other commercial facilities for waste disposal.

In December 1997, the Fernald Citizens Advisory Board informed Secretary Pena of its views on this injunction. The Board is concerned that this injunction will have significant impacts on the cost and schedule of cleanup activities at Fernald. DOE must work quickly to resolve this issue.

Several decisions on waste disposal must be made at Fernald by early 1998 to ensure that the accelerated cleanup schedule is met. The Citizens Advisory Board believes that WCS did not meet the requirements of the RFP in question because WCS is not licensed and because WCS is not accessible by rail.

Stakeholders have been working aggressively for safe, cost-effective remediation at Fernald and the Board does not want these efforts derailed as a result of a single corporate entity seeking financial gain.

Fernald Is Now a Defense Facilities Closure Project

In September 1997, Fernald was designated as a Defense Facilities Closure Project under the fiscal year 1998 budget for the Department of Energy. This designation, also given to Rocky Flats, is meant to ensure that funding for these projects is used toward successful completion of remediation activities. Congress also required that DOE develop a detailed plan which would result in the reduction of levels of bureaucracy at these sites. This plan was to be presented to Congress within 60 days of the release of the budget.

The Fernald Citizens Advisory Board had originally called for reduction in bureaucratic processes at Fernald as part of its 1995 recommendations. The Board had already determined that such a reduction in bureaucracy would increase efficiency and cost-effectiveness in site activities. The Fernald Citizens Advisory Board reminded Secretary Pena of these recommendations and that the scheduled completion date for the bureaucracy-reducing plan was nearing. The designation of Fernald as a Defense Facilities Closure Project presents a tremendous opportunity for real cleanup at Fernald.

Reports Continued from Page 9**Waste Management Committee***Current Areas of Involvement*

- OU4 Silo waste handling
- OSDF Construction

1997 Activities

- Attended IRT meetings
- Made recommendations on remedies for Silos 1, 2, and 3
- Took trip to Brookhaven to examine microencapsulation process for handling Silo-3 waste on July-16, 1997
- Reviewed and commented on Silo 3 ESD and Silos RFPs

Upcoming Activities

- Continued evaluation of remediation technologies for Silos 1, 2, and 3 wastes

Transportation Committee*Current Areas of Involvement*

- Updates on road changes
- Review of options for intermodal transport of hazardous waste
- Transportation issues involved with solidification of wastes from Silo 3, OU4

1997 Activities

- Evaluated intermodal transport through Envirocare or North Las Vegas in order for wastes to be transported to NTS
- Provided reports on local road changes
- Took rail trip to Cottage Grove on March 12, 1997
- Attended Nevada Citizens Advisory Board meeting on July 4, 1997
- Attended protocol meeting in Nevada
- Sent letter to DOE in support of standardized protocol for the shipment of hazardous wastes

Upcoming Activities

- Continued evaluation of intermodal transport options
- Evaluation of impact of solidification of Silo 3 wastes on transportation

Fernald Citizens Advisory Board

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1998 Fernald Citizens Advisory Board Meeting Schedule

Here is the proposed 1998 schedule for Fernald Citizens Advisory Board Meetings.

Saturday, January 17

Saturday, March 14

Saturday, May 16

Wednesday, July 15

Saturday, September 19

Saturday, November 14



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