



FCAB UPDATE

Week of February 24, 2003

(Last update was February 4, 2003)

MEETING SCHEDULE

Stewardship Committee Meeting
Thursday, March 13, 2003 6:30 p.m.

Trailer T-1 On Site

Full FCAB Meeting
Saturday, March 15, 2003 8:30 a.m.

Crosby Senior Center

ATTACHMENTS

- 3/15/03 FCAB Draft Agenda
- 3/13/03 Stewardship Committee Meeting Draft Agenda
- 2/13/03 FCAB Draft Meeting Minutes
- 2/12/03 Stewardship Committee Meeting Summary
- 1/22/03 FCAB Final Meeting Minutes
- Office of Legacy Management Letter to Jessie Hill Roberson
- Energy Communities Alliance comments on DOE Draft Policy "Cleanup Driven by Risk-Based End States " and Draft Guidance Titled "Development of Risk-Based End State Visions"
- Biography for Sandra L. Waisley, Acting Director, Office of Intergovernmental and Public Accountability
- Articles & News Clippings

ANNOUNCEMENTS

FRESH Meeting
Thursday, March 27, 2003 7:30 p.m.

Venice Presbyterian

FOR FURTHER INFORMATION

Please contact Doug Sarno or David Bidwell at The Perspectives Group
Phone: 513-648-6478 or 703-837-9269 Fax: 513-648-4141 or 703-837-9662
E-Mail: djsarno@theperspectivesgroup.com or dbidwell@theperspectivesgroup.com
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**FCAB REGULAR MEETING****Crosby Township Senior Center, 8910 Willey Road****Saturday, March 15, 2003****DRAFT AGENDA**

8:30 a.m.	Call to Order
8:30 – 8:45 a.m.	Chair's Remarks and Ex Officio Announcements
8:45 – 9:00 a.m.	Planning for Chairs Meeting
9:00 – 9:45 a.m.	Silos Updates
9:45 – 10:30 a.m.	Final State of Fernald Presentation
10:30 – 10:45 a.m.	Break
10:45 – 11:45 p.m.	Stewardship Planning and Issues
11:45 – 12:00 p.m.	Public Comment
12:00 p.m.	Adjourn



STEWARSHIP COMMITTEE MEETING T-1

Thursday, March 13, 2003

DRAFT AGENDA

- 6:30 p.m. Opening Remarks and Updates
- 6:45 p.m. Update on Records Disposition
- 7:00 p.m. Coordination with other Closure Sites
- 7:30 p.m. MUEF Feasibility Study
- 8:00 p.m. Adjourn



FULL BOARD MEETING Crosby Township Senior Center

Thursday, February 13, 2003

DRAFT MINUTES

The Fernald Citizens Advisory board met from 6:00 p.m. to 9:30 p.m. on Thursday, February 13, 2003, at the Crosby Township Senior Center.

Members Present:

Jim Bierer
Kathryn Brown
Lisa Blair
Sandy Butterfield
Marvin Clawson
Lisa Crawford
Lou Doll
Pam Dunn
Gene Jablonowski
Steve McCracken
Graham Mitchell
Robert Tabor
Tom Wagner
Gene Willeke

Members Absent:

French Bell
Blain Burton
Steve DePoe
Jane Harper

Designated Federal Official:

Steve McCracken

The Perspectives Group Staff:

Douglas Sarno
David Bidwell

Fluor Fernald Staff:

Sue Walpole

Approximately 10 spectators also attended the meeting, including members of the public and representatives from the Department of Energy and Fluor Fernald.

Full Board Meeting

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General Announcements

Jim Bierer called the meeting to order at 6:05 p.m. Minutes from the January FCAB meeting were distributed. Doug Sarno asked that any corrections to the minutes should be sent to him.

Jim announced that Martha Crossland has moved to the DOE Office of General Counsel to work on Yucca Mountain litigation, so she will no longer serve as the Designated Federal Officer for the DOE Office of Environmental Management's Site Specific Advisory Boards (SSABs). Sandra Waisley will assume that role. Jim did not have information regarding Waisley's background.

Jim, Lisa Crawford, Pam Dunn, Tom Wagner, and Gene Willeke attended the SSAB workshop in Carlsbad, New Mexico on the first weekend of February. The workshop included a tour of the Waste Isolation Pilot Plant (WIPP). Jim reported that WIPP is an impressive facility with a great safety record. Jim had talked to several members of other boards who felt that DOE Headquarters is scrutinizing the role and budgets of SSABs. Jim stated that it is important for all SSABs to work together and adjust to changes.

Doug Sarno announced that the next SSAB Chairs meeting would be held in Denver, Colorado on March 28 to 29. A tour of the Rocky Flats site will be conducted on March 27th. Tom Wagner and Pam Dunn expressed an interest in attending this meeting as representatives of the FCAB.

Jim introduced Paul Petit of Fluor Fernald to the group, who explained the decision to disband the Site Technology Coordination Group (STCG). He stated that the current DOE administration had abandoned the STCG and has instead focused its science and technology efforts on specific cleanup projects. He also stated that many employees who had been involved in the group's activities no longer work at the site. Jeff Wagner of DOE stated that the Public Affairs Department coordinated the participation of the public in the STCG, and apologized for not providing regular participants with information regarding the fate of the group. Paul offered to meet with members of the group to discuss any outstanding issues that were being addressed by the STCG. Jeff volunteered to coordinate this meeting.

Steve McCracken announced that DOE Headquarters named Bob Warthur as new acting manager of the Ohio Field Office. Steve stated that Warthur would officially assume the position on Tuesday, February 19, but the length of his appointment is uncertain. Warthur most recently worked at DOE Headquarters in Washington, DC, but also spent time working as a private contractor and at the Rocky Flats site. Steve stated that it should be beneficial to have a field office manager with a direct communication link to Headquarters.

Graham Mitchell stated that although he and others have been skeptical regarding the Rocky Flats site reaching closure by 2006, a recent report distributed by the State of Colorado regulators agrees that cleanup is ahead of schedule and the site should meet its deadline. Graham will provide a copy of this report to the group. Graham also reported that he and Steve McCracken

have been talking with attorneys at their respective agencies to see if he and Steve can seek resolution of the technical issues associated with settlement of the Natural Resource Injury lawsuit.

Pam Dunn asked Gene Jablonowski if U.S. EPA has coordinated with DOE regarding the required Institutional Control Plan. Gene indicated that a schedule has not been finalized but that planning should begin soon.

Jeff Wagner announced that an electronic notification system for records disposition would be started by Luther Brown. The system would notify people sixty days prior to the destruction of site records. Anyone wishing to be added to the distribution list for these notifications should contact Jeff. Luther is planning to attend the March FCAB meeting to provide an update on records disposition and this notification system.

The board briefly discussed the schedule of FCAB meetings. Doug Sarno noted that attendance has been better at recent meetings that met on weekday evenings. Some board members stated that they still preferred to meet on Saturday morning. The board will continue to track attendance and consider this issue in the future.

SSAB Workshop Recommendations on Transuranic Waste

Participants in the SSAB workshop in New Mexico produced a set of recommendations regarding the management of transuranic (TRU) waste in the DOE Complex. Jim announced that these recommendations are being reviewed by each SSAB. They potentially could be signed at the March chairs meeting in Denver. The recommendations push DOE to address some issues regarding priorities for the disposal of wastes and to investigate the feasibility of disposing of additional types of waste at WIPP than is currently allowed. Doug suggested that since Fernald did not have any transuranic wastes to manage, it would not be appropriate for the FCAB to express a strong position on these recommendations. Since it is important for the SSABs from around the complex to show unity on issues when possible, however, he suggested that the FCAB sign on to the recommendations if all other boards choose to support them. He noted that board members from some other sites have indicated reservations about signing these recommendations. Lisa Crawford read a letter that she received from a Northern New Mexico CAB member, stating opposition to the recommendations developed at the workshop. The FCAB members agreed to send a letter to other SSABs, letting them know that Fernald will sign onto the recommendations if the other boards agree to support them.

Follow Up to the February 11 Silos Roundtable

A roundtable discussion was held on Tuesday, February 11, to discuss designs for treatment of materials from Silos 1 and 2. Ray Carradi and John North of the Silos Project Team spoke to the FCAB regarding two concerns that were brought up at the roundtable but were not explained fully at that time: potential failure of the clarifier and the integrity of recently analyzed K-65 samples.

First, Ray addressed the concern that failure of that single clarifier in the treatment process for Silos 1 and 2 would create significant delays in the process. The Critical Analysis Team (CAT) and members of the FCAB raised the concern that while other components of the process are redundant, there is only one clarifier. Ray stated that the project team has great confidence in the durability of the clarifier that will be used. The vendor of the clarifier was involved early in the design process and supported the idea of using one very reliable clarifier. Ray stated that the rake, which moves solids towards the center of the clarifier tank as they settle out of the slurry, has been over-designed to ensure it will not fail or break. The drive for the rake, which is the component of the clarifier that is most likely to fail, will be installed above the concrete shielding, so it could be easily repaired or replaced. Ray added that the drive also includes sensors that help the rake work around potential clogs and obstructions. In addition, the tank can be flushed with water to remove clogs. Although there is a small access point to the clarifier area, the concrete shielding would make it very difficult to replace the rake. Ray also discussed what would happen to the process if the clarifier were to fail. He stated that the treatment process could continue without a functional clarifier, but it would result in a less concentrated waste load of the treated material being placed in the shipping containers. This would decrease the efficiency of the treatment process, increase the total number of waste shipments, and lengthen the time needed to complete the project. Ray promised to get a fact sheet from the clarifier vendor and distribute it to the FCAB, as well as a credible backup plan if the clarifier were to fail.

The other main concern was raised by Bob Vogel, who used to work in the Silos group at Fernald. He questioned the integrity of the samples of Silos 1 and 2 materials that were analyzed during the design the treatment process, stating that the materials that were tested may have undergone some prior treatment. To respond to these concerns, John North provided the FCAB members with a handout that summarized the treatability study results and compared them with historical analyses of the K-65 materials from Silos 1 and 2. The studies were conducted to determine the correct recipe to be used during treatment to stabilize the materials and meet TCLP standards. Waste tracking records at the site were used to identify appropriate, existing samples for use in the analyses. Once located, these samples were sent to Clemson University for mixing and homogenization of the materials. Initial characterization tests conducted at the Fernald lab resulted in much lower levels of lead than expected based on historical data. Second and third tests, conducted at the University of Cincinnati, resulted in levels that were much more in line with historical data. The project team thus concluded that there was an error in the first analysis, possibly a recording error related to dilution of the sample that is required for the testing process. John also stated that the physical characteristics of the samples did not indicate that they had undergone prior treatment. John stated that due to the timing of his departure from the site, the results from the analyses conducted at the University of Cincinnati were never communicated to Bob Vogel. John stated that the Silos Project Team is confident that the treatability analyses were conducted on raw K-65 materials. He further stated that treatability study data would only impact the proportions of additives used for stabilization and not the design of the treatment process. This "recipe" will likely have to be adjusted

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anyway, as the treatment process begins and results are tested, to reach the desired Ph level.

The board members felt these issues had been handled poorly at the roundtable. Board members stated that when site personnel are presenting information to the public they must respond appropriately to concerns. If a presenter does not know the answer to a question at the time, he or she must commit to provide the correct information in the future.

Site Updates

Dennis Carr reviewed the status of projects at the site. Dennis stated that the site has continued to work under a Congressional continuing resolution and he expected the FY03 budget to be passed within the next week. He indicated that it appears Fernald will get close the \$324 million it anticipates. Dennis stated that the procurement approach used by the Silos project had been changed so that the project could continue to move forward during the continuing resolution. He also reported that there has been no substantial movement in the renegotiation of the Fluor Fernald contract with DOE. In response to concerns voiced by the Board members, Dennis explained that contract negotiations have impacted only a small number of top managers at the site and have not adversely affected cleanup at the site. Dennis also reported that Fluor is continuing to negotiate a new contract with the trade union at the site and anticipates a positive outcome.

Dennis reported that the site's safety record improved over the previous two months. Each project has renewed its focus on safety and awareness. Dennis noted that the annual DOE verification of the site's safety systems would be conducted in the near future.

Dennis stated that the Waste Pits Project is progressing well, and unit train 77 departed on February 12. Excavation of Pit 4 has begun. Legacy waste drums are being sheared and blended with pits materials. The project plans to excavate 180,000 tons of material in 2003. The project should be complete by December 2004. The dryers must operate at eighty-seven percent efficiency to meet that goal. The site is still working on language for a proposed ROD amendment that would adjust the tecneium-99 goals for the soils below the pits.

Dennis noted that placement of soils in the OSDF is still on hold for the winter. Characterization of wastes continues, and concrete foundations are being broken up so that soils beneath can be excavated. The Soils Project plans to excavate 300,000 cubic yards over the next year and prepare the liner for OSDF Cell 6.

Dennis reported that the Decontamination & Demolition Project contractor MACTEC's performance and safety record have improved. Work on some buildings continues to be ahead of schedule, while others continue to be behind schedule. The project team is looking for ways to make up the schedule for the refinery.

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The Aquifer project continues to have problems with the ion-exchange process at the Advanced Waste Water Treatment (AWWT) facility. The site was able to meet its discharge limit for January by shutting down one treatment system. Dennis reported that water that is normally reinjected into the aquifer is being blended into the discharge water in order to meet the 30ppb limit. Dennis indicated that the project team continues to investigate the problem and that the ultimate solution will likely involve changes in operation of the AWWT and pretreatment for nitrates at the waste pits.

Dennis reported that Materials Disposition continues to work on its remaining inventory and is on schedule to clear the Plant 1 pad by the end of the year. He explained that 2100 containers would remain at the site through 2004 and require hands-on sorting and repackaging of waste. He stated that some of this waste is soils and D&D rubble, which meets the WAC for disposal at the OSDF. Some suitable liquids, such as groundwater samples, are added to the AWWT system for treatment. The majority of these materials must be shipped to the Nevada Test Site.

Silos Projects Update

Ray Carradi provided the FCAB members with an update on recent activities and progress at the silos projects. Several construction projects have been moving forward.

