



FCAB UPDATE

Week of November 5, 2001

(Last update was October 1, 2001)

MEETING SCHEDULE

DOE Cleanup Progress Briefing

Tuesday, November 13, 2001, 6:30 p.m.

Services Building Conference Room

Stewardship Committee Meeting

Thursday, November 29, 2001, 6:30 p.m.

Trailer T-1 0

Fernald Citizens Advisory Board Meeting

Saturday, December 1, 2001, 8:30 a.m.

**PEIC – Public Environmental
Information Center**

ATTACHMENTS

- Draft Stewardship Committee Agenda
- Draft Full Board Meeting Agenda
- Minutes from the 10/11/01 Stewardship Committee Meeting
- Draft Minutes from the 10/13/01 FCAB Annual Retreat
- 2002 FCAB Annual Calendar
- Legislative and Policy Issues from Washington Volume 2 • Number 17 • October 15th, 2001
- DOE HQ Memo on Next Steps for Long-Term Stewardship
- News Clippings

NEWS and ANNOUNCEMENTS

FUTURE MEETING DAYS AND TIMES

The January Stewardship Committee meeting will be held on Thursday, January 10th, 2002 and the January full CAB meeting will be held on Saturday, January 12th, 2002.

FOR FURTHER INFORMATION

Please contact Doug Sarno or Mildred Charles at The Perspectives Group

Phone: 513-648-6478 or 703-971-0058 Fax: 513-648-3629 or 703-971-0006

E-Mail: djsarno@theperspectivesgroup.com or mcharles@theperspectivesgroup.com

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STEWARSHIP COMMITTEE MEETING
Trailer T - 1

Thursday, November 29, 2001

DRAFT AGENDA

- 6:30 Opening Remarks and Updates
- 6:45 Refine Plan and Schedule for Public Records FS
- 8:30 Adjourn



FULL BOARD MEETING
Public Environmental Information Center

Saturday, December 1, 2001

DRAFT AGENDA

- 8:00 a.m. Continental Breakfast
- 8:30 a.m. Call to Order
- 8:30 – 8:45 a.m. Introduction of New Members
- 8:45 – 9:00 a.m. Chair's Remarks and Ex Officio Announcements
- 9:00 – 9:45 a.m. Current Remediation Issues, Efficiency Efforts
- 9:45 – 10:00 a.m. Break
- 10:00 – 10:45 a.m. Tour of PEIC, Q&A
- 10:45 – 11:15 a.m. Review Plan for Public Records FS
- 11:15 – 12:00 p.m. Identify Public Information Needs for 2002
- 12:00 – 12:15 p.m. Public Comment
- 12:15 p.m. Adjourn for Lunch

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MEETING SUMMARY

Review of the Results of FDF Space Planning

Doug Sarno opened the meeting and briefly discussed the results of the Fluor Fernald space planning process. Based on the results, Doug stated that there is no new or immediate need for new construction on site to house workers or facilities. The two immediate needs for a communications center and medical facility are being met with new trailers.

Eric Woods discussed the calendar for natural resource activities in the coming months. The Natural Resource Trustees are seeking to finalize the Natural Resource Restoration Plan and the Environmental Assessment (EA) for public use of the site will be released for public comment on November 20. He informed the Stewardship Committee that a hearing has been set for December 3rd. Pam Dunn responded by asking if any of the previous public comments would be incorporated. Eric stated that all previous work generated from past workshops would be incorporated.

Eric asked for comments concerning the timeline of natural resource activities. Pam noticed that the revised report was due three days after the end of the comment period and expressed concern about such a short comment period. Eric agreed, but was confident that it could be done. Concern was also expressed over the ability to achieve this schedule over the holiday period.

Doug asked Eric if he could conduct a dry run of the EA information for the FCAB during its full CAB meeting scheduled for Saturday, December 1st and he agreed. Doug concluded this part of the discussion by stressing the importance of FCAB participation and involvement at the December 3rd public meeting.

Planning for the Design Charette

Although the FCAB was not awarded a grant from DOE for the design competition, it was subsequently awarded a grant in the amount of \$150,000 for a feasibility study to look at long-term retention of public records at the site and how that will tie into future use. Gary Stegner noted that Dave Geiser liked the multi-use education center idea and that the funds were awarded for a feasibility study that would determine what stakeholders believe should be done with the public records once the site has closed. As a result, Doug suggested that a design charette could also be integrated with the feasibility study. He went on to say that since there were no meetings held in September, the University of Cincinnati and Miami University were not able to incorporate this project into their fall schedule. Instead, there is a strong likelihood that they will do so in the Spring 2002 semester.

Doug presented a brief overview about the purpose and benefits of the design charette followed by several comments about building the education center and trails, storing the public records, and design charette planning. In his opinion, the design charette will give people a visual sense of how the education center will eventually look when it is completed. At that point, he opened the floor for discussion to determine how the FCAB wants to organize itself in terms of this project.

Date: October 11, 2001

Topics:

- Review of the Results of FDF Space Planning
- Planning for the Design Charette
- Discussion of EM-50 Grant for Feasibility Study

Attendees:

Fernald Citizens Advisory Board
 Marvin Clawson
 Steve Depoe
 Pam Dunn
 Bob Tabor

The Perspectives Group

Doug Sarno
 Mildred Charles

U.S. Department of Energy

Johhny Reising
 Gary Stegner
 Ed Skintik
 Pete Yerace

Ohio Environmental Protection Agency

Tom Schneider
 Donna Bohannon

Fluor Fernald

Larry Stebbins
 Eric Woods
 Jamie Jameson



It was noted that Fernald is also working on a task to determine what kinds of records and information should be kept and that the two tasks need to be coordinated.