Ray reported that DOE Headquarters has drafted a Memorandum of Understanding (MOU) with the Nuclear Regulatory Commission that would allow Silo 3 materials to be considered as 11(2)(e) waste. With this designation, Silo 3 wastes could be shipped to Envirocare. Attorneys at Headquarters are reviewing the MOU.

Ray also reported that the analysis of agents that could be sprayed onto the Silo 3 wastes to reduce the risk of dispersion has been completed. Jacobs Engineering will submit designs for this system by April and eventually will test the system using surrogate materials. Treatability studies have shown there are merits to adding an additional chemical into this system that would stabilize lead in the waste. A draft ROD amendment that would remove the requirement to treat Silo 3 materials for TCLP metals has been submitted to EPA. Ray will provide FCAB members with a copy of this draft document. Venders will produce final designs for the vacuum wand that will remove waste from Silo 3 and the waste-packaging system. Ray reported that these packages would be submitted to the CAT within several months.

Sue Walpole briefly reviewed a handout that summarizes which documents have been received by the CAT over the past year and what they expect to receive over the next year. This sheet will be updated on a monthly basis. Ray noted that the project team is addressing CAT concerns regarding dust control during the packaging of Silo 3 wastes.

Ray reported that the contracts for the Silos 1 and 2 Advanced Waste Retrieval sluicing and pumping system has been awarded. When construction of these

modules is complete, they will be placed on a stand and tested with surrogates. Ray noted that the test stand would be used several times over the life of the project. He also stated that a longer hot test of the Radon Control System would be conducted over the next month.

Ray reported that the team is drafting language for the Explanation of Significant Differences (ESD) that would allow waste from Silos 1 and 2 to be shipped to Envirocare and eliminate the requirement for TCLP performance testing. In response to a board member's question, Dennis Carr stated that the site would need a new rail permit to ship silos waste by train. He reported that the team has been working on this, but the rail companies prefer to address the issue closer to the time that shipments would begin. Ray promised to bring photographs of the new rail spurs to the next FCAB meeting.

Completion of construction projects for Silos 1 and 2 should be completed in June 2004. Dennis reported that the team is trying to accelerate the construction phase as much as possible, in order to provide greater slack in the schedules for waste removal and treatment.

Gene Willeke reported that design documents for Silos 1 and 2 were provided to him prior to the meeting. Ray promised to provide Silo 3 remedial design packages to Doug Sarno and Gene for their review.

Stewardship Issues

Doug reported that at the Stewardship Committee meeting on February 12, the committee agreed to recommend that the FCAB approve three actions. To address community concerns regarding DOE's commitments to stewardship, Steve McCracken offered to provide the FCAB with a presentation that would graphically illustrate the current stewardship commitments of DOE. The Stewardship Committee suggested that this presentation be the primary focus of the March FCAB meeting. The board agreed to center its March meeting agenda on this presentation.

The second action recommended by the Stewardship Committee is for the FCAB to send a letter to the primary players involved in settlement of the Natural Resources Injury lawsuit. This letter would invite these representatives from DOE, the State of Ohio, and the U.S. Fish and Wildlife Service to attend a roundtable, at which they would be expected to explain their organization's technical and legal positions on the settlement. The board reviewed a draft letter and suggested some revisions. The roundtable will be scheduled for May 8, 2003, from 6:30 to 8:30 p.m., in lieu of the regular Stewardship Committee meeting. The roundtable will be open to the public and likely will be held at the Crosby Township Senior Center. Graham Mitchell and Steve McCracken will provide names and addresses of the appropriate contacts for Ohio and DOE, respectively.

Doug explained that DOE recently announced the formation of the Office of Legacy Management, which will manage long-term surveillance and maintenance activities at Fernald. Because the FCAB is a site-specific advisory

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board, chartered to the DOE Office of Environmental Management, it may have no standing to advise this new office. The Stewardship Committee recommended sending a letter to Jessie Roberson, Bob Card and Mike Owens regarding its interest in the activities of the Office of Legacy Management. The FCAB reviewed a draft letter and approved it with some minor revisions. The letter will also be sent to elected officials from Ohio.

Katie Smith noted that at earlier meetings the FCAB had discussed hosting a Complex-wide meeting to discuss stewardship issues. The meeting was proposed to piggyback on an Grand Junction Office long-term stewardship meeting preliminarily scheduled for June 2003. Gary Stegner stated that given organizational changes within the Office of Environmental Management, he did not expect this LTS meeting to happen until after October, when the new Office of Legacy Management is fully implemented. Doug Sarno will contact Grand Junction regarding the LTS meeting.

Public Comment

Edwa Yocum announced that the ATSDR recently made a presentation to medical doctors at the University of Cincinnati Hospital regarding the health impacts of uranium. This presentation was videotaped, for use by other hospitals. She also announced that the Fernald Citizens Health Effects Committee (FCHEC) recently secured a grant that is slated for additional studies related to health risks. FCEC meets at 6:30 p.m. on the first Thursday of each month at the Crosby Township Senior Center.

The meeting was adjourned at 9:00 p.m. The next FCAB meeting will be held on Saturday, March 15 from 8:30 a.m. to 12:00 p.m. at the Crosby Township Senior Center.

I certify that these minutes are an accurate account of the February 13, 2003 meeting of the Fernald Citizens Advisory Board.

James Bierer Date
Fernald Citizens Advisory Board Chairman

Gary Stegner Date
Deputy Designated Federal Official

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MEETING SUMMARY

Date: February 12, 2003

Topics:

- How to Address DOE's Long-Term Stewardship Commitments
- Suggested FCAB Action on the Natural Resources Injury Settlement
- Process to Determine Feasibility of a MUEF

Attendees:

Fernald Citizens Advisory Board

- Jim Bierer
- Marvin Clawson
- Lisa Crawford
- Pam Dunn
- Bob Tabor

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- Edwa Yocum
- Carol Schroer

The Perspectives Group

- David Bidwell
- Douglas Sarno

U.S. Department of Energy

- Gary Stegner

Ohio Environmental Protection Agency

- Donna Bohannon
- Tom Schneider

Fluor Fernald

- Joe Shomaker
- Rick Strobl
- Jeff Wagner
- Sue Walpole
- Eric Woods
- Larry Stebbins

Others

- Jim Innis

General Announcements

Doug Sarno opened the meeting and reviewed the agenda. He distributed a complete Stewardship Toolbox binder to each of the committee members and highlighted some of the toolbox's contents. This resource will be updated on a monthly basis.

Doug noted that DOE had announced that the new Office of Legacy Management would be fully established by October, 2003. Mike Owens, from the Office of Community and Worker Transition, will be the interim manager of the office. The Grand Junction Office, which has been named as the steward for Fernald, will report to this new organization. Legacy Management will also manage some benefits for past site workers. Few details are available at this time, but the proposed FY04 budget shows a slight increase in funding for long-term stewardship. Doug explained that because Site Specific Advisory Boards are chartered to the Office of Environmental Management, they might have no official standing with this new office. The Stewardship Committee asked Doug to draft a letter that would stress the importance of public participation in the activities of the Office of Legacy Management. The committee agreed it would recommend to the FCAB that this letter be sent to Jessie Roberson and copied to Mike Owens and Bob Card.

Doug announced that the feasibility study report, *Telling the Story of Fernald*, has been distributed to all SSABs, many DOE sites that do not have advisory boards, and other officials. He stated that some nonprofit organizations would also receive copies of the report. Pam Dunn offered to distribute copies of the report at the March meeting of the Alliance for Nuclear Accountability.

Jeff Wagner explained that the Public Affairs department was responsible for coordinating public involvement in the Site Technology Coordination Group, which was recently disbanded. He apologized for having communicated poorly regarding the status of the group. Jeff stated that he spoke with Paul Petit at the site, and Paul is receptive to meeting once more with the group to discuss any outstanding issues.

Jeff also announced that Luther Brown would begin an electronic system to notify people sixty days prior to the destruction of any site records. Pam Dunn, Jim Bierer, and Bob Tabor all asked that they be added to the distribution list for these notifications. Jeff stated that Luther would provide an update to the group at the March committee meeting.

Jim Innis noted that Graham Mitchell from Ohio EPA would be speaking at the March 3 meeting of Fernald Living History, Inc. The meeting will be held at the Crosby Township Senior Center.

How to Address DOE's Long-Term Stewardship Commitments

Doug acknowledged that the committee had expressed many concerns at recent meetings regarding DOE's commitments to long-term stewardship at the Fernald site. He reviewed a draft chart, which outlined DOE's current commitments and public expectations for four stewardship components: long-term surveillance and maintenance of the remedy, maintenance of the ecological restoration, Native American reburials, and community-based stewardship. Doug announced that Steve McCracken offered to provide the FCAB with a presentation that would clarify all of DOE's current stewardship commitments. Doug stated that this presentation would allow the committee to better strategize how it wants to address other needs for the site. Committee members suggested that this presentation should highlight past commitments and any changes to those commitments. Pam Dunn requested a review of public comments that were offered on the Environmental Assessment (EA) and Master Plan for Public Use.

Gary Stegner noted that the Comprehensive Stewardship Plan was submitted to DOE Headquarters at the end of January. He stated that the plan should have been framed as the preliminary plan to protect human health and safety after site closure, rather than a comprehensive plan for all stewardship activities. Committee members stated that it is important that all parties work together to achieve the community's goals for stewardship. Doug stated that it is imperative that the committee understand DOE's commitments and community desires for stewardship, so it can better plan how it wants to address disconnects between the two perspectives.

Eric Woods provided an overview of what are anticipated to be the three major planning documents for stewardship at Fernald. He explained that the Comprehensive Stewardship Plan presents broad issues. He noted that the version of the plan that was submitted to Headquarters was much more explicit than earlier drafts and that the plan is a working document that will change over time. The two other documents—an institutional controls plan and a surveillance and maintenance plan—will provide much greater detail regarding how stewardship will be conducted at Fernald. The institutional controls plan will be submitted to U.S. EPA and will be a legally enforceable document. Eric noted that EPA has produced draft detailed guidance for what must be contained in this plan. He stressed that institutional controls will apply to the entire site, not just the on-site disposal facility. The surveillance and maintenance plan will be formally submitted to agencies, so it will also be considered a legally enforceable document. The site has not yet decided if each of these three plans will stand alone, or if the two detailed documents will become appendices to the final Comprehensive Stewardship Plan.

Suggested FCAB Action on the Natural Resources Injury Settlement

The committee discussed the lack of progress that has been made by DOE and the State of Ohio in reaching a settlement of the Natural Resources Injury lawsuit. Previous discussions of this issue by the Stewardship Committee indicated that an informational event was needed, at which the parties to the lawsuit could explain their positions. David Bidwell noted that some members of the FCAB had suggested writing a letter to the judge who oversaw the lawsuit. A committee member suggested that receiving an invitation to speak to the FCAB may be enough to get the parties working towards a resolution.

The committee agreed to recommend that the FCAB send a letter to the appropriate parties, asking them to attend a roundtable discussion in May. The letter should specify that appropriate decision-makers are expected to attend from DOE and the State of Ohio, not just the regular Natural Resource Trustees.

Process to Determine Feasibility of a MUEF

David stated that he had spoken with Laura Busby of the Audubon Society regarding the process her organization undergoes to determine the feasibility of constructing a new nature center. She shared a fairly methodical approach. David used her input to outline a feasibility study for the construction of the proposed multi-use education facility (MUEF). He reported that he had shared the outline with Jim Bierer, Marvin Clawson, Steve DePoe, Pam Dunn, and Larry Stebbins, committee members who volunteered to discuss this issue at the January meeting. The process would involve contacting other museums and education centers to assess what is already offered in the region, as well as schools and other potential audiences to assess their needs and interest levels. Then, more detailed planning can be done to determine staffing needs, potential exhibits, potential programs, and the costs associated with them. Finally, these plans can be shared with stakeholders, anticipated users of the MUEF, and potential funding sources. Only then would a decision be made to pursue construction of a facility. Pam Dunn suggested that the process should also define the scope of work to be conducted by the Grand Junction Office, the site steward. She stated that any funding sources would want to know how Grand Junction would relate to the education facility and its programs.

David will continue to investigate potential funding sources for conducting a feasibility study for MUEF. David asked committee members to provide him with any suggested sources of funding. Doug stated that some time from the Perspectives Group contract could probably be devoted to conducting some feasibility study work. Committee members stated that some funds may only be available to a 501(c)3 nonprofit organization. David stated that a MUEF feasibility study may require that committee members volunteer to coordinate and coordinate some tasks.

The meeting adjourned at 8:00 p.m. The next meeting will be held on Thursday, March 13, at 6:30 p.m. in the T-1 trailer.



FULL BOARD MEETING Crosby Township Senior Center

Wednesday, January 22, 2003

FINAL MINUTES

The Fernald Citizens Advisory board met from 6:00 p.m. to 9:40 p.m. on Wednesday, January 22, 2003, at the Crosby Township Senior Center.

Members Present:

French Bell
Jim Bierer
Sandy Butterfield
Marvin Clawson
Lisa Crawford
Steve DePoe
Lou Doll
Pam Dunn
Jane Harper
Gene Jablonowski
Steve McCracken
Graham Mitchell
Robert Tabor
Tom Wagner
Gene Willeke

Members Absent:

Kathryn Brown
Lisa Blair
Blain Burton

Designated Federal Official:

Steve McCracken

The Perspectives Group Staff:

Douglas Sarno
David Bidwell

Fluor Fernald Staff:

Sue Walpole

Approximately 10 spectators also attended the meeting, including members of the public and representatives from the Department of Energy and Fluor Fernald.

GENERAL ANNOUNCEMENTS

Jim Bierer called the meeting to order at 8:30 a.m. The Board approved the minutes from the November, 2002, meeting.

Jim announced that he received a copy of the 2002 DOE report on workforce health and safety. Anyone interested in reviewing or obtaining a copy of the report should contact either Jim or Sue Walpole.

Jim noted that at past meetings the Board had discussed adding a representative from Fluor Fernald as an *ex-officio* member of the FCAB. The group briefly discussed the pros and cons of adding the contractor to the Board, but decided to table this decision until ongoing contract negotiations between Fluor and DOE are resolved.

Jim announced that the Science and Technology Coordination Group (STCG) was disbanded by DOE, which surprised some STCG members. He was unable to reach Paul Petit for further clarification prior to the FCAB meeting, but he will report to the Board after he speaks with Paul. Doug Sarno explained that the role of the STCG and its funding had been reduced in recent years, but the FCAB should identify whether the dissolution of the group will result in any unresolved issues or unfulfilled roles at the site. Steve McCracken suggested that the FCAB invite Mike Owens to attend an FCAB meeting, in order to explain how science and technology will be addressed within the new DOE Office of Legacy Management. Steve also explained that EM-50 has provided funds for "technical assistance" for the Silos Projects, through which experts have been assembled to study specific technical issues.

SITE PROJECT UPDATES

Ray Carradi provided an update on activities for the Silos Projects. A successful "hot test" of the Radon Control System for Silos 1 and 2 was conducted in December. The performance of the system exceeded expectations for the amount of radon gas absorbed. Lessons learned from this test will be addressed prior to another hot test. The system will be used in late Spring or Summer 2003 to reduce radon levels during construction activities above the silos' domes. The steel deck that will support pumping equipment is being constructed above the holding tanks for the Advanced Waste Retrieval project. Sluicing to remove materials from Silos 1 and 2 should begin in Summer 2004 and will take approximately one year to complete. A technical workshop was held in Oak Ridge during the previous week to discuss concepts for removing "heels"—waste remaining in the bottom of the silos after sluicing is completed. Technical support from EM-50 helped project staff determine optimal operating procedures for handling the slurry. Ray noted that a lot of construction activity is occurring in the footprint of the treatment facility, and that the project team is working to get ahead of schedule. In answer to a Board member's question, Ray explained that disposal at the Nevada Test Site or Envirocare (if the waste is classified as 11(e)(2)) would not require TCLP verification. Doug explained that the February Progress Briefing would focus on treatment of wastes from Silos 1 and 2. Doug asked for the feedback on the December roundtable that focused on the Advanced Waste Retrieval (AWR) system. Board members indicated that the information was good and that the roundtable format promoted beneficial interaction between the public and site personnel.

Ray also reported on recent activities related to Silo 3. He explained that the project was able to conduct some site preparation work before the weather turned cold. The designs have been completed, and procurement packages are ready for release. The contract for the mechanical waste retrieval package was recently awarded. Board

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members requested that the final design for Silo 3 waste removal be distributed to the FCAB. They also requested that reports of the Critical Analysis Team (CAT) be distributed, so they can be sure that CAT concerns have been met in the final designs. Steve McCracken noted that CAT members would be invited to attend future workshops with EM-50 experts.

Terry Hagen provided an update on general management issues at the site. He explained that the site's safety performance declined in 2002. External teams recently conducted reviews of the site's safety programs. Their recommendations are being implemented, and there a positive trend has been seen over the past three months. Terry also explained that only one workforce restructuring, which will result in a reduction of thirty salaried positions, is anticipated this fiscal year. He noted that as projects at the site are completed, the workforce would be further reduced. Bob Nichols noted that the number of crafts workers for site projects would peak in 2003, at around six hundred and fifty workers. Terry also explained that the U.S. government continues to operate under a continuing budget resolution. Under the continuing resolution, the site receives funding based on the previous year's budget levels. This has resulted in some schedule changes, but has not had a significant impact on projects. Some obstacles will arise if the continuing resolution is in place through February.

Terry explained that the Waste Management Project is slightly ahead of schedule and has completed all but ten percent of its goal. Waste Pits excavation is also ahead of schedule and is trying to accelerate as much as possible.

Bob Nichols explained that the Services and Administration Building would be shut down this year, so demolition can begin in 2004. He acknowledged that this building has been a community hub for the workers at the site. Plans are being developed for how workers will store personal items, etc. The boiler plant is also being decommissioned.

Bob announced that Cell 2 of the On-Site Disposal Facility (OSDF) is one hundred percent filled and Cell 3 is fifty percent full. Cells 4 and 5 were constructed and waste placement was begun in each cell during 2002. The liner for Cell 6 will be placed in 2003. Soil placement was slightly behind schedule in 2002, but goals for FY 2003 are greater than needed to meet the project baseline. Rates of soil placement will double in FY 2004 and 2005.

Bob announced that the Decontamination and Demolition (D&D) project is ahead of schedule on some buildings and a little behind schedule on others. Many D&D activities have been accelerated to facilitate the removal of soils beneath them. He announced that a contract for D&D of the lab complex was recently awarded. He also announced that the blue and white water tower would come down in 2003. Steve McCracken noted that bringing down the water tower would create a cloud of rust, which will be visible off site. The rust cloud will not contain contaminants.

Bill Hurtel explained recent challenges that the Aquifer Project has faced in meeting its monthly uranium discharge limit of 30 parts per billion. The Phase 2 system at the Advanced Waste Water Treatment plant, which treats water from the Waste Pits project, has not been capturing uranium. Even after the resin in the ion exchange system was replaced, uranium was running straight through the system after a day or two of use. The Phase 2 system has been shut down and the wastewater directed to that system is being tested for chemicals that could be affecting the resin. It is possible that ammonia coming from newly excavated Pit 5 is interfering with the ion exchange process. Because the Phase 2 system is shut down, the site should be able to meet its 30ppb

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limit for January. More information will be provided to the FCAB as soon as it is available.

Doug briefly explained a graphically modified aerial photograph, which shows how the site will look in 2003. He also reminded the Board that a special tour of the site is scheduled for them on April 12.

STATUS OF FLUOR CONTRACT

Steve McCracken explained that the contract awarded to Fluor by DOE in November 2000 included two fee incentives. Eighty percent of the contract was related to meeting cost, while twenty percent was related to meeting schedule. Based on the goals outlined in the Top-to-Bottom Review, DOE Headquarters is currently renegotiating its contract with Fluor to place more emphasis on meeting schedule.

The primary concerns expressed by the Board were that placing greater emphasis on meeting an arbitrary schedule would diminish Fluor's attention to worker safety and jeopardize the quality of ongoing remediation work. Members stated that since Fluor has been safely completing work ahead of schedule and under budget, the FCAB should not support a change to the existing contract. Members also stated concerns that contract negotiations and other administrative burdens created by DOE Headquarters are detracting time and attention from remediation activities.

Bob Tabor expressed concern that the number of safety professionals employed at the site has decreased, while the level of remediation activity has increased. Steve agreed that this was an important issue.

CLOSURE MISSION FOR THE FCAB

The Board reviewed and approved a revised Closure Mission for the FCAB. The mission lists activities that should be completed for the FCAB to have met its charter and disband.

RISK-BASED END STATE POLICY

Doug reviewed a summary of the draft Risk-Based End States policy produced by DOE Headquarters. He explained that this policy should not impact Fernald, because cleanup at the site is already focused on meeting end state risk levels. Johnny Reising stated that the site had already submitted a completed questionnaire to Headquarters regarding this policy and would complete the other required paperwork. Lisa Crawford requested that a list of documents sent to Headquarters be distributed to the FCAB.

Pam Dunn asked if this policy could change cleanup levels for the Fernald site. Steve McCracken stated that there has been no suggestion to change cleanup levels at Fernald, and added that a change in cleanup levels would require that Records of Decision for the site be changed. This unlikely scenario would result in a lengthy process and would include public involvement activities.

FERNALD STEWARDSHIP ISSUES

Pam Dunn reviewed the conversations that took place at the January 21 Stewardship Committee meeting. Pam reported that committee members were unhappy with DOE Headquarters' recent approach to long-term stewardship, as represented by the Fernald

site's draft Comprehensive Stewardship Plan. She stated that the community believed it had dealt in good faith with DOE, but the agency was not living up to its end of the relationship. Pam further stated that she believes DOE should not tie long-term stewardship activities to the Natural Resources Injury settlement with the State of Ohio.

The FCAB discussed these issues at length, but did not reach resolution regarding its next steps regarding stewardship issues. Major discussion points are listed below:

- The Board should express to DOE Headquarters that it is not pleased with the current approach to stewardship.
- Settlement of the Natural Resources Injury lawsuit should move forward with FCAB input, but it should not be tied directly to stewardship activities.
- Maintenance of trails, other public use features, and the ecological restoration projects may be beyond the mission of the DOE Office of Environmental Management, and as such, may be impossible to fund through that office.
- DOE must comply with laws that protect natural resources, such as the Endangered Species Act and Clean Water Act.
- The Comprehensive Stewardship Plan is not a legally enforceable document. DOE's stewardship commitments should be detailed in a legally binding document.
- The Natural Resources Injury settlement may be a mechanism through which care for public use features and ecological restoration projects can be legally ensured.
- Per the ROD for Operable Unit 5, DOE must develop and submit to EPA legally binding plans for long-term surveillance and monitoring and for institutional controls.
- The current draft of the Comprehensive Stewardship Plan outlines DOE's obligations to conduct long-term surveillance and monitoring of the remedy.
- Plans for stewardship at Fernald should include the values of Community-Based Stewardship, as outlined in the feasibility study report completed in 2002.
- The image of the site will have a significant impact on future economic development in the area.

Eric Woods stated that the Comprehensive Stewardship Plan would be revised, based on comments from Ohio EPA and the FCAB, before it is submitted to DOE Headquarters on January 28. The revised version will be more explicit regarding the role of the Grand Junction Office in maintaining records needed to conduct stewardship and that copies of key records will be maintained at or near the site. The revision will also include more information on DOE obligations to monitor groundwater. He stated that the plan would change over time, as more details become available. Lisa Crawford stated that the Comprehensive Stewardship Plan should be clearly labeled as a living document, which is subject to change.

The group briefly discussed DOE's current approach to the reinterment of Native American remains at the site. Steve McCracken stated that DOE remains committed to providing land for the burial of Native American remains, but the mission of the DOE Office of Environmental Management would not allow it to assume authority over how those burials are conducted or how the burial site is maintained. Joe Shomaker indicated that DOE is considering leasing those areas to another entity, such as the Department of Interior or a nonprofit organization.

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Tom Wagner suggested that there are three main categories of stewardship at Fernald:

- 1. Ecological restoration
- 2. Monitoring and maintenance of the remedy
- 3. Public access to information and public use of the site

Doug stated that the FCAB should determine what each of these categories entails, what are FCAB expectations for each category, and what role should the FCAB play in planning for each category of stewardship. Pam added that the FCAB should track who will be responsible for each category.

The meeting adjourned at 9:40 p.m.

I certify that these minutes are an accurate account of the January 22, 2003 meeting of the Fernald Citizens Advisory Board.

James Bierer Date
 Fernald Citizens Advisory Board Chairman

Gary Stegner Date
 Deputy Designated Federal Official

February 26, 2003



The Honorable Jessie Hill Roberson
 Assistant Secretary for
 Environment Management
 Department of Energy
 1000 Independence Avenue, SW
 Washington, DC 20585-0104

Chair
 James C. Bierer

Vice Chair
 Thomas E. Wagner

Members
 Lisa Blair
 M. Kathryn Brown
 Blain Burton
 Sandy Butterfield
 Marvin W. Clawson
 Lisa Crawford
 Stephen P. Depoe
 Louis Doll
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 Jane Harper
 Robert G. Tabor
 Gene E. Willeke

Ex Officio Members
 L. French Bell
 Gene Jablonowski
 Stephen H. McCracken
 Graham Mitchell

Support Staff
 The Perspectives Group

Dear Ms. Roberson:

The Fernald Citizens Advisory Board has had a longstanding interest in the long-term stewardship of the Fernald property. Since our first recommendations in 1995, the FCAB has played a major role in defining the future use and appropriate long-term stewardship activities at Fernald.

It is with particular interest that we will be watching the transfer of all EM stewardship-related responsibility to the newly formed Office of Legacy Management. We anticipate that this reorganization will bring greater focus on the long-term stewardship needs of closure sites throughout the DOE Complex. We are also hopeful that the new office will renew the strong DOE tradition of public input and involvement.

One concern we have is that, as an EM-chartered advisory board, we will have no immediate standing with the Office of Legacy Management. We believe that public involvement in both the planning and the implementation of long-term stewardship are essential to ongoing community support and acceptance for remedies that leave waste at the site. This is especially true for sites like Fernald in which enormous volumes of waste are being managed in close proximity to residential areas. DOE's connection to the community over the long term must be assured.

At this time, we are requesting that DOE provide us with a detailed understanding of how the Office of Legacy Management plans to incorporate public input and involvement into its activities and specifically how it will relate to the existing SSAB community. Please provide this response to us no later than April 1, 2003.

We look forward to working with the Office of Legacy Management and continuing the strong tradition of DOE/public cooperation on the decisions that have such a significant impact on the local community here at Fernald.

Sincerely,

James C. Bierer
 Chair

cc:
 Michael Owen, DOE Office of Worker and Community Transition
 Robert Card, DOE Under Secretary
 Representative Steve Chabot
 Representative Rob Portman
 Senator Mike DeWine
 Governor Bob Taft

000021



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Washington, DC 20036-4374
202 828-2317 telephone
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www.energyca.org

February 3, 2003

Mr. David Geiser
U.S. Department of Energy
1000 Independence Ave., SW
Washington, DC 20585

Subject: ECA Comments to the DOE Draft Policy Titled "*Cleanup Driven by Risk-Based End States*" and Draft Guidance Titled "*Development of Risk-Based End State Visions*"

Dear Mr. Geiser:

Energy Communities Alliance ("ECA"), the membership organization of local governments adjacent to U.S. Department of Energy ("DOE") facilities, appreciates the opportunity to provide comments on the DOE draft policy titled "*Cleanup Driven by Risk-Based End States*" and draft guidance titled "*Development of Risk-Based End State Visions*" (collectively referred to as the "Draft Guidance").

As ECA has stated several times in its policies, ECA supports risk-based cleanup when DOE can ensure the long-term protection of human health and the environment and where DOE, after analyzing the cost of cleanup that will not leave contaminants in place, determines that there will be a cost savings to the United States. ECA, as an organization, has written several publications and policy papers and has participated in numerous DOE and U.S. Environmental Protection Agency ("EPA") meetings on how to make risk-based cleanup work. Hence, ECA's comments on the Draft Guidance focus not on the ideas behind risk-based cleanup, but on how to make risk-based cleanup work in DOE.