It was also noted that two letters of interest have been received regarding space in the future education center, including one from the site credit union and one from the local historical society. Two credit union representatives were present at the meeting and explained that the Credit Union was interested in building a long-term relationship and presence in the Fernald community. Based on their comments, it was noted that interests such as this offer potential opportunities to help defray long term operation costs.

Discussion of EM-50 Grant for Feasibility Study

Doug noted that the Stewardship Committee will continue to serve as the steering committee for these activities but available time, as well as upcoming holidays, are factors in how to proceed. He stated that a workshop allowing participants to get involved in a design charette should be planned and explained that he would put together a draft process for the feasibility study that the committee can look at and present to the full board on December 1st. Steve Depoe noted that it would be ideal to involve the educational community that includes grades K-12.

Pam added that it is important to remember that the scope is limited by the grant and that it needs to be made perfectly clear to all participants. Doug asked if Fluor could provide detailed information regarding what records and artifacts will be available for public access. Pam followed his remarks and mentioned that CERCLA included a section on public records management. It was decided that the committee should tour the PEIC to help understand what is available there. She asked members to pay close attention to their emails for information about upcoming conference calls.

Next Meeting Date

The meeting was adjourned at 7:45 pm and the next Stewardship Committee meeting will be held on Thursday, November 29th, 2001.



ANNUAL RETREAT

Hamiltonian Hotel

Saturday, October 13th, 2001

DRAFT MINUTES

The Fernald Citizens Advisory Board met from 8:30 a.m. until 3:30 p.m. on Saturday, October 13, 2001, at the Hamiltonian Hotel in Hamilton, Ohio.

Members Present

French Bell
 Jim Bierer
 Lisa Blair
 Sandy Butterfield
 Marvin Clawson
 Lisa Crawford
 Steve Depoe
 Pam Dunn
 Gene Jablonowski
 Graham Mitchell
 Robert Tabor
 Thomas Wagner
 Gene Willeke

Members Absent

Lou Doll
 Jane Harper
 Steve McCracken
 Fawn Thompson

Designated Federal Official

Gary Stegner

The Perspectives Group Staff

Douglas Sarno
 Mildred Charles

Fluor Fernald Staff

Tisha Patton
 Jamie Jameson

Call to Order

Jim Bierer called the meeting to order at 8:30 a.m.

Remarks and Ex Officio Announcements

Jim stated in his opening remarks that he and several FCAB members attended the 4th Annual Long Term Stewardship Workshop at Grand Junction, Colorado, in July. He reported participants used the Long-Term Stewardship Working Draft Guidance from DOE HQ during an exercise. He also reported that Dave Geiser attended the workshop and used the FCAB's vision statement as a model. Jim went on to say that the following managerial changes have taken place: John Bradburne will now be the Chairman and Chief Executive Officer of Fluor Fernald and Jamie Jameson will replace him as the President.

Tom Wagner stated that he and Marvin Clawson attended the SSAB conference in August and that it was a very productive meeting. The primary agenda at the meeting was for each of the representatives to share how their boards operated. He also noted that the FCAB has agreed to host the next SSAB conference, which will be held in the spring. Doug Sarno informed the members that he has visited several hotels in the downtown area and is waiting to hear from them on availability.

Gary Stegner stated that approximately 14 members from the National Academy of Sciences are planning to visit Fernald on November 1st and will meet with stakeholders during a public information meeting that evening.

Doug Sarno led discussion of topics for the retreat and Jamie Jameson, the new President of Fluor Fernald attended the afternoon session of the retreat.

I. Self-Evaluation (*What have we done well? What should we improve?*)

Keep

- Timely on Addressing Issues
- Focus on LTS
- Limited Committee Structure
- Monthly Meetings
- Relationships with other SSAB
- Relationship with DOE
- Solid Core of Members
- Good Participation by members
- Good food at meetings
- Consulting/ Facilitation Services
- Communication
- Openness of Stewardship Committee
- Fluor Support
- DOE – Fernald Support

Improve

- Attendance at Clean-Up Progress Briefings
- Communications: Internal, Site, and Community
- Membership Retainment and Recruitment
- Publicize Successes
- Better Progress Reporting
- Distribute Newsletters from DOE: Closure Chronicles, LTS, Risk and EM Progress
- History/Timelines
- Silos in Depth Knowledge/ Committee and public Workshops
- Tour PEIC

II. FCAB Goals for the Next Year (*What are the keys issues for the site? What are the keys issues for stakeholders? What issues are left undeserved from FHES and CRO? Where can the FCAB be most useful?*)

2002 Topics

- 1) Education Facility and Records Management
- 2) Long-Term Stewardship Planning
- 3) Silos
- 4) Public Information and Coordination

1) Education Facility and Records Management

- Design Charette to develop conceptual understanding of what the building needs to be and how the education center will be integrated with the total site
- Feasibility Study – Information and Records management analysis
- Tour of PEIC
- Tour facilities similar to the education facility
- Tour the Weldon Springs site
- Understanding of basic requirements of a facility to accommodate the desired functions
- Relationship-building with University of Cincinnati, Hamilton County
- Develop an understanding of how these types of facilities are funded, built and managed elsewhere

2) Long-Term Stewardship Planning

- Review the Draft Fernald Long Term Stewardship Plan
 - Are our values incorporated?
 - Is everything there that is needed for the community?
 - Clear idea of LTS management functions and responsibilities
 - Stewards: identify roles, who might be best suited, how to ensure accountability, create a clear picture of desired qualifications of stewards
 - Maintenance of communication with HQ and tracking of national policies and guidance
 - Ensure the implementation of a complete and comprehensive LTS plan
 - Create a clear definition of LTS for Fernald