Background: Decisions Impact Local Communities

ECA's members look at DOE cleanup decisions as impacting the future of their communities. Local governments are interested in environmental cleanup in and around their communities because the sites are located in their communities, and they have a fundamental duty to provide for the health, safety, environment, quality of life, and economic future of their citizens. DOE has told local governments over the years that at more than 100 DOE sites, a significant amount of environmental contamination will remain in place when the "cleanup" is complete because the sites will be remediated to

risk-based levels. ECA understands that some of the sites will be cleaned up to a level based on the risk to humans and the environment assuming the site is used in specific ways that limit human exposure to the hazards left in place, while other sites may become storage sites for environmental contamination, either because of the complexity of the contamination or the need to store materials whose toxicity cannot be reduced.

Incorporated by reference to these comments is an analysis by ECA and the Environmental Law Institute titled "The Role of Local Governments in Long-Term Stewardship at DOE Facilities." The publication, although focused on long-term stewardship ("LTS"), focuses on how to ensure that risk-based cleanups, where environmental contaminants will be left in a local community, can work.

Learn From Success Stories: Selection of End State Must Include the Impacted Local Government

Although the Draft Guidance is silent on what DOE and communities have done to date to develop the "end-state" of the sites, it is a key ingredient to making risk-based cleanup work. DOE has worked closely with several local governments, states, community members and EPA to define a site's end-state vision and gear cleanups to meet community interests. There is no greater challenge for a community facing the cleanup and closure of all or part of a DOE facility than to identify its interest and goals, and ensure that final cleanup standards enable such interests to be met. Such a process, if properly done, will also serve to identify the role(s) of parties post-closure to manage elements of long-term stewardship.

Success seems to be in the grasp of at least two DOE sites—Mound and Rocky Flats. ECA's members at those sites worked in partnership with DOE, state regulators, EPA and local citizens. The road has not been easy, but all parties involved have arrived at the current state by clearly defining the future use of the sites.

At Rocky Flats, Mound, and other sites this alignment of community interests, DOE and regulator interests, and prioritization of remedial alternatives and goals has been an essential element in the community and DOE reaching agreement on the details of a risk-based cleanup. It seems appropriate that once again Assistant Secretary Roberson and her staff are using lessons learned from these sites to improve the decision-making process at other sites.

That said, ECA is concerned that the Draft Guidance seems to relegate "communities" to a limited "consultative" role in developing the end-state vision, as the ultimate decision would rest with DOE. To the extent that the local government and citizens have developed their common vision for the future use of the site—DOE uses the term "intended land use"—then the process as outlined for a risk-based end state to enable such a vision could work, provided ECA's second concern (see below) is addressed. The end state at Rocky Flats and Mound was defined through a dialogue

between the local governments, citizens, the state and DOE—not by asking the DOE site personnel to define an end state. Support for the cleanup has been garnered by having the local governments and citizens working with DOE to develop the path forward and to negotiate agreements. We hope the successes can be built upon at all sites and used as a blueprint by DOE when finalizing its Draft Guidance. At sites where the “local community” has not formulated an intended land use, the Draft Guidance suggests that DOE, by developing the risk-based end state and then presenting it to the “local community,” will de facto decide the future use of the site. If ECA’s understanding of the process is correct, DOE’s approach then appears fundamentally flawed and would be contrary to DOE’s model cleanup sites and ECA policies.

Also, assuming a future use vision exists or can be quickly developed, DOE is allowing virtually no time to develop a risk-based end state that meets the community’s future use vision. At Rocky Flats and Mound the intended land use (national wildlife refuge and industrial facility, respectively) provides a key marker for developing a risk-based cleanup; however, there are other key technical and policy factors (protecting water quality, focusing on existing contaminant pathways first) that are equally integral to the development of a risk-based cleanup strategy. In fact, the latter factors can take a longer time to resolve. DOE must therefore ensure that the Draft Guidance remains aggressive *and* allows for sufficient time to address what my experience has shown to be an extremely complex issue. As noted in the Draft Guidance, success has come about where DOE can harness local government support.

DOE Cannot Safely Leave Contaminants in Place Until It Creates a Credible LTS Plan at Each Site

The Draft Guidance generally identifies that DOE will use “institutional controls” and it includes a short paragraph: “[l]ong-term monitoring and surveillance methods must be designed. . . .” ECA, National Academy of Science, National Governors Association, Environmental Law Institute, DOE’s Environmental Management Advisory Board, and countless others have clearly identified that DOE cannot currently ensure protection of human health and the environment where it conducts risk-based cleanup. The solution that DOE and all of the above mentioned groups have relied upon is the development of credible LTS plans. Long-term stewardship must be part of the discussion of risk-based cleanup and DOE must create a clear, coherent and reliable LTS process. Currently, DOE has not clearly defined for communities how it can ensure that LTS will work at its sites. DOE does not have a grasp of the specific tools to implement LTS, the parties (institutions) that will be responsible for implementing LTS, the cost of implementing LTS among other items that are necessary for successful risk-based cleanup, or the idea that DOE will continually analyze new technologies to remediate areas that it cannot currently remediate. The Draft Guidance does not address how DOE will integrate LTS into this risk-based cleanup process. DOE must address how it will integrate LTS into risk-based cleanups in the Draft Guidance beyond mentioning that it will rely on LTS “. . .

. to assure that the contaminants remain sequestered and human health and the environment are protected.”

ECA understands that DOE plans to move forward with a LTS program. ECA supports the creation of a LTS program, but ECA wants to ensure that the LTS program is integrated with the remedy selection program (the Draft Guidance). Otherwise, DOE will continue to develop remedies without the understanding of whether LTS can be implemented at the site in a manner that will actually protect human health and the environment over the long term.

Local Government Involvement Must Be Clearly Stated

The Draft Guidance does not clearly identify a formal role for the “host” local government to participate in any meaningful way. Please use the examples of Rocky Flats and Mound as examples on how to move forward on involving local governments in the process to assist DOE and the local community to benefit through collaboration.

As ECA has stated, local governments are charged with specific legal mandates under state and federal laws, and serve as stewards of public resources such as land and revenue, including land use planning and control. Local governments represent the elected representative of the entire community, and are the “asset holder” with the primary stake in DOE site decisions. Local governments are not just stakeholders. Local governments represent the first line of communication with affected citizens, not the local citizens advisory board and not national activists. Public participation should play an important role in DOE decision making, but public meetings and advisory boards are not a substitute for direct communication and interaction with affected local governments. Several DOE site personnel still believe that talking to an advisory board is sufficient public outreach and input; hence the Draft Guidance should clarify that the site is required to work directly with the local governments. Each site manager ought to be required to give a presentation to the respective local governing bodies to begin building trust from the outset.

Timing

ECA is skeptical that the things that ECA believes are important to be accomplished to implement this Draft Guidance can occur at all sites within the time frame specified in the Draft Guidance. Developing end states involving the local government, the state, citizens and others in a community takes longer than outlined in the Draft Guidance.

In the past, DOE headquarters has asked its sites to develop land use plans with the “local community” in short time frames. In those cases the sites developed the plans and provided the plans to the “local community” to comment on, but the sites ended up

submitting final plans that were not supported by the local community. Some sites may require additional time in order to properly complete the task requested.

Cost

Cleaning up the contaminated DOE sites in local communities is a top priority for ECA. The cost of cleanup always seems to be the focus of DOE while the level of cleanup seems to be the focus of the local communities. The actual cost of "cleanup" to DOE must also include the cost of "managing the site," "long-term stewardship" and other "post-cleanup costs." Most DOE host communities have been told that specific sites have been completely cleaned up to risk-based levels only to learn several years later that DOE was incorrect and the site needed to be cleaned up repeatedly. These so-called "cleanups" do not save time or money, except for that year's DOE budget.

DOE should conduct an analysis of what is the difference in cost of incremental levels of cleanup at a site, including the cost of cleanup that does leave contaminants above state and federal action levels in place. Further, the Department would be doing a disservice if it only looked at costs as "EM" costs, or "DOE" costs. The costs must be identified as the cost to federal, state, tribal and local governments.

The cost to the local government can be great when DOE either fails in its cleanup to risk-based levels or continually has contamination problems in a community. DOE, the regulators, and the local governments need to acknowledge that there is an "economic risk" that communities bear for anything less than complete cleanup. Economic risk needs to be identified as a risk in the Draft Guidance. The economic risk is caused by the real or perceived risk to human health and the environment present at DOE sites. DOE has told ECA in the past that it cannot deal with such an issue, but decision makers should consider it when end states are determined.

For example, the new CERCLA waste disposal cell at the Oak Ridge site is a good example where, in the end, it may be less expensive if DOE would have shipped the contamination off-site. The cell, according to those familiar with the site, is leaking. Now, millions of dollars (that were going to be saved) may now need to be invested at the site.

Federal Facility Agreement Compliance

DOE argues in this Draft Guidance that current Federal Facility Agreements ("FFAs") compliance will not promote cleanup at the sites. At the time these FFAs were signed, DOE, EPA and the states told the citizens around these sites and Congress that the FFAs would promote cleanup. ECA believes that FFAs are binding contracts between the parties that signed the agreements. ECA does not support the amendment of FFAs where the sole purpose is based upon DOE not meeting previously agreed upon milestones. ECA understands that all long-term agreements must be reviewed and where

all of the parties agree on amendments to create efficiencies, these agreements should be amended. The Draft Guidance states "the regulatory agreements . . . were generally established prior to an adequate understanding of the nature of the risks and hazards at the site." The risks at many sites still are not properly characterized or known. Further, the reason that many of these sites have not been fully characterized is because DOE is remediating many of the sites as "removal" actions rather than "remedial" actions under CERCLA to circumvent what has been characterized as "too many studies."

ECA supports reviews of FFAs to create efficiencies. Unilateral changes to FFAs do not necessarily create efficiencies. ECA is concerned that if the FFAs are amended without the agreement of all parties, the decisions could lead to litigation and hence the slowing of the cleanup process. The goals of DOE, EPA and the state are the same—cleaning up the site quickly and efficiently. Hence, ECA suggests that DOE work carefully with the regulators to ensure that all parties understand and agree on the best path forward for cleanup of the DOE sites.

General Comments

ECA did not develop specific comments for each section. However, ECA would ask that DOE please create a "definitions" section to ensure the consistency of words throughout the documents. For example, "steady state" and "end state"; "relevant" pathway and "irrelevant" pathway; "completion" and "exit strategy."

Conclusion

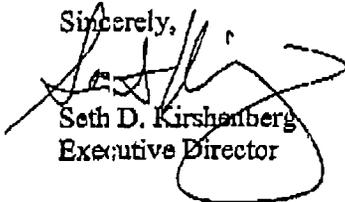
To best protect local government interests and bring greater equality and partnership to the process, ECA supports the addition of provisions that would: (1) ensure that the work of communities that have developed end states and that are far along in the process will not have to repeat the process; (2) ensure the role of local governments is stated clearly throughout the document and strengthened to require the site managers to work directly with the local governments; (3) clarify that the local government, not DOE, is charged with developing a future use vision, and, specifically increase the importance of the risk-based end state meeting the community's future use vision and not vice versa; (4) identify actual costs to federal, state, tribal and local governments; (5) ensure LTS is part of the decision making and that DOE actually has a LTS process that is clear and can be implemented; (6) develop realistic timing for implementing the Draft Guidance; and (7) prioritize Draft Guidance Section 6.0, "End State Vision Considerations," to meet the goals stated in this letter.

ECA continues to support DOE's efforts to ensure that cleanup occurs quickly. However, DOE must ensure that it utilizes its successes as models and works with the local governments adjacent to the DOE sites to develop solutions to these complex problems. Health and environmental risks are key issues for citizens who live adjacent to

these sites. DOE must ensure that when it relies upon risk-based cleanup DOE can guarantee the community's health and safety.

ECA appreciates your consideration of our comments. Please contact me directly at (202) 828-2494 with any questions regarding ECA's comments. We look forward to continue to work with you on these important issues.

Sincerely,



Seth D. Kirshenber
Executive Director

cc: ECA Board of Directors



BIOGRAPHICAL SKETCH

SANDRA L. WAISLEY

Sandra Waisley currently serves at the U.S. Department of Energy (DOE) as the Acting Director of Intergovernmental and Public Accountability. Prior to joining the Office of Environmental Management, Ms. Waisley was Associate Chief Operating Officer of the Office of Civilian Radioactive Waste Management (RW), Washington, D.C., from 2000 to 2002. Before joining DOE/RW, Ms. Waisley served as the Associate Deputy Assistant Secretary and Acting Deputy Assistant Secretary for the Office of Natural Gas and Petroleum Technology, Office of Fossil Energy (FE). She managed DOE's domestic and international oil and gas research and development programs, both upstream and downstream.

Between 1977 and 1989, Ms. Waisley worked with major oil companies, including British Petroleum (BP), Sohio Petroleum Company, and Exxon USA. At BP, Houston, Texas, she served as the Production Manager of Geosciences for Eastern U.S. Onshore, and at Sohio, she was the Supervisor of Geosciences for Lisburne Field, North Slope, Alaska. Ms. Waisley started her career with Exxon as an Exploration Geologist, progressing to Operations Geologist and Senior Production Geologist responsible for exploration prospecting, well planning, and drilling.

Ms. Waisley holds a M.P.P. degree in Public Policy and Applied Economics from the University of Michigan at Ann Arbor, a M.A. degree in Geological Sciences from the University of Texas at Austin, and a B.S. in Geological Sciences from Cortland State College, NY.

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Fernald's Race to Closure

When Fernald drafted its Performance Management Plan in July, the site reiterated its goal to achieve closure by 2006 safely, at the lowest possible cost to the taxpayer, and in compliance with regulatory requirements and stakeholder expectations. Over the past year, new restoration efforts have been undertaken to clean up the site for future use, buildings have been cleaned up and demolished, and safety records have been set.

Acceleration Creates New Wetlands Habitat

Working with engineers and cleanup crews, ecologists at the U.S. Department of Energy's Fernald site are converting excavated and perimeter areas into restored ecological communities using simple, inexpensive restoration techniques.

To meet regulatory cleanup levels, Fernald will excavate 2.2 million cubic yards of contaminated soil from the 1,050-acre site, resulting in both shallow and deep, sloping depressions, many 20 to 30 feet deep.

Ecologists are taking advantage of the numerous depressions and the high clay content in the soil, which together present optimal conditions for the creation of new wetlands. In one project, after removing contaminated debris from a



Ecologist John Homer and labor supervisor Sonny Youngblood discuss the success of using existing excavations to expand the floodplain and wooded corridor along a nearby stream.

two-acre area, workers exposed a shallow basin. To maximize water retention, ecologists graded the basin, placed a large brush pile in the center, and seeded the area with native wetland grasses and other plants, creating an ideal habitat for nesting and migrating waterfowl, as well as amphibians and other aquatic organisms. From start to finish, Fernald completed the restoration in about one month, with no disruption to the cleanup schedule.

Earlier this year, Fernald initiated the first major restoration project in a remediated area. Using existing depressions made during the excavation of over 400,000 cubic yards of contaminated soil and debris, ecologists are creating an additional floodplain with wetland features along a nearby stream and expanding the wooded corridor. To create a healthy wetland ecosystem, they are enhancing the remaining subsoil with composted woodchips and stockpiled topsoil, installing thousands of saplings, shrubs and seedlings, and planting and seeding native grasses and wildflowers.

"Although we follow approved restoration designs, we expect to encounter changes in the field during such an extensive cleanup operation," said Fernald ecologist Eric Woods. "By integrating restoration plans with ongoing cleanup, we can respond quickly to changing field activities without interruption to cleanup or restoration schedules."

This fall, Fernald is conducting multiple restoration projects in remediated areas and non-remediated perimeter areas. This field experience and the ongoing collaboration with engineers and cleanup crews will help ecologists prepare for restoring the former production area, where Cold War workers produced uranium metal for the nation's weapons program.

For more information, contact Pete Yurace on (513) 648-3161, or at pete.yurace@fernal.gov. For a similar story,

see "Hanford's Desert Oasis" in the Winter/Spring 2001 edition of EM Progress.

A Clear View: Buildings Razed

For the first time since the early 1950s, workers and visitors at Fernald have an unobstructed south to north view of the 1,050-acre site. Early this fall Fluor Fernald completed demolition of the Safety and Health Building, leaving an open path through the middle of the site where uranium processing plants and support facilities once stood.

Originally built to accommodate a growing production workforce during the Cold War, the Safety & Health Building housed medical, safety and health services for nearly 50 years. Fluor Fernald has relocated health and safety personnel to other administrative facilities onsite to continue servicing the cleanup projects without disruption.

Since 1994, 107 of Fernald's structures have been demolished — 12 during 2002 — and the site is nearing the halfway point of site demolition projects in support of its 2006 closure plan. The next major demolition project is the five-story Pilot Plant, where Cold War workers developed operating prototypes for all phases of Fer-



Workers filled and transported more than 350 roll-off boxes filled with demolition debris from the Safety and Health Building to Fernald's On-Site Disposal Facility for final disposition.

Fernald's Race to Closure, continued on page 11

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nald's production process. Within five months after the Atomic Energy Commission (predecessor to DOE) broke ground for the new uranium-processing site in May 1951, the Pilot Plant began operations.

"The Pilot Plant was the first of the ten major site uranium-processing plants to begin operating, and it will be the last processing plant to be demolished," says DOE Demolition Project Manager John Trygler.

For more information, contact John Trygler on (513) 648-3154, or at john.trygler@fernald.gov

Fifty years after their predecessors built the Fernald facility, craft personnel from the Greater Cincinnati Building and Construction Trades Council are tearing down buildings.

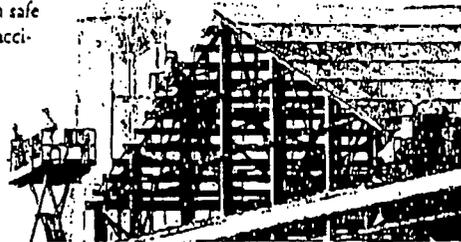
Workers Set Safety Record

Workers from the Greater Cincinnati Building and Construction Trades Council are playing a key role in the remediation and dismantlement of the Fernald Site. And they are doing it safely. The workers recently set a new safety record.

The Council, which represents 400 construction craft workers at the Fernald site, recently reached five million safe work hours without a lost-time accident or injury.

"There isn't another project within the own-state jurisdiction of the Building Trades that has a 10-year, five million man-hour record without a lost-time day from work," said Joe Zimmer, executive secretary for the Council. Since 1992, the Building Trades Council has provided craft services to support environmental remediation and construction projects at the Fernald site.

For more information, contact David Kozlowski on (513) 648-3187, or at david.kozlowski@fernald.gov.



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Fall/Winter 2002

EM Progress

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"Advisory Board Role Extolled in New Book"

Advisory Board Role Extolled in New Book

In Determining Our Environments: The Role of Department of Energy Citizen Advisory Boards, author Walter Williams examines the efforts of the Department of Energy to incorporate citizen participation in the administrative process. The book focuses on DOE's use of the advisory board in its waste management and environmental restoration programs. Williams explores the role of the Environmental Management Site-Specific Advisory Board at Fernald in shaping policy and environmental cleanup at the Fernald Environmental Management Project from the board's inception to its present-day activities.

For more information, contact Gary Stegner on (513) 648-4899.

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January 27, 2003
 The Cincinnati Post
 On-line edition
 "Blue smoke and mirrors"

Blue smoke and mirrors

It was legislating at its ugliest.

Having enacted only two of 13 must-pass spending bills that were supposed to have become law last September, the Senate took the 11 remaining and wrapped them into a single \$390 billion omnibus measure. The bill passed late last week, 69-29.

Senate Republicans and the White House hailed passage as a victory because the bill superficially conforms to President Bush's spending limits. But the Senate leadership arrived at that deceptive number by using accounting gimmicks to exempt \$15 billion in additional spending from the limits. A \$3.7 billion increase in education spending will be counted against 2004 spending, although the money will be paid out this year.

The 1,052-page measure is shot through with lawmakers' earmarked projects and it's a safe bet that the Senate really doesn't know exactly what it passed. Many of the amendments were approved in batches by voice vote.

Cincinnati, at least, is getting its share. Sen. Mike DeWine, the Ohio Republican who sits on the Appropriations Committee, announced that the bill includes:

- \$6.4 million toward reconstruction of the Government Square transit center downtown.
- \$8 million to complete an interactive education center in the National Underground Railroad Freedom Center.
- \$1.4 million to help the Cincinnati Police Department establish a computerized record management system, and \$1 million toward upgrading the communications system at the Hamilton County Communications Center.
- \$400,000 to study the feasibility of a park along the downtown Cincinnati riverfront.
- \$6.5 million to complete a flood damage reduction project along the Mill Creek.
- \$5 million to complete the Duck Creek flood protection project.
- \$320 million to continue to cleanup of the Fernald uranium processing plant.
- \$675,000 to extend a biking/walking trail to downtown Cincinnati.
- \$1.5 million for a pollution reduction program in the Ohio River Valley watershed.

While we may not like the process, the local projects stand on their merits.

The House will now respond with its own omnibus spending bill that will contain its own projects and spending priorities. Somehow the two measures must be made to mesh. And once Bush signs the result - and he will sign it even though inevitably it will contain more spending than he asked for -- the fiscal 2003 budget will finally be finished, with the fiscal year one-third over with. Bush's 2004 budget is due in early February. If the spending plans for 2004 are to accommodate the differing congressional and presidential spending priorities, Bush's planned tax cut and the cost of an unbudgeted war, the fiscal gimmickry has only just begun.

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GATA

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February 4, 2003
 The Cincinnati Post
 Page 10A
 "Bush's unbalanced budget"

EDITORIALS

Bush's unbalanced budget

"A balanced budget remains a priority for this president," says George W. Bush's budget director, Mitch Daniels, but his new budget calls for the government to run in the red the rest of this term and all of his second term if he's re-elected.

The budget is running \$304 billion in the red this year, and the White House sees it "bottoming out" at \$307 billion in fiscal 2004, which begins next Oct 1, but the deficits continue through fiscal 2008.

Bush's new budget does not have a plan for achieving balanced budgets in the usual sense of tax increases and spending cuts. Instead, budget officials are calculating — gambling — that his \$1.35 billion tax cut plus a new round of tax cuts totaling another \$1.45 trillion will generate enough economic growth to carry the government into the black.

The red ink could get worse. The budget includes no contingency funds for a war with Iraq. And the White House says it is open to more new spending on homeland security and would not rule out replacing the shuttle Columbia. And it is unclear how the president plans to pay for his pro-

The issue: Federal spending plans Our view: A very big gamble

posed \$400 billion makeover of Medicare.

Politically, it is a difficult budget. The president would hold overall spending to a 4.1 percent increase, down from 9 percent this year. That amounts to a \$30 billion increase in discretionary spending — money that must be approved by Congress, but half of that goes to defense, \$4 billion to homeland security, \$1.2 billion for hydrogen-powered cars, \$2 billion to combat AIDS in Africa.

Effectively, that means other programs, many of them popular with Congress, would have to be frozen or cut.

For Ohio, the budget — and the long-term trend it presages — offers little to cheer about. It does promise tax cuts to about 3.9 million residents. But the Bush tax cuts will also exacerbate Ohio's budget problems.

For Greater Cincinnati, Bush's budget plan is significant in that it will maintain

funding for the cleanup of the former uranium processing plant at Fernald and calls for spending that could stabilize and perhaps beef up military research and development activities at Wright-Patterson Air Force Base in Dayton.

Perhaps as significant, and worrisome, are signals of White House intentions regarding health research. As the Washington Post reported this week, the National Institutes of Health have probably seen the last of their double-digit budget increases and will be looking at essentially inflation-only funding for the foreseeable future. That will hurt efforts by the University of Cincinnati, Cincinnati Children's Hospital Medical Center and other regional players to build up their research capabilities in biomedicine and other areas — just as the infrastructure for such work is being completed.

Any presidential budget is, in a sense, an opening offer to Congress; which has the ultimate say over the purse. The House and Senate must come up with their own spending plans, but no matter who prevails it will largely be done with borrowed money.

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February 5, 2003

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The Harrison Press

Pages 1A and 12 A

"Crosby voters will get fire levy"

Crosby voters will get fire levy

Trustees will ask for 3.5 mills in May

By Tina Emmick
Staff Writer

Crosby Township trustees agreed Monday, Feb. 3, to put a 3.5-mill fire levy on the May ballot in order to pay for additional firefighters.

Anticipated growth combined with the demise of the former Fernald uranium processing plant will soon create a demand for additional services from the township fire department.

The last fire levy to go before Crosby Township residents was in 1989. A 1-mill levy was approved to pay for a full-time emergency medical technician. In 2002, the levy generated about \$37,000. The money is used to pay an EMT, the fire department's only full-time employee.

The department is funded by an existing 4.5-mill levy that brings in about \$170,000 each year, said township attorney Don Meyer. Billing non-residents and the Hamilton County Park District for runs to Miami Whitewater Forest brings in about \$10,000 annually. The department's budget is supplemented by \$7,000-\$10,000 from the general fund every year, said township clerk Melody Inman.

If voters approve the levy, it will generate about \$212,000 based on a recent township property valuation of almost \$61 million, said Meyer. There would be enough money to hire two firefighters for 24/7 coverage.

A resident with a home valued at \$100,000 would pay \$350 per year or about \$29 per month for the new levy, said Meyer.

After the levy is certified by the Hamilton County Board of Elections, trustees anticipate passing a resolution Monday, Feb. 10, to place the levy on the May 6 ballot.

Township officials say money is needed to hire more firefighters to make up for the loss of Fernald personnel.

Prior to this year, two Fernald firefighters would respond to every emergency, said township fire Chief Bruce Downard. The Fernald department is providing mutual aid services to the township but its support will end Oct. 1. The township will have to provide coverage for the Fernald site.

The township is covered by one full-time emergency medical technician and a firefighter who provide coverage from 6 a.m. to 6 p.m. Monday through Friday and 25 percent of runs occur during that time period, said Downard. A Western Joint Ambulance District paramedic is stationed in New Haven from 8 a.m. to 8 p.m. Monday through Thursday.

About 75 percent of emergencies happen during shifts covered by volunteers who are on call and summoned from their homes. The average response time is 8-11 minutes, said Downard.

"It's all about reducing response time," said Downard. "Five minutes can make a difference during a very critical time."

Downard said he would like to have two firefighters on duty at the New

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The Harrison Press
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"Crosby voters will get fire levy"

Crosby levy

Continued from Page 1A

Haven station to provide 24-hour coverage, seven days per week. Firefighters can respond in 1-2 minutes if they are already at the station, he said. It is possible a firefighter may be stationed in New Baltimore, he said.

Because evening and weekend duties are taken by part-time firefighters who typically work for other departments, it can sometimes be difficult to find volunteers to fill all shifts, said Downard.

"People tend to be loyal to their full-time employers and if they have a chance to work overtime and make more money, they take it," said Downard.

Part-time firefighters are paid \$22.75 per run, no matter how long the run lasts, said Downard.

Trustee Jane Harper said the rate of pay for volunteers is unfair.

"We had a large fire recently and it took 12 hours to put out," said trustee Jane Harper. "Those people only made \$22 during that time."

Paying to train part-time firefighters who gain valuable experience in the township then move on to work full time for other departments is another concern, said trustee Warren Strunk.

Even though the department has several pieces of aging equipment, including a 1970 pumper, the more pressing issue is hiring personnel to provide full coverage, said Downard.