3) Silos and Waste Pits

- Ensure ongoing communication w/CAT and receipt of reports
- Generate more complete information on Silo 3
- Create a better understanding of the decision process and specific activities
- Develop a detailed timeline of activities
- Ensure the receipt and evaluation of ongoing technical information
- Track current information and progress through monthly briefings
- Ensure full understanding and evaluation of transportation and disposal issues from both a technical and political standpoint
- Ensure the receipt and evaluation of ongoing technical information regarding the waste pits on an as needed basis

4) Public Information and Coordination

- Ensure effective communication with the broader community about key site issues and FCAB activities
- Develop an informative tracking system for site progress
- Find ways to publicize the successful completion of key site remediation activities
- Identify and coordinate with other groups that will be instrumental to achieving the future of Fernald
- Ensure that the FCAB is receiving the latest information on all of the key issues on site through ongoing communication with DOE, Fluor, EPA, and OEPA
- Host the spring 2002 SSAB chairs meeting and tour

III. FCAB Structure *(Should we maintain the full board schedule? Should we maintain the stewardship committee schedule? Set calendar for year.)*

Education Center and Long Term Stewardship

- Stewardship Committee will continue its leadership role. Work will progress at stewardship committee meetings and in specific work sessions and other forums at the determination of the stewardship committee.

Technical Issues

- All major technical issues related to remediation progress will continue to be conducted at the full board level. Special work sessions will be used to augment the FCAB schedule as needed.

Public Information

- The FCAB will use its meeting on December 1 to identify specific public information needs and determine the best approach to meeting those needs.

IV. Membership *(What is our long-term membership strategy? How do we handle the need for expert input? How should we approach the long-term involvement of UC? Should we recruit? How and who?)*

- The FCAB needs to think about recruiting new members from the next generation to ensure continuity of long-term stewardship awareness at the site
- The FCAB needs to recruit members with special areas of expertise in the following areas:
 - Planning/Architecture
 - Ecology
 - Human Health
- Katie Brown and Blain Burton will be invited to meet with the Steering Committee in anticipation of becoming new members at the December 1st FCAB meeting.
- The FCAB requested that DOE pursue the idea of Fernald being designated a "Closure CAB" recognizing the need for continuity and institutional knowledge to complete the CAB's mission in conjunction with site closure.

FERNALD CITIZENS ADVISORY BOARD DRAFT CALENDAR 2002

Time and Location of Meetings (unless otherwise noted with an * next to the date):
DOE Public Briefing Meetings, Tuesdays, 6:30 p.m., Services Building Conference Room
Stewardship Committee Meetings, Thursdays, 6:30 p.m., Trailer T-1
Full FCAB Meetings, Saturdays, 8:30 a.m., Large Lab Conference Room



NOVEMBER 2001

13 DOE Monthly Progress Briefing, *Tuesday*
29* Stewardship Committee Meeting, *Thursday*

DECEMBER 2001

01* – Full FCAB Meeting, *Saturday*

JANUARY 2002

10 Stewardship Committee Meeting, *Thursday*
12 Full FCAB Meeting, *Saturday*
29-2/2 SSAB Groundwater Workshop, *Tuesday - Saturday*

FEBRUARY 2002

12 DOE Monthly Progress Briefing, *Tuesday*
14 Stewardship Committee Meeting, *Thursday*
16 Full FCAB Meeting, *Saturday*

MARCH 2002

14 Stewardship Committee Meeting, *Thursday*
16 Full FCAB Meeting, *Saturday*

APRIL 2002

09 DOE Monthly Progress Briefing, *Tuesday*
11 Stewardship Committee Meeting, *Thursday*
13 Full FCAB Meeting, *Saturday*

MAY 2002

14 DOE Site Tour, *Tuesday*
16 Stewardship Committee Meeting, *Thursday*
18 Full FCAB Meeting, *Saturday*

JUNE 2002

11 DOE Monthly Progress Briefing, *Tuesday*
13 Stewardship Committee Meeting, *Thursday*
15 Full FCAB Meeting, *Saturday*

JULY 2002

10 Stewardship Committee Meeting, *Wednesday* *
11 Full FCAB Meeting, *Thursday* *

AUGUST 2002

13 DOE Monthly Progress Briefing, *Tuesday*
NO ADDITIONAL MEETINGS SCHEDULED

SEPTEMBER 2002

12 Stewardship Committee Meeting, *Thursday*
14 Fernald Citizens Advisory Board Retreat, *Saturday*

OCTOBER 2002

08 DOE Monthly Progress Briefing, *Tuesday*
10 Stewardship Committee Meeting, *Thursday*
12 Full FCAB Meeting, *Saturday*

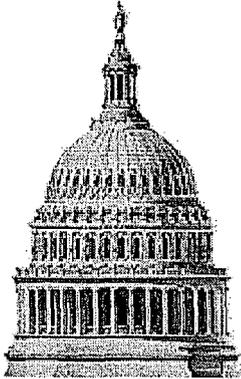
NOVEMBER 2002

14 Stewardship Committee Meeting, *Thursday*
16 Full FCAB Meeting, *Saturday*

DECEMBER 2002

10 DOE Monthly Progress Briefing, *Tuesday*
NO ADDITIONAL MEETINGS SCHEDULED

Legislative & Policy Issues



From Washington...

a bi-weekly update on legislative and public policy issues of interest to planners and communities

Vol. 2, No. 17

October 15, 2001

- [House Approves Farm Bill; Senate Begins Work](#)
- [Urban Parks Funding Approved](#)
- [House Transportation Chairman Introduces New Rail Bill](#)
- [Parks Subcommittee Examines National Heritage Area Bill](#)
- [Get 'From Washington ...' Via E-mail](#)
- [Archive](#)

'The Hill' At-a-Glance

Issue	Status	Next Steps	Action
Community Character Act H.R. 1433 / S. 975	House: Referred to Financial Services and Resources Committees; Introduced in the Senate	Senate Bill Referred to Environment & Public Works Committee; Advocates Press for Hearings	Tell your Representative and Senators to support CCA by becoming cosponsors; Send your message at http://cw2k.capweb.net/planning
Brownfields Revitalization and Environmental Restoration Act, S. 350	Passed by Senate, 99-0; Agreement Reached for House Consideration of S. 350	Final House Vote Pending	Encourage Representatives to Support the Provisions of S. 350 & Pass Brownfields Reform This Year
Coastal Zone Management Act, S.328	Introduced in the Senate; House Hearings Held	House Version to be Introduced	Ask your Senators to support S. 328
Conservation and Reinvestment Act, H.R.701, S. 1328	House Committee Approves Bill; Senate Version Introduced	Full House to Consider CARA	Urge your Representative to become a cosponsor of H.R. 701
Post Office Community	Introduced in House,	Referred to House	Get involved at

Partnership Act, H.R. 1861 / S. 897	Senate; 78 House Cosponsors	Government Reform Comm.; Senate Govt. Affairs Comm.	www.stampoutsprawl.org!
Farm Bill Reauthorization, H.R. 2646	House Approved H.R. 2646; House Passed Clayton-Peterson Amendment	Senate Ag Comm. Begins Mark-up this week	Urge Senators to Support Strategic Planning Grant Program & Additional Conservation Funding
Urban Sprawl and Smart Growth Study Act, H.R. 1739	Introduced in the House	Referred to the House Resources and Energy and Commerce Comms.	
Commuter Benefits Equity Act, H.R. 318 / S. 217	Introduced by Rep. McGovern & Sen. Schuster; 27 Cosponsors in House, 10 in Senate	Referred to House Ways & Means Comm. And Senate Finance Committee	
Historic Homeownership Assistance Act, H.R. 1172 / S. 920	Introduced in House; 127 cosponsors; Introduced in Senate	Referred to House Ways and Means Committee	Ask your Rep to become a cosponsor of H.R. 1172
Revitalizing Cities Through Parks Enhancement Act, HR994	Introduced in the House	Referred to House Financial Services Committee	
Restoration of Funding for Urban Parks and Recreation Recovery Program	Interior Appropriations Conference Report Completed	Final Votes Scheduled This Week	\$30 million in UPARR Funding Provided for FY02
Affordable Housing Trust Fund, H.R. 2349 / S. 1248	Introduced in House with 57 cosponsors, Introduced in Senate	Referred to Housing Subcommittees in House and Senate	Ask Congress to Enact an Affordable Housing Trust Fund
Transit in Parks Act, S. 1136	Introduced in Senate		Ask Your Senators to Cosponsor TRIP Legislation
Remote Sensing Applications Act of 2001, H.R. 2426	Introduced by Reps. Udall and Greenwood	Referred to House Science Subcommittee on Space	Ask Your Rep to Support H.R. 2426

House Approves Farm Bill; Senate Begins Work

- HOUSE DEFEATS CONSERVATION AMENDMENT; PASSES PLANNING AMENDMENT

The House of Representatives passed a 10-year, \$167 billion reauthorization of the nation's agricultural policies. The bill, H.R. 2646, was approved 291-120 on October 5. House Agriculture Committee Chairman Larry Combest (R-TX) was successful in turning back a

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Public Information

Hot Topics

Increased Federal Resources Available For Brownfields Restoration

by Adam Grob

The nation is making progress towards restoring its brownfields, as additional federal resources become available to planners and communities where these sites are located.

In May, Vice President Gore announced that more than \$30 million would be made available to help communities clean up and redevelop brownfields. "These grants...will help bring to these communities new jobs and new opportunities," Gore said. 63 communities across the nation are currently receiving funds to clean-up and redevelop abandoned industrial properties. These grants may also be used to set up revolving loan funds that provide low-interest loans to local businesses so that they can assist in efforts to return brownfields to productive uses.

Funding for brownfield restoration could increase further if legislation sponsored by Sen. John Chafee (R-RI) is approved. On May 20th, Sen. Chafee introduced S.1090, which would authorize \$100 million annually for grants to state and local governments to identify and cleanup potentially reusable abandoned industrial properties. Following this, Sen. Max Baucus (D-MT) introduced S.1105, a comparably similar bill to S.1090, on May 25th. A counterpart bill in the House, H.R.1300, sponsored by Rep. Sherwood Boehlert (R-NY) and 67 co-sponsors, includes language to remove barriers to brownfields redevelopment and alleviate developers of liability concerns for brownfields.

In 1997, President Clinton launched the Administration's Brownfields Initiative to empower states, communities, and other stakeholders in economic redevelopment to work together to assess, remediate, and sustainably reuse brownfield sites. The Initiative pledged to expand the Environmental Protection Agency (EPA) Brownfields Economic Redevelopment Program to over 300 municipalities by the year 2000, and to increase Federal support by \$700 million.

Department of Transportation (DOT) Secretary Rodney Slater has pledged the department's support for the Brownfields Initiative. In communities with brownfield redevelopment initiatives, DOT is encouraging state and local transportation agencies to develop their improvement programs in conjunction with site remediation and redevelopment efforts. In addition, DOT is urging transportation agency sponsors to consider brownfields properties when siting projects as part of redevelopment efforts. The use of brownfield sites should occur only if those locations are consistent with the purpose and need for the proposed project. The cleanup and liability costs should be reasonable when considering the related costs and public benefits.