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February 7, 2003
The Cincinnati Post
On-line edition
"Bush plan gives Fernald more cleanup money"

Bush plan gives Fernald more cleanup money

By Michael Collins
Post Washington Bureau

WASHINGTON -- Funding for cleanup at the old Fernald nuclear weapons facility in Hamilton County would increase slightly next year under President Bush's proposed budget. The budget outline the White House sent to Congress on Monday would allocate \$328 million for cleanup next year at the plant, an increase of roughly \$4 million over what has been proposed for this year. Congress still hasn't passed this year's budget. The current spending calls for \$324 million for cleanup at Fernald this year, but that amount is likely to be cut. Regardless, the increase for next year would allow cleanup at the plant to remain on target for completion for 2006.

"I'm glad to see this funding for Fernald included in the budget," said Rep. Rob Portman, R-Ohio, of Terrace Park. "The administration has shown its continued commitment to completing cleanup at Fernald by 2006, and this budget takes us one step closer."

Fernald processed uranium for the government's nuclear weapons program for 37 years before it ended production in 1989. Total cleanup at the facility is expected to top \$3.7 billion.

Besides the money for Fernald, the administration's proposed budget also includes \$280 million next year for the Portsmouth Gaseous Diffusion Plant in Piketon. The money would be used for a variety of projects, including cleanup of the former Gas Centrifuge Enrichment Program facilities at the plant. Significant amounts of environmental waste are currently being stored in the facilities. Cleanup of those areas will involve the removal and disposal of waste and equipment, establishment of additional permitted storage areas, decontamination of the buildings, and the relocation of staff to other office space. The Department of Energy hopes the cleanup activities can be completed in three to four years.

Other Cincinnati-area projects in the administration's proposed budget for next year:

- Duck Creek flood-protection program, \$8.5 million.
- Mill Creek flood control, \$3.9 million.

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February 10, 2003

The Journal-News

Pages: Front cover, C1 and C2

"Early findings may link Fernald cisterns to disease"

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Early findings may link Fernald cisterns to disease

CROSBY TWP.

Fernald problems linked to water

A UC research team says their study may provide a direct link between cistern water use and kidney and bladder disease in Fernald residents. Researchers presented early findings during the Fernald Health Effects Committee meeting.

LOCAL C1

By KRISTIN McALLISTER
kmcallister@coxohio.com
JOURNAL NEWS

CROSBY TOWNSHIP — A University of Cincinnati research team said their study may provide a direct link between cistern water use and kidney and bladder disease in Fernald residents.

Research team leader Dr. Susan Pinney presented early findings during the Fernald Health Effects Committee meeting Thursday at the Crosby Senior/Community Center.

The goal of the study, Pinney said, is to assess the exposure amount of uranium to residents who used cisterns for drinking water within a two-mile radius of

the former Fernald production site.

Questionnaires sent to Fernald Medical Monitoring Program participants show that almost 82 percent of households reported cistern water as their sole source of drinking water, said Emma-Jane Fennell, a University of Cincinnati master's student and study team member.

"This means that cisterns are an important exposure pathway," Fennell said of residents' potential exposure to radioactive materials.

Pinney also noted that in a seven year period, medical monitoring participants continue to show an elevation of kidney,

Please see FERNALD | C2

Fernald Cisterns may be reason for illness

Continued from C1

metastatic melanoma and prostate cancer incidents.

Exposure assessments of groundwater contamination and subsequent contamination of well water sources have taken place, Pinney said.

"However, there has been minimal research into the potential for exposure to airborne contamination via cistern water consumption," she said.

From 1952 to 1988, the Fernald production site emitted about 310,000 kilograms of airborne uranium dust/particulate into the atmosphere, Pinney said.

Of the 9,709 participants in the medical monitoring program, data show that 28.4 percent reported that they used cistern water for drinking.

Pinney said her team will be analyzing five year intervals of data, matching up the data to air emissions records from the plant.

"This is good to convert how dust on roofs gets into bodies," she said, referring to the runoff of water from roofs into cisterns.

"This will improve the validity of what we will put in this equation for the CDC. It will show what additional uranium you ingest based on this," Pinney said. "More than half that got uranium in their kidneys came from uranium in the air. That's

why this is becoming a concern."

F-CHEC members said they are grateful for the data Pinney's group is acquiring.

"There are a lot of buried questions out there," said Susan

"There are a lot of buried questions out there."

SUSAN VERKAMP
F-CHEC Chairman

Verkamp, F-CHEC chairwoman. "Hopefully, we can get some answers. Our ultimate goal is to impart knowledge to residents and workers and to signal maybe

new tests they need their health professionals to conduct."

Edwa Yocum, an F-CHEC member, described the presentation as a "real eye opener."

"That made me aware of another exposure pathway that had not been studied," she said. "And that's opening up another door."

The F-CHEC study serves a

greater purpose than just for Fernald residents, Yocum said.

"This meeting brought an awareness for the Fernald community that we need to be continually aware of this. But it's also good for the scientific community and the general public," she said. "It's providing a service to the public and helps people know what sort of tests they need to be asking of their family physicians."

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"Administration Request Slight Increase For Defense Cleanup"

ADMINISTRATION REQUEST SLIGHT INCREASE FOR DEFENSE CLEANUP

\$7.24B Overall EM Budget Request Called Largest Ever

Though the \$7.24 billion overall Dept. of Energy Environmental Management program FY04 budget request is being touted as the largest ever, the proposed \$6.8 billion for defense cleanup programs and related activities is up only \$112 million over the Senate-recommended level of \$6.69 billion included in the omnibus FY03 appropriations bill now in conference. This takes into account the \$48 million requested to be transferred out of the EM budget to fund the proposed Office of Legacy Management (*see related story*). The bulk of the increase on the defense side would go toward an \$80 million increase in safeguards and security funding, with much of the remainder going toward construction of a second Glass Waste Storage Building at Savannah River, the first-time funding of the River Corridor Project at Hanford and increased shipments to the Waste Isolation Pilot Plant from around the complex. On the non-defense side:

- \$90 million requested for the construction of depleted uranium hexafluoride conversion plants at Portsmouth and Paducah, which accounts for much of the increase; and

- \$43.8 million for decommissioning and decontamination of Hanford's Fast Flux Test Facility is transferred to EM's budget from the Office Nuclear Energy, Science and Technology.

The request is fully based on the findings and recommendations of last year's EM Top-To-Bottom Review, which postulated that all sites will be cleaned up by 2035 (*WC Monitor*, Vol. 13 No. 5).

The proposed increases for EM were applauded on Capitol Hill, where Rep. Doc Hastings (R-Wash.), chairman of the House Nuclear Cleanup Caucus, echoed the sentiments of many other lawmakers with cleanup sites in their districts in praising the Department for "keeping its promises" after the "great deal of uncertainty" caused by the acceleration proposals in the FY 2003 budget request. "It is important to recognize that the proposed increase in EM funding comes as many, many domestic programs are seeing very real cuts," Hastings said in a statement.

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"Administration Request Slight Increase For Defense Cleanup"

The Administration further backed the cleanup program at a Feb. 4 House Budget Committee hearing, where White House Office of Management and Budget Director Mitch Daniels told Hastings the President is "prepared to spend more" to accelerate the cleanup program and continue the program in future years. "More than anything, I think the acceleration is a reflection of the President's view that it was simply unacceptable to leave environmental hazards of this magnitude lying around for decades and decades," Daniels said. "We couldn't believe the situation we found when we got here, when people said here's our plan and in just 70-odd years, we will be done. It's just not thinkable."

New Accounts Give More Flexibility, DOE Says

As had been expected, the request has been restructured to allow a measure of "flexibility" in carrying out projects without specific line-item requests for construction of facilities that are components of a larger cleanup project. To reflect what DOE officials tout as a more results-focused approach, the accounts have been restructured into five line items: Defense Site Acceleration Completion; Defense Environmental Services; Non-Defense Site Acceleration Completion; Non-Defense Environmental Services; and Uranium Enrichment D&D Fund (*see charts*). DOE officials say the new budget structure provides more clarity by separately identifying non-cleanup activities and more clearly demonstrating where the funds will go on each project. "These proposed appropriation accounts will provide the flexibility necessary to formulate, execute, and track accelerated risk reduction and closure activities by consolidating all defense and non-defense related risk reduction activities into two appropriations," DOE explains.

\$5.8B for Acceleration, More Security Funds

The bulk of the EM funding request—\$5.8 billion—is proposed for the new Defense Site Acceleration Completion account, which funds cleanup at sites or portions of sites that will be turned over to the new Office of Legacy

Management (*see related story*) or other DOE program landlords when remediation is complete (*see chart*). Projects are divided up into sub-accounts depending on target closure dates: 2006 for sites like Fernald and Rocky Flats; 2012 for the Idaho National Engineering and Environmental Laboratory and portions of Oak Ridge, Savannah River and Hanford; and 2035 for WIPP, Los Alamos, the Nevada Test Site and the remaining portions of Hanford, Oak Ridge, and SRS.

The budget includes \$300 million for safeguards and security at EM sites—WIPP, Oak Ridge's ETTP, Fernald, Mound, Rocky Flats, West Valley, Paducah, Portsmouth, Hanford and Savannah River—an increase of \$78.4 million over the FY 2003 request. All the sites are proposed to get an increase in safeguards and security funding with the exception of Rocky Flats, where the movement of special nuclear materials off-site has reduced security needs.

No Targeted Construction Money

The request—without specific targeted accounts for expenditures like construction—places a greater emphasis on the end result of projects. As explained by Assistant Secretary for Environmental Management Jessie Roberson, the budget request provides "flexibility" to make decisions to accelerate results unlike prior requests, which included line items for specific work needed to complete a project like removing waste from tanks at Savannah River. This means construction projects will "not be treated as capital assets requiring line item controls ... [but] as sub-projects funded with operations and maintenance funds." Roberson, in an interview with *WC Monitor*, emphasized that the request gives the Department more latitude in divvying up funds on specific projects. "Clearly, in this budget there is more flexibility for managers in how the funds are spent," Roberson said. "But with that flexibility comes more accountability of performance." It remains to be seen whether the new "flexibility" sought in the request will garner the same opposition in Congress as the Department's proposed Cleanup Reform account, which sought wide discretion but ran into a buzz-saw in the Senate (*WC Monitor*, Vol. 13 No. 30).

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"Administration Request Slight Increase For Defense Cleanup"

FISCAL YEAR 2004 U.S. DEPT. OF ENERGY ENVIRONMENTAL MANAGEMENT FUNDING (Values in thousands)	
OVERALL ENVIRONMENTAL MANAGEMENT	FY 2004 REQUEST
Defense Site Acceleration Completion (Formerly Defense Facilities Closure Projects)	5,815,979
Defense Environmental Services (Formerly Defense Environmental Management Privatization)	994,179
Non-Defense Site Acceleration Completion (Formerly Non-Defense Environmental Management)	130,873
Non-Defense Environmental Services (Formerly Uranium Facilities Management and Remediation)	292,121
Uranium Enrichment D&D Fund	418,124
Sodium, Cesium, Barium Management	7,692,278
Uranium Enrichment D&D Fund Payment Offset	(452,600)
Use of Prior Year Balances and Other Adjustments	(1,364)
TOTAL ENVIRONMENTAL MANAGEMENT	7,328,934

EM-DEFENSE SITE ACCELERATION COMPLETION FY04 FUNDING	
2006 Accelerated Completions	1,245,171
Oak Ridge	121,600
Ohio	421,708
Rocky Mountain	619,700
Savannah River	200
Other Locations	42,000
2012 Accelerated Completions	2,326,300
Maine	524,400
Nevada	10,400
Oak Ridge	60,000
Nicholas	300,500
River Protection	680,000
Savannah River	363,400
Other Locations	73,700
2013 Accelerated Completions	1,978,600
California	188,200
Nevada	76,400
Oak Ridge	88,200
Nicholas	332,200
River Protection	389,300
Savannah River	875,500
Other Locations	78,400
Security and Security	289,937
Technology Development and Deployment	63,920
TOTAL EM-DEFENSE SITE ACCELERATION COMPLETION	5,814,633

EM-DEFENSE ENVIRONMENTAL SERVICES FY04 FUNDING	
Non-Closure Environmental Activities	189,698
Community and Regulatory Support	61,337
Decontaminating and Demolition: Ford Degrill	42,000
Program Director	392,144
TOTAL EM-DEFENSE ENVIRONMENTAL SERVICES	685,179

EM-NON-DEFENSE ENVIRONMENTAL SERVICES FY04 FUNDING	
Non-Closure Environmental Activities	247,245
East Tennessee Technology Park	12,400
Paducah	64,700
Potomac	183,600
Other Locations	1,500
Community and Regulatory Support	1,050
Environmental Cleanup Projects	43,842
Post Plus Test Facility Decontaminating and Demolition	43,842
TOTAL EM-NON-DEFENSE ENVIRONMENTAL SERVICES	592,121

EM-NON-DEFENSE SITE ACCELERATION COMPLETION FY04 FUNDING	
2006 Accelerated Completions	46,700
Chicago	19,300
Other Locations	2,500
2012 Accelerated Completions	119,700
Chicago	1,700
West Valley Demonstration Project	99,600
Other Locations	18,500
2013 Accelerated Completions	2,400
Alas Mill Tailings Site and Los Alamos	2,400
TOTAL EM-NON-DEFENSE SITE ACCELERATION COMPLETION	170,873

Corporate Performance Measures - EM Program Totals

	FY 2003 Actual	FY 2003 Commit	FY 2004 Estimate	Complete through FY 2004	Unacc'd
Number of Plutonium Metal in Core Containers Packaged for Long-Term Storage	1,028	2,826	955	8,378	6,452
Number of Enriched Uranium Containers Packaged for Long-Term Storage	0	305	1,210	2,291	6,176
Amount of Plutonium for Long-Term Storage Packaged for Disposition (kg U-235)	17,914	0	25	107,708	107,792
Amount of Uranium and Other Uranium Packaged for Disposition (MT)	0	1,818	0	4,913	142,148
Volume of Liquid Waste in Inventory Eliminated (Thousands of Gallons)	0	100	1,300	2,000	68,000
Number of Liquid Waste Pails Closed	0	1	0	18	241
Number of High-Level Waste Containers Packaged for Final Disposition	178	120	250	1,803	21,216
Volume of Spent Nitrates or Fuel Packaged for Final Disposition (MT/MA)	315	357	639	2,788	3,725
Volume of Trifluoroacetic Acid Released for Disposal at WIPP (MT)	2,128	4,128	18,170	34,025	134,438
Volume of Low-Level and Mixed Low-Level Waste Disposed (MT)	108,806	78,148	80,800	603,087	1,219,001
Number of Unshielded Areas Area Eliminated	6	0	1	7	14
Number of Nuclear Facility Completions	1	2	6	34	833
Number of Radioactive Facility Completions	18	10	37	131	606
Number of 100-year PCBRY Completions	104	23	86	845	3,433
Number of Aerospace Sites Remediated	1	7	0	79	114
Number of Remediation Contractors (at Release Sites)	122	197	180	6,424	10,042

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*"Administration Request Slight Increase For Defense Cleanup"***New Performance Metrics**

In line with DOE officials who are touting the "results-focused" budget request, the EM program has put forth sixteen "performance measures" to track cleanup progress across the complex. While some of the measures were previously tracked by headquarters, five are new, including the volume of liquid waste in inventory eliminated, number of liquid waste tanks closed, number of enriched uranium containers packaged, and amount of depleted uranium packaged (*see chart*). Each measure will be tracked in the context of the total necessary to complete each site as well as the EM program as a whole so that "responsibility is explicitly defined and accountability firmly established regarding the achievement of agreed to expectations." In FY 2004, the cleanup program also proposes to:

- Eliminate 1.3 million gallons of radioactive waste from underground tanks;
- Permanently close nine underground waste tanks;
- Complete stabilization of all remaining plutonium metals, oxides, and residues in EM inventory;
- Package 633 metric tons of spent nuclear fuel for safe storage and disposal;
- Ship more than 12,000 cubic meters of transuranic waste to the Waste Isolation Pilot Plant;
- Complete remediation of 180 formerly contaminated sites, which will mean that remediation is complete at more than 50 percent of these sites in EM inventory; and
- Complete D&D of more than 40 contaminated facilities.