The EPA will be providing assistance and incentives to states, local communities, and the private sector for the assessment, clean-up, and economic reuse of these sites. In December 1999, EPA will hold its "Brownfields '99 Conference: Alliances for 21st Century Livability Environmental Challenges & Solutions," in Dallas, Texas. Further details about the conference will be announced later this year.

Today, brownfield restoration and reuse is a priority issue for many planners. APA held a session at the National Planning Conference in Seattle last April that addressed public and private partnerships in brownfield redevelopment, and discussed the methods planners could employ to assist the brownfield restoration process.

Brownfields have created extraordinary negative impacts on our towns and communities. During the 1940's and 1950's, there were vast developments in which low income neighborhoods were centered at or near to industrial waste sites. Today, these areas are dilapidated and worn out, the result of depressed economics and rumors of adverse effects on human health due to remaining toxins. Most people living in close proximity to a brownfield site tend to be minorities. With respect to S.1090, funding from this bill will spur the cleanup efforts necessary for these sites, making the communities more livable and giving residents a sense of place.

Including environmental issues, such as brownfields, into the planning process may help to rid the land of these undesirable elements. In addition to government officials coordinating efforts of restoration, the public needs to participate actively to garner attention. There is a vision of a cleaner, healthier tomorrow, but it is important to focus on land already developed and put serious consideration into reclaiming resources we may overlook.

For more information regarding brownfields, see the December, 1998, *Planning* magazine article, "Toxic Turnabouts."

Additional information about brownfields can be found on EPA's web site at www.epa.gov/brownfields, or calling the agency's Brownfields '99 hotline at 1-877-343-5374. For additional information about government funding of brownfields, call the EPA's Outreach and Special Projects Staff at (202) 260-4039.

Adam Grob works in APA's Washington, DC, office.



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DOE F 1326.0
18-891
EFG 107-901

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United States Government

Department of Energy

memorandum

DATE:

REPLY TO
ATTN OF: (Geiser 6-9280)

SUBJECT: Subject: Next Steps for Long-Term Stewardship

TO: Distribution

As part of my overall assessment of the Environmental Management (EM) program, I am evaluating our approach to addressing our long term stewardship responsibilities. Over the next few months we will be working to clarify the purpose of the long term stewardship program, and the roles and responsibilities for management of long term stewardship within the Department, both at Headquarters and in the Field. This effort will include a review of the approach we are taking to conduct planning at the site level as well as the transfer of responsibility for stewardship activities after EM's cleanup actions are complete.

However, based on my review to date I have made several decisions regarding the management of long term stewardship. First, I am consolidating the programmatic and policy lead for long term stewardship at Headquarters. Stewardship is an important component of the overall cleanup effort, thus policy and direction needs to come from Headquarters. This change will allow us to better focus the efforts of the Idaho National Engineering and Environmental Laboratory on the scientific and technical aspects of long term stewardship. This memorandum supercedes the Memorandum of Understanding between Headquarters, Idaho, and the Grand Junction office.

Second, I want to continue to use an Executive Steering Committee to evaluate and develop policy and to prepare a strategic plan for the Department's long term stewardship efforts. In an effort to improve its efficiency and effectiveness I am reducing the size of the committee to the membership identified in Attachment A. The strategic plan should be prepared using the draft principles (Attachment B) developed from the discussion at the last Executive Steering Committee meeting.

Third, I have asked the Office of Long Term Stewardship to lead a review of the existing and proposed regulatory requirements for post-closure. This will include the identification of those site-specific post closure requirements that are in place and being met as well as impending compliance documents impacting our long term stewardship responsibility. I encourage the Field Office staff to consider those requirements that do, or will apply at their sites after cleanup is complete, and to assist us in developing a comprehensive picture. We need to know where we stand before we enter into new policy regarding post closure enforceable actions.

Post-It® Fax Note	7671	Date	10/31	# of pages	▶
To	Doug	From	Geisy		
Co./Dept.		Co.			
Phone #		Phone #			
Fax #		Fax #			

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Finally, we must improve our coordination with national groups representing other governmental entities. After careful review I have decided to release the *National Study on Long Term Stewardship*. This is an important reference for our assessment of the EM program and represents the public's view of issues associated with the management of long term stewardship. The *Study* discusses the important role that Local, State and Tribal Governments have to play in ensuring the long term protection of human health and the environment. Clear communication and proper coordination with national groups representing these governments will help the Department shape and implement its policies. We are currently reviewing how to best work with the various groups who have interest in these issues and to do it in an efficient and expeditious manner.

Sincerely,

Jessie Hill Roberson
Assistant Secretary for
Environmental Management

Attachments

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Attachment B

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Seven Long-term Stewardship Management Principles

1) Long-term Stewardship is a Department-wide responsibility
As a whole, the Department is committed to the protection of human health and the environment in all of its actions. To ensure success, all Departmental elements must consider long-term stewardship as an integral part of the Department's mission.

2) Long-term Stewardship is a component of all aspects of cleanup decision making
It is the responsibility of sites and Headquarters offices to ensure that long-term stewardship is considered in each decision that impacts DOE cleanup. This responsibility extends from the identification of remediation alternatives, remedial design, construction, operation and through all relevant decisions made over the lifetime of the hazards.

3) The Department is a Trustee of natural and cultural resources
Residual hazards should be managed within the larger context of Federal land management, which includes trusteeship for ecologically and culturally important areas. The Department will manage these hazards in accordance with applicable regulatory requirements.

4) Long-term Stewardship should be incorporated into relevant Departmental policies, practices and systems
Long-term stewardship will be most effective when integrated into existing Departmental processes and management systems. As these DOE policies, practices, and systems (such as Life Cycle Asset Management and Environmental Management Systems) are reviewed and/or implemented, a broad range of long-term stewardship activities and needs may be incorporated. This will facilitate the establishment of long-term stewardship as an essential element of all facets of Departmental missions.

5) An inter-generational approach is needed for Long-term Stewardship
Long-term stewardship is an enduring commitment by the Federal Government. Due to the longevity of hazards, the ramifications and costs of current and future decisions and missions will be experienced by generations to come. As these generations' land use practices and local community structures change over time, current assumptions that guide Departmental policy may require reevaluation and modification.

6) Long-term Stewardship policy must provide a consistent framework and acknowledge sites' need for flexibility
Although a consistent framework for long-term stewardship is required for complex-wide management, Headquarters and sites must be responsive to site-specific requirements (local, Tribal, state, regional, and federal). Therefore, Departmental long-term stewardship policy must be sufficiently flexible to enable sites to perform necessary long-term stewardship functions within their individual regulatory frameworks and communities.

7) The involvement of stakeholders and state, local, and Tribal governments is critical to Long-term Stewardship
The Department has the responsibility to consult with these affected parties on long-term stewardship issues. Ongoing interaction and exchange increases public awareness. In turn,

Attachment B

heightened public awareness facilitates informed decision-making and increases the likelihood of successful implementation of long-term stewardship.

DRAFT

September 28, 2001

The Energy Daily

Page 4

"DOE Resume Some Nuclear Shipments"

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DOE Resumes Some Nuclear Shipments

Following an intense two-week review of security procedures prompted by the terrorist attacks in New York and Washington, operations in the Energy Department's nuclear weapons complex began returning to normal this week with the resumption of some nuclear waste shipments.

Officials at DOE's Oak Ridge, Tenn., plant Wednesday gave the go-ahead for two site cleanup contractors, BNFL Inc. and Bechtel Jacobs Co., to once again ship low-level radioactive waste to disposal facilities in the West.

However, shipments of special nuclear materials, such as plutonium and high-enriched uranium, apparently remained on hold, though officials with the National Nuclear Security Administration (NNSA), the semi-autonomous agency which operates

the DOE complex, refused to confirm or deny it.

Concerns about nuclear shipments were heightened this week with reports that law enforcement officials were focusing on hazardous waste transportation as a potential target for terrorism.

Sources told *The Energy Daily* those reports prompted more intensive background and security reviews of truck drivers and other transportation company personnel coming on DOE sites to take wastes.

Most DOE nuclear sites closed on the day of the attacks—September 11—but reopened the next day with tighter security.

However, DOE officials confirmed that operations at two particularly sensitive facilities were closed for more than a week. Those were the

Pantex nuclear warhead disassembly plant near Amarillo, Texas, and part of Lawrence Livermore National Laboratory in California, which reopened September 18.

Meanwhile, Livermore and DOE's two other weapons laboratories, Sandia National Laboratories and Los Alamos National Laboratory, received money from Congress for unspecified security upgrades. The \$40 billion spending bill passed by lawmakers for recovery and relief following the terrorist attacks contained \$5 million for the weapons laboratories.

NNSA also this week conducted another in a series of subcritical experiments at the Nevada Test Site as part of its nuclear stockpile stewardship program.

—GEORGE LOBSENZ

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"Shipping Moratorium Lifted In DOE Nuclear Weapons Complex"

SHIPPING MORATORIUM LIFTED IN DOE NUCLEAR WEAPONS COMPLEX

A ban on the shipment of low-level and transuranic nuclear waste from nuclear weapons facilities, imposed in the wake of the Sept. 11 terrorist attacks, was lifted last week as nuclear operations resumed throughout the weapons complex. Energy Dept. officials initially had offered no indication when shipments might resume, but after a number of initial meetings and teleconferences between headquarters officials and field managers to assess the complex-wide security situation, the resumption of low-level and transuranic waste shipments was widely expected. The ban on shipments took effect in the hours after terrorists crashed hijacked planes into the twin towers of the World Trade Center in Manhattan and the Pentagon outside Washington, D.C.

Two shipments of transuranic waste en route to the Waste Isolation Pilot Plant in New Mexico were rerouted to the Rocky Flats site, but left Rocky Flats for WIPP Sept. 26. Rocky Flats, which had been sending between three and five shipments of low-level waste to the Nevada Test Site each week prior to Sept. 11, resumed those shipments last week. At the Fernald site in Ohio, rail shipments to Envirocare of Utah also resumed and, in Oak Ridge, Tenn., decontamination and decommissioning contractor BNFL and environmental management contractor Bechtel Jacobs both resumed low-level waste shipments last week, site officials reported.

Relief for Treatment Plants

While federal and commercial disposal sites were largely unaffected by the shipping moratorium, using the downtime for additional worker training or to catch up on maintenance backlogs, the end of the shipping ban will come as a relief to the commercial waste-treatment industry, which received no shipments from DOE facilities between Sept. 11 and Sept. 26. In Oak Ridge, the M&E mixed-waste treatment facility, which is housed in a decontaminated building on the K-25 site and is operated by Perma-Fix, was unable to receive an additional waste for treatment because the facility had reached its maximum storage capacity and could make no shipments to Envirocare. In Richland, Wash., ATG, Inc., Chief Executive Officer Vic Mani told *WC Monitor* the company's mixed-waste treatment operations all but shut down because of the moratorium. "We have contracts with Hanford, Rocky Flats and Brookhaven National Laboratory," Mani said. "We have received no shipments since" the Sept. 11 attacks. Mani said he supported the DOE moratorium despite the impact that policy is having on his company's bottom-line. "The public perception and time it would take to recover if a truck hauling even low-level waste were to be hijacked completely merits this response by DOE," Mani said. ■

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Wrap Up

IN THE DOE

The Fernald Post Closure Stewardship Technology Project Symposium originally scheduled for Oct. 3 and 4 has been indefinitely postponed in the wake of the Sept. 11 terrorist attacks. For more information, contact Kim Lahman at (513) 648-5111, or email: kim.lahman@fernal.gov.