- The Environmental Measurements Laboratory transferred to the new Department of Homeland Security. ●

Programs Transferred Out of EM

In accordance with EM's ongoing initiatives to transfer out of the program any activities not directly related to site remediation (*WC Monitor*, Vol. 13 No. 48), the budget document identifies five additional operations to be transferred out of EM in addition to the long-term stewardship program moving to the new Office of Legacy Management:

- EM staff at the National Energy Technology Laboratory transferred to the new Office of Legacy Management;
- The Analytical Services Program transferred to the Office of Environment, Safety and Health;
- The Radiological and Environmental Sciences Laboratory transferred to the Office of Environment, Safety and Health;
- Management of the Idaho Operations Office transferred to the Office of Nuclear Energy, Science and Technology; and

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"DOE Requests \$47.5M For New Long-term Stewardship Office"

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**DOE REQUESTS \$47.5M FOR NEW
LONG-TERM STEWARDSHIP OFFICE**

The Dept. of Energy's FY 2004 budget request for the proposed Office of Legacy Management—scheduled to be in place Oct. 1 of this year—is \$47.5 million. The budget document reaffirms the overall objective of the new office, as related by a senior DOE official and reported earlier (*WC Monitor*, Vol. 14 No. 5), to "concentrat[e] the functions in an office dedicated to legacy management [to] heighten the visibility and consequently, accountability to the affected communities for successful performance of these important DOE functions."

The office's budget would be divided into three accounts:

- \$11.6 million for pre-existing liabilities at Oak Ridge, Paducah and Portsmouth;
- \$26.3 million for long-term surveillance and maintenance; and
- \$9.6 million for program direction.

As reported earlier, the new office would initially be responsible for the Weldon Spring site in Missouri as well as uranium mill tailings sites, a handful of early research reactor sites and several sites cleaned up by the Army Corps of Engineers under the Formerly Used Defense Site Remedial Action Program. When Rocky Flats, Fernald and Mound are "closed"—scheduled for 2006—those sites would come under supervision of the new office as well, DOE officials said. As reported earlier, Mike Owen, director of DOE's Office of Worker and Community Transition, has been tapped to manage the "transition team" for the new office and could be among the names considered for the permanent appointment. ■

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"NTS LLRW Disposal Volumes"

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NTS LLRW Disposal Volumes

Due to space constraints, the Nevada Test Site (NTS) disposal chart has been shortened to provide only the total amount of waste shipped from each site, not the amount shipped to each NTS disposal location.

DOE APPROVED GENERATORS	WYE: 02 FEB 03			FY 03 TOTAL			WMP TOTAL	
	No. of Ship.	Volume (Cu Ft)	Volume (Cu M.)	No. of Ship.	Volume (Cu Ft)	Volume (Cu M.)	Volume (Cu Ft)	Volume (Cu M.)
ABERDEEN	0	0	0.00	0	0	0.00	83,237	2,414.21
KANSAS CITY PLANT	0	0	0.00	0	0	0.00	413	11.69
BECHTEL NEVADA	2	5,121	143.01	8	13,113	371.38	365,373	10,346.19
BNFL	6	5,447	154.24	109	145,510	4,120.37	995,831	28,198.74
FERNALD	7	680	19.26	57	30,176	854.49	6,413,511	181,610.11
GENERAL ATOMICS DOE	0	0	0.00	0	0	0.00	747,990	21,180.68
GENERAL ATOMICS CORP.	0	0	0.00	3	1,443	40.86	32,120	909.54
INEEL	0	0	0.00	0	0	0.00	2,184	61.84
IT CORPORATION	0	0	0.00	0	0	0.00	8,867	251.08
LLNL, CA	0	0	0.00	3	1,325	37.52	314,558	8,907.28
LRRJ	0	0	0.00	0	0	0.00	10,706	303.16
MOUND	4	10,241	289.99	21	49,808	1,410.41	2,113,997	59,861.63
OAK RIDGE NT'L LAB	2	1,039	29.39	22	11,418	323.32	73,712	2,087.29
PADUCAH	3	2,109	59.72	20	12,282	347.79	38,929	0.00
PANTEX	0	0	0.00	3	1,619	45.84	157,557	4,461.31
PRINCETON	0	0	0.00	0	0	0.00	26,337	745.78
RMI	0	0	0.00	0	0	0.00	83,005	1,500.93
ROCKETDYNE	0	0	0.00	1	443	12.54	105,498	2,987.17
ROCKY PLATS	21	51,605	1,461.32	264	498,612	14,119.10	5,023,271	142,242.97
SANDIA NT'L LAB. CA	0	0	0.00	0	0	0.00	23,344	661.02
SANDIA NT'L LAB. NM	1	1,109	31.95	3	3,667	103.84	91,529	2,591.81
SAVANNAH RIVER	0	0	0.00	0	0	0.00	31,774	899.74
WEST VALLEY	3	3,121	88.38	11	11,698	331.25	13,123	371.60
Inactive offsite waste generators	0	0	0.00	0	0	0.00	128,634	3,642.51
Inactive onsite waste generators	0	0	0.00	0	0	0.00	8,288,033	234,690.57
GRAND TOTAL	49	80,562	2,281.26	525	781,116	22,118.71	25,142,553	710,939.25

Total offsite waste received in FY 02 - 768,001 Cu. Ft. 21,747.33 Cu. M.
Total onsite waste received in FY 02 - 13,113 Cu. Ft. 371.37 Cu. M.

Offsite waste comprises approximately 63.55% of the total waste inventory
Onsite waste comprises approximately 36.45% of the total waste inventory

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February 19, 2003

The Harrison Press

Front Page

"Fernald citizens group questions DOE"

Fernald citizens group questions DOE

Members want frequent monitoring to continue past cleanup

By Tina Emmick
Staff Writer

Members of the Fernald Citizens Advisory Board (FCAB) are at odds with the U.S. Department of Energy over its long-term plan for the 1,050-acre site of the former Fernald uranium processing plant.

FCAB members are concerned that the DOE will not continue to monitor on-site disposal cells and water quality of the Great Miami Aquifer for longer than a few decades after the site is cleaned up.

DOE representatives have been meeting with residents and FCAB members for more than three years to decide the future of Fernald. The DOE presented a draft of a stewardship

agreement to citizens in November.

"It was not received very well. DOE's focus had changed," said Crosby Township trustee Jaye Harper. "It seemed like monitoring of the site and disposal cells had been put on the back burner."

After hearing strong objections from FCAB members, DOE officials revised the document and it was discussed Thursday, Feb. 13.

"This is just a first draft. It will change as we go along," said Gary Stegner, DOE public affairs. "We have pledged to monitor the site to protect public safety and health."

Cleanup is scheduled to be completed by 2007. When the site is closed, it will be administered by a DOE office

in Grand Junction, Colo., said Stegner.

FCAB members are still wary of DOE's intentions to closely monitor the on-site storage cells and seepage into the aquifer, citing several instances where leaks have already been detected.

"Our primary concern is the monitoring and maintenance of on-site cells," said FCAB member Lisa Crawford. "We don't think what they're proposing is frequent enough. We don't think they can walk away and shirk their responsibility."

Crawford said the land belongs to the government and it should be held accountable for maintaining the site forever.

"They're talking about an end date and we don't think there should be one," said Crawford. "It will never end."

The DOE will remove contaminated

"They're talking about an end date and we don't think there should be one. It will never end."

- Lisa Crawford

soil, seal storage cells and restore natural landscaping. It will provide a building to house records and test results. A portion of the site will be used for the reinterment of Native American remains, said Stegner.

During several years of meeting with a stewardship committee, suggestions made for how to use the site include developing an educational facility that would focus on environmental issues, Cold War history and Native American history. A park will

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Citizens group

Continued from Page 1A

bike and hiking trails has also been suggested. Project funding will have to come from outside sources because DOE will probably not have money to create a public facility, said Stegner.

"We can't pay for that out of appropriated funds," said Stegner. "But we

will work with them any way we can to make it happen."

Steve McCracken, a DOE director, will discuss the stewardship plan Saturday, March 15, 8:30 a.m. The meeting will take place at the Crosby Township Civic Center, 8910 Willey Road.

February 17, 2003

Weapons Complex Monitor

Page 5

"Some Sites Could Be Exempt From 'End-State Vision' Requirements"

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FATS

**SOME SITES COULD BE EXEMPT FROM
'END-STATE VISION' REQUIREMENTS**

Several cleanup sites across the weapons complex will likely be exempt from many requirements of the "Risk-Based End States" policy now under development at Energy Dept. headquarters (*WC Monitor*, Vol. 14 No. 4) because they are either too small or have already satisfied the requirements. The policy and accompanying guidance, which are out for comment from other federal agencies and state regulators, currently would require each site to develop a detailed "end-state vision," that would be the primary driver for restructured cleanup plans. However, DOE officials now believe that such a widespread requirement may not be warranted. "Our initial premise was that every site would need to build this 'end-state vision' but as we're getting into it, we're kind of thinking that maybe some sites have such short schedules at such low cost that

it wouldn't be worth developing the end-state vision," one DOE official told *WC Monitor*. For example, at the Environmental Technology Engineering Center, which is located at the Santa Susanna Field Laboratory in California and has an annual cleanup budget of around \$10 million, the Department believes putting the time and effort into an end-state vision may not be worthwhile.

Existing 'Visions' Need Not Be Re-evaluated

Other sites, like Mound or Rocky Flats, where DOE officials believe there is already a sufficient end-state plan in place could also be exempted from having to do it again. "There are sites that are so far along that have such a good working relationship with their community and their regulators that they have pretty good definition of what that end-state is going to be," the official said. "They're willing to go through the exercise, but many have already done it." Officials in EM's Long-Term Stewardship office will be making a recommendation to Assistant Secretary Jessie Roberson later this month about which sites should be required to complete the end-state vision. Under the time line included in the draft version of the policy, the site management version of the end-state vision would be formally presented to regulators and stakeholders for review by June 1, 2003 with an expected "endorsement" of the plans from regulators by Sept. 1, 2003. Sites would be required to revise their cleanup baselines and associated Performance Management Plans by March 31, 2004. ■

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Fast Flux Test Facility

Could help U.S. lead way

The Fast Flux Test Facility must be restarted to protect our food supply.

Let's face it. We are vulnerable to anthrax, listeria, mad cow and other pathogens from terrorists. E. coli and

salmonella can be eliminated from our meat supply by the use of agriculture isotopes, which have been approved by the Food and Drug Administration, the World Health Organization and American Medical Association.

There are 42 cobalt irradiators in the United States and a small reactor in Canada. We also import isotopes from foreign countries. The United States has always been first in research, science and medical treatments and has never lagged behind other countries in anything.

We must not let the Department of Energy stand in the way of the FFTF. A shutdown will cost \$2.2 billion but the restart of our facility in Washington would make us the largest producer of enough quality isotopes for the medical and agriculture industry.

We should not allow DOE to destroy an opportunity for the Tri-Cities to lead the way to food safety and medical treatments. It is our responsibility to protect the Hanford area as our economic base and it is our obligation to regenerate the FFTF in order to do so.

BARBARA POULSON
Connell

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RADIOACTIVE DEBATE HEATS UP

By, Casi Marie Herbst
NewsNet Staff Writer
5 Feb 2003

A small amount of class A radioactive waste spilled on its way to Utah two weeks ago, stirring an already hot debate, in which Utahns are petitioning for a ban on class B and C radioactive waste.

On Jan. 22, a small amount of radioactive waste spilled on its way from an Oak Ridge, Tenn., location. The dirt, which was contaminated, leaked from its inner container into the secondary container. It did not pose any threat to people or the environment.

"At no time was there any risk," said Julie Blake, vice president of marketing for Envirocare.

Rail transportation of radioactive waste has been halted until the U.S. Energy Department and Betchel Jacob's Inc. (the company which transported the waste) have inspected the incident.

Betchel Jacob's assumes the waste leaked somewhere around a rail change in St. Louis where the lid to one of the cases were jostled and dislodged according to Blake. Betchel Jacob's had no comment. Fourteen rail shipments had been completed before this spill took place. Although rail shipments have ceased for now, truck shipments have continued.

There are many safety requirements that must be met when transporting radioactive waste. However, some feel waste does not belong in Utah and transportation should be banned. The Green Party opposes both storage and transportation of nuclear waste.