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October 8, 2001 - The Cincinnati Enquirer

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"Program will help Fernald workers file claims"

Program will help Fernald workers file claims

By Tim Benfield

The Cincinnati Enquirer

Workers from Fernald and several other Tristate companies who were injured producing nuclear weapons during the Cold War can begin filing claims this week for lump sum payments of \$150,000 and other benefits.

Representatives of the En-

ergy Employees Occupational Illness Compensation Program will set up a temporary office at the Plantation meeting hall near Harrison, to take claims and answer questions. The office, at 9860 Dry Fork Road, will be open from 8:30 a.m. to 3:30 p.m. on Wednesday, Thursday, Friday, Oct. 15, 16, 17 and 18.

The sessions are the result of a federal law that took effect July 31. Congress passed the Energy Employees Compensation Act in October 2000 after several years of lobbying and debate.

Workers, including certain vendors and subcontractors, who were injured by radiation, beryllium or silica during their jobs may be eligible

for medical benefits and payments of \$150,000. Uranium workers may also be eligible for a \$50,000 lump sum payment under a different radiation exposure program.

Surviving spouses and children are eligible for the benefits if the worker has died, said Larry Fout, a case manager for the compensation program.

Workers from many facilities nationwide can apply for the benefits.

Sites in the Cincinnati-Dayton region include: the former Fernald uranium-processing plant, Cincinnati Milling Machine Co., Copperweld Steel, GE Aircraft Engines, Herring-Hall Marvin Safe Co., Kettering Lab, University of Cincinnati,

Monsanto Chemical Co., the Mound plant, R.W. LeBlond Machine Tool Co., and Vulcan Tool Co.

Appointments and walk-ins are welcome.

For claim forms and for more information, call (866) 363-6993 or check the U.S. Department of Labor Web site at www.dol.gov.

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"Missouri Rips DOE for 'Empty Promises' on Site Monitoring"

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Missouri Rips DOE For 'Empty Promises' On Site Monitoring

BY GEORGE LOBSENZ

A top Missouri official has sharply criticized the Energy Department for making "empty promises" about long-term monitoring efforts needed to prevent leaks from radioactive waste to remain buried at the Weldon Spring site after DOE cleanup is completed.

Stephen Mahfood, director of the Missouri Department of Natural Resources, said DOE's "stewardship" plan for the former uranium processing site provides little assurance that DOE will be vigilant in monitoring "capped" waste sites at Weldon Spring.

The criticism has broad implications for DOE's nuclear cleanup program because the department is saving huge sums of money by burying certain waste in place at numerous nuclear weapons sites. The plans call for putting clay caps over contaminated soil and other bulk low-level radioactive wastes rather than digging them up and hauling them to offsite disposal facilities.

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"Missouri Rips DOE for 'Empty Promises' on Site Monitoring"

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DOE Slammed For 'Empty Promises' ... (Continued from page one)

To assure states and nearby communities that wastes left in place will pose no threat, the department has launched a long-term site stewardship program promising state-of-the-art groundwater monitoring and safeguards against human intrusion for the decades that some wastes will remain radioactive.

But in a September 27 letter to Jesse Roberson, assistant Energy secretary for environmental management, Mahfood said DOE's actions at Weldon Spring are setting a bad precedent for its long-term stewardship program. And he warned that other states that host DOE sites will be watching what happens at Weldon Spring because it will be the first significantly contaminated DOE site to complete cleanup—in less than a year—and enter post-cleanup monitoring of capped waste sites.

"Other states may look to Weldon Spring to gauge whether the strategy of on-site capping of waste is prudent, based on the robustness of DOE's commitment to ensure post-closure protection of human health and the environment," Mahfood said.

"Unfortunately, the inadequacy of DOE's draft Weldon Spring plan sends a clear message: Any state considering a DOE proposal to leave waste on-site should think long and hard about accepting DOE's assurances the site will not present any risk to human health and the environment. DOE's long-term stewardship planning promises appear to be empty, based on the draft Weldon Spring plan. [DOE's] promise to provide an effective long-term stewardship program and to also continue investing in science and technology is

unreliable."

Mahfood said one big concern is a lack of clear transition planning and management for making sure cleanup actions at Weldon Spring dovetail with long-term monitoring. Most fundamentally, he said little coordination exists between the DOE office responsible for cleanup—at Oak Ridge, Tenn.—and the DOE office assigned for stewardship—the Grand Junction office in Colorado, which reports to DOE's Idaho Operations Office.

"There does not appear to be any path forward within DOE for managing the Weldon Spring site," Mahfood said. "Our confidence in DOE assurance of post-closure care is weakened by DOE's management muddle."

Further, he said Weldon Spring cleanup personnel has little involvement in DOE stewardship programs designed to identify state-of-the-art monitoring technology and methods.

He contrasted the weak effort at Weldon Spring to what he described as extensive research on stewardship being conducted at DOE's Fernald site in Ohio, which like Weldon Spring was a uranium processing site and thus has many of the same contamination problems. Mahfood said DOE's research at Fernald is praiseworthy, but that it is "puzzling" to Missouri officials why Weldon Spring is not getting the same attention, especially since Fernald is not scheduled for closure until 2006—five years after Weldon Spring is closed.

DOE officials said they are preparing a response to Mahfood's concerns but had no immediate comment.

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"Sludge left hard feelings"

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Land's not the same | No more gardens grow



Enquirer photos by GARY LANDERS

Coal sludge can be seen this week along Coldwater Creek in Martin County, a year after a pond failed and sent the mucky mess flowing along waterways and spilling onto property.

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October 11, 2001
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 "Sludge left hard feelings"

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Sludge left hard feelings

By Karen Samples
The Cincinnati Enquirer

INEZ, Ky. — The bulk of the coal sludge is gone. So are the pumps, bulldozers and trucks. The creek no longer oozes black goo, and deer no longer get stuck in its waters.

But one year after the biggest environmental disaster in the Southeast, residents of Coldwater Creek are still bitter. The cosmetic improvements to their property mask damage that may never be corrected, they say.

Federal mine officials still have not released their report on last October's massive coal-sludge spill, the largest black-water spill in the world, which smothered aquatic life along miles of streams.

But an engineering report leaked to the media this week indicates Martin County Coal could have prevented the disaster.

"They do what they want to do, and that's it," said Shirley Cornette, whose house is closest to the com-

pany's mines. "Anything to get their coal out and stay in business."

On Oct. 11, 2000, a coal-slurry pond operated by Martin County Coal sprung a leak, sending 250 million gallons of coal, clay and water through underground mine networks. The slurry poured down Coldwater and Wolf creeks, then into the Tug Fork of the Big Sandy River.

The largest slug of the material dissipated before reaching the Ohio River, but the disaster forced cities along the Tug to temporarily shut down their water systems and arrange alternatives.

Front yards were submerged in black water and coal sludge for a mile along Coldwater. Martin County Coal, which was owned by a subsidiary of the Fluor Corp. until last November, began a months-long cleanup effort.

A year later, more than 200 people have joined various lawsuits against the coal company, which still operates a surface mine at the



Monroe Cassady of Inez is unhappy that the sandy loam that covered his property is gone. A coal company cleanup left it a mass of hard clay and rock.

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Sludge: Slimy mess gone, environmental disaster lingers

From Page B1

top of Coldwater Creek. Shirley Cornette and her neighbors are represented by Martin County attorney John Kirk and by Jan Schlichtmann, the Boston lawyer made famous by the book and movie *A Civil Action*.

Mrs. Cornette's husband, Glenn, said he just wants the company to make his land like it was.

He was born and raised on 7 acres that have been in his family for more than 100 years. Before the spill, he grew corn, hay and a vegetable garden that yielded a 19-pound cantaloupe, he said.

Martin County Coal drained the water and scooped out the sludge that covered his property, but also removed the rich topsoil and replaced it with rocky dirt from the trip-mining process, Mr. Cornette said. Now only grass planted by the company will grow there.

His next-door neighbor, Printis Miller, has a letter from the county's health inspector stating that his soil is no longer suitable for raising his septic tank.

And another resident, Delmer Moore, said he broke his tractor trying to plow the new ground.

Martin County Coal referred all questions to Bill Marcum, spokesman for its parent company, Massey Energy Co. Last fall, Massey spun off from Fluor to become a

publicly traded company.

Mr. Marcum did not return several phone messages this week.

In response to the lawsuits, Martin County Coal has called the spill an "act of God," a legal term for a naturally occurring accident.

That's an "astonishing" claim, said attorney Ned Pillersdorf, who represents some of the residents.

The federally commissioned engineering report paints a different picture of the accident's cause.

After the spill, the federal Mine Safety and Health Administration hired Triad Engineering Inc. of West Virginia to investigate the slurry pond.

Triad found that in places, the coal barrier between the abandoned underground mines and the pond was only about 16 feet thick. That compared to the 70 feet the company had reported to state mining regulators in 1994. The thin barrier and pressure from the rising slurry in the pond led to the breakthrough, the report concluded.

"These are things we've had grave concerns about for a very long time," said Janet Fout of the Ohio Valley Environmental Coalition.

In 1972, a dam operated by the Pittston Coal Co. broke under a condition similar to one described in Triad's report. The resulting flood - at Buffalo Creek - killed

125 people in Logan County, W.Va.

Massey operates another large slurry pond in West Virginia, Ms. Fout said, and around the country, there are more than 300 such ponds next to or above underground mines.

Adding to the frustration for activists and residents has been the slow pace of the investigation by the Mine Safety and Health Administration (MSHA).

One year after the spill and six months after receiving Triad's findings, MSHA still has not released its report on the disaster. Spokesman Rodney Brown declined to comment on the delay.

"The public, other coal companies and the whole industry should have this information sooner rather than later, because of the enormity of the calamities that have occurred and could occur in the future," said Mr. Pillersdorf, the Prestonsburg attorney representing Coldwater residents.

The calamity in Martin County has turned some people, including retired coal miners, into environmental activists.

Coldwater resident Monroe Cassidy formed the Big Sandy Environmental Coalition after the disaster. He didn't join any lawsuits so he could have open communication with the Environmental Protection Agency, which he's hoping

will pay for a long-term water study.

But at the same time, he and others are angry at government mine officials for what they perceive as weak enforcement of existing laws.

Kentucky officials have sought to reassure the public. After the Martin County disaster, a special inspection team began reviewing the 117 slurry ponds in Kentucky that contain at least 20 acre feet of material or are of significant elevation above a stream.

So far, the team has reviewed state permit records and inspected 89 ponds, said Mark York, spokesman for the state's Natural Resources Cabinet.

As a result, 12 companies have been cited for violations related to the ponds, but none involved life-threatening or imminently dangerous conditions, Mr. York said.

The Natural Resources Cabinet and the EPA are working with Martin County Coal on a long-term plan for restoring wildlife along 90 miles of stream, Mr. York said. All aquatic life was wiped out, including fish, turtles and frogs.

"We think the company has done a good job removing the material," he said. "Nonetheless, there's been a lot of damage to the environment and wildlife habitat."

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