There are three types of radioactive waste being disposed of in Utah: A, B, and C. Class A is the lowest level and poses no risk to human health. It decays and is safe within 100 years. Class B poses no risk if it is stabilized before going to a facility. Stabilizing can include taking out liquids or treating it with a polymer before storage. Class B decays and is safe after 300 years. Class C must be treated by a facility and is safe after decomposing for 500 years.

Classes B and C radioactive components can be found in ordinary products such as smoke detectors, exit signs, ink, plastics, adhesives, and other materials.

Gov. Mike Leavitt has opposed the storage and transportation of radioactive waste since 2000.

Envirocare feels that before transportation of B and C level is banned Utah citizens should research and understand the costs.

In 50 years of transporting radioactive material Envirocare has never had an accident that has posed a danger to people or the environment according to Blake.

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Hanford cleanup budget unveiled

■ *Energy Department asks for \$2.042 billion*

By John Stang
Herald staff writer

The Department of Energy wants to increase Hanford's cleanup budget in fiscal 2004 by almost \$37 million or \$63 million, depending on how the numbers are crunched.

DOE sent a \$2.042 billion Hanford cleanup request to Congress on Monday.

"The initial numbers look relatively good. It certainly could be worse. Obviously, we always

have to wait for the details," said Todd Martin, chairman of the Hanford Advisory Board.

Sheryl Hutchison, Washington Department of Ecology spokeswoman, said: "This is what we wanted to see. Clearly, we'll have to dig into it to see if there are any bugaboos."

DOE's Washington, D.C., headquarters kept a tight lid on its fiscal 2004 request, keeping those figures secret from most of its own people at Hanford until Monday. Consequently, local DOE officials have just begun

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Hanford: 2 top projects supposed to be completed this year

Continued from A1

trying to figure out the effects on Hanford.

Available DOE figures show that Hanford's tank waste projects took a tiny dip for 2004 as expected but remain more or less level in the long-term picture.

Also, DOE asked for less 2004 money to shut down the Fast Flux Test Facility than Fluor Hanford believes is needed to finish closing the dormant reactor by 2013. DOE's request for ground water cleanup is similarly less than what Fluor has planned for. Plus DOE expects to cut a few of its own employees.

Meanwhile, DOE wants to increase its river-shore cleanup budget, apparently in anticipation of awarding the site's new long-range river shore contract.

And 2004 is when two top-priority Hanford projects — removing spent nuclear fuel from the K Basins and neutralizing all plutonium at the Plutonium Finishing Plant — are supposed to be completed. Both appear to have healthy budgets for 2004.

Almost every year DOE unveils its request to Congress, it calculates the numbers in a different fashion from the previous year, making comparisons difficult.

This budget request is no exception.

Right now, Hanford assumes that the Office of River Protection, which manages the tank farms and glassification complex, will get \$1.127 billion for fiscal 2003, which actually began four months ago. That appropriation is expected to clear all remaining congressional and DOE hurdles by March. The fiscal 2004 request won't clear Congress until at least October, if not later.

Meanwhile, DOE's Richland office, which manages everything else at Hanford, is expected to get \$761 million for fiscal 2003.

But when DOE unveiled its 2004 request Monday, it changed how Hanford's budget is calculated — adding the FFTF's shutdown and the site's security to the Richland office's budget for the first time.

That adds almost \$91 million to the Richland office's \$761 million projected 2003 budget, bumping it to almost \$852 million purely by an accounting maneuver. That same maneuver adds almost \$117 million to the \$845 million in cleanup money DOE is seeking for 2004.

So DOE's Richland office's cleanup budget is expected to increase \$111 million from \$852 million to \$963 million in 2004. Or it is expected to increase almost \$85 million from \$761 million to almost \$846 million in 2004 under the same accounting criteria used in the past couple of Hanford budgets.

Meanwhile, the Office of River Protection's budget is expected to drop \$48 million from \$1.127 billion in 2003 to \$1.079 billion in 2004.

Bottom line: a \$37 million or \$63 million site-wide increase for 2004, depending on the accounting method.

Here is how available budget figures break down with their effects on some Hanford programs:

■ Glassification plant construction will stay at \$690 million from 2003 to 2004, as planned, and following the project's legal deadlines.

■ The rest of Hanford's tank farms work will drop from \$437 million in 2003 to \$389 million in 2004. That decrease has been long expected. DOE boosted the tank farms work by \$50 million from 2002 to 2003 to kick some acceleration efforts into action, with the idea that budget would drop to the 2002 level in 2004 once the speed-up work was started.

■ The FFTF's budget will increase from \$36.1 million in 2003 to \$43.8 million in 2004. That's

despite Fluor's calculations that it needs \$60 million annually starting in 2004 to completely close the reactor by 2013. DOE's decision to shut down FFTF is why this project is now part of Hanford's cleanup budget.

■ DOE asked for \$54.8 million for Hanford's security in 2003 and for \$73.1 million in 2004. This is the security budget's first year in Hanford's cleanup budget.

■ DOE's Richland office is budgeted to trim its full-time equivalent employees from 346 in 2003 to 338 in 2004.

The Office of River Protection, which already supervises more contractor workers per DOE employee than any other DOE site nationwide, has budgeted a drop from 110 FTEs in 2003 to 107 in 2004. At the same time, the glassification contractor's work force is supposed to significantly increase.

■ Hanford's river shore cleanup will increase from \$147 million in 2002 to \$160 million in 2003 to \$183 million in 2004. That reflects DOE's preliminary calculations that it needs to spend \$150 million to \$210 million annually during the first few years of cleaning up most of the Columbia River shore by 2012.

However, DOE expected to award the contract for the first multiyear phase of that project six months ago. It is still studying revised bids submitted by three corporate teams.

■ The HAMMER training complex's budget is unknown. Normally, it operates with about \$6 million a year. But for 2003 and 2004, it no longer has a separate budget, and its allocations are now scattered within other Hanford projects. Local DOE officials have not yet extracted HAMMER's figures from the other budget line items.

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TRIDEC leader takes new post N. Carolina

■ *Bill Martin to help find own replacement before leaving at end of March*

By Wendy Culverwell
Herald staff writer

Bill Martin, who has led Mid-Columbia economic development efforts as president of the Tri-City Industrial Development Council since 1999, will resign to take a new job in Fayetteville, N.C.

Martin plans to start his new post in April and will remain at TRIDEC until the end of March to help with the search for his replacement.

In North Carolina, he will lead the Cumberland County Business Council, a newly formed organization that will coordinate efforts of the Fayetteville Chamber of Commerce, the Fayetteville Area Economic Development Council and the Downtown Development Corporation of Fayetteville. He will be the president and chief executive of all three groups.

The community of 300,000 is south-east of Raleigh, N.C.

Martin notified the board of his decision Monday night. The executive committee is to meet today to discuss the process for finding a replacement. Kudos started flowing once word got out.

Sandy Matheson, chair of the TRIDEC board, said she wasn't surprised Martin was contacted by an executive search firm.

"He's highly sought after," she said, adding that Martin's legacy includes a list of successful projects and a statesmanlike approach to business.

"He's brought a tremendous sense of professionalism to the organization," she said. "We're happy for Bill. He deserves this. It's a great opportunity."



Martin

an attorney active in TRIDEC, praised Martin for managing to hold TRIDEC, which aims to represent the interests of a variety of cities, counties, ports and other groups, together.

"TRIDEC is a fragile alliance. Anyone who has taken over the reigns and tried to control that faces a daunting task. Bill has just been outstanding at keeping that alliance together," he said.

By presenting a unified front, the community retained Lamb Weston and Welch's when the companies wanted to leave and secured federal funds for the Hanford Waste Treatment and Isolation Plant. Rettig said credit is owed to TRIDEC.

"We may not have been successful at all with any of them," he said.

Cheryl Dell, a TRIDEC executive board member and publisher of the Tri-City Herald, said Martin will be missed. "For the last several years, the Tri-Cities has benefited from Bill's talent and hard work," she said.

Martin said he agonized about whether to leave or to stay.

"This was a particularly tough decision. I love TRIDEC, and my wife and I have enjoyed living in the Tri-Cities." Esperanza Martin is a loan officer for the Benton Franklin Council of Governments.

Martin said the Fayetteville community

Frank Armijo, immediate past chair of the TRIDEC board, concurred.

The economic development community is small enough that exceptional leaders stand out, he said.

TRIDEC: Vision

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offered some of the same attractions as the Tri-Cities — strong leadership and a community vision.

The couple moved from Lawrence, Kan., where Martin was director of economic development for the local chamber of commerce.

One of his chief challenges on arriving in the Tri-Cities was to revitalize TRIDEC's business recruitment program. Proof of success is in the offing at Richland's Horn Rapids Industrial Park, where Virginia-based Ferguson Enterprises is developing its Northwest distribution hub.

Besides recruiting new business to the region, TRIDEC has won awards for its marketing materials and has instituted programs to nurture existing businesses and minority businesses. TRIDEC also backed formation of the Three Rivers Community Roundtable, a loosely organized effort to promote community goals.

"We've got what most people consider to be the finest economic development program in the Pacific Northwest and one of the finest in the nation," he said, crediting staff and community partners such as Lockheed Martin and Fluor Hanford for the improvement.

Matheson said the search committee will likely advertise the post in national trade magazines and ask Martin to suggest candidates for the next TRIDEC president.

■ Reporter Wendy Culverwell can be reached at 562-1537 or via e-mail at wculverwell@tricityherald.com.

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Ruston smelter cleanup may get boost

■ *Proposed increase of \$150 million would benefit Superfund sites*

By Les Blumenthal

Herald Washington, D.C., bureau

WASHINGTON — The Ruston smelter cleanup could receive an infusion of federal cash as part of the \$150 million increase in Superfund spending the Bush administration proposed Monday in its budget plan for the next fiscal year.

But Environmental Protection Agency officials were quick to caution that no decisions had been made on how the additional funds would be spent if Congress approved. And with the Superfund rapidly running out of money, the administration wants taxpayers to pay \$1.1 billion, twice the current levels, for cleaning up Ruston and other dangerously polluted sites across the country.

In releasing its budget, the administration also raised new questions about the future of the Bonneville Power Administration, which supplies almost half the wholesale electricity in the Northwest and helps keep the region's electric rates in the Northwest among the cheapest in the nation.

The White House budget office, echoing criticisms of the past, said federal taxpayers continue to subsidize BPA's low rates and challenged whether public utilities in the Northwest should continue to have first claim on Bonneville's power.

The comments drew a sharp response from Northwest lawmakers.

"I am very concerned about the statements made by the administration in the fiscal year 2004 budget," said U.S. Sen. Maria Cantwell, D-Wash., adding that a top administration official previously had ruled out changes at BPA.

Washington's other senator, Democrat Patty Murray, said the region still was suffering from the skyrocketing electric rates of two years ago and "it now seems the administration wants to create even more burdens for Northwest ratepayers."

Elsewhere in the budget, the administration proposed spending \$380 million on defense, including a 2 percent pay increase for enlisted men and up to a 6.2 percent increase for certain higher ranks. The Army budget proposed funding for four rather than six Stryker brigades like those at Fort Lewis. The Army has

said it would reassess plans for the other two brigades, though Congress supports creating all six.

The Army sought almost \$60 million for construction projects at Fort Lewis, including \$48 million for continued work on a new barracks.

The Navy budget called for spending \$1.2 billion to convert four Trident nuclear ballistic missile submarines like those based at Bangor, Wash., into conventional submarines capable of carrying 150 Tomahawk cruise missiles and a contingent of special-operations forces.

The Air Force sought \$3.7 billion to buy 11 more C-17 transports like those at McChord Air Force Base. McChord would receive \$8.1 million for construction of bulk fuel storage under the budget.

The administration's budget also included enough money to keep the cleanup of the Hanford nuclear reservation on schedule and \$120 million in additional funding for such new technologies to protect the nation's borders as radiation detection machines to inspect cargo containers arriving at ports.

In calling for the increase in money for the Superfund, the EPA said it would be used at the

most dangerous sites, and at those that could be completed by 2005. The current schedule calls for finishing the cleanup at Asarco's Ruston smelter by 2005 at a cost of about \$90 million.

Though emphasizing that no decisions had been made, Marianne Horinko, who heads the Superfund program at EPA, said there were "sites that could use the money to get over the goal line."

The EPA announced last week that the financially troubled Asarco had agreed to pay \$100 million into a special environmental trust fund over the next eight years to cleanup Ruston and its other 20 or so Superfund sites. But Asarco's total environmental liabilities could top \$1 billion.

The administration rejected calls to reinstitute a tax on corporate polluters that expired in 1995 and had been used to pay for Superfund cleanups. Seven years ago, there was \$3.8 billion in the Superfund. Come Oct. 1, the Congressional Research Service estimated only \$28 million will remain, while the administration estimated there would be \$159 million in the fund.

■ Reporter Les Blumenthal can be reached in Washington, D.C., at 202-393-2228 or via e-mail at lblumenthal@mcclatchydc.com.

DATA

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Briefs

Sen. Hale given award for Legislator of the Year

OLYMPIA — State Sen. Pat Hale, R-Keenewick, has received the Legislator of the Year award from the Washington Council of Police and Sheriffs.

The 4,700-member organization represents more than 80 percent of police officers and sheriffs deputies in Washington. Hale is just beginning her third four-year term in the Legislature and is chairwoman of the Senate Republican Caucus.

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Bechtel to mentor new pipe plant

■ *Agreement will help firm become major manufacturer of pipes for Bechtel, others*

By Wendy Culverwell

Herald staff writer

A small Pasco company hopes to grow into a major pipe manufacturer under an agreement with the lead contractor on the Hanford Waste Treatment Plant.

Bechtel National Inc. has agreed to serve as a mentor to Timberline Process & Controls Inc., a privately-owned company that provides pipes and related materials and instruments to Bechtel and other customers.

The Mentor-Protégé program is supported by the Department of Energy.

Bechtel's contract to design, build and operate the \$5.6 billion waste vitrification project doesn't require it to take a small company under its wing, but the marriage made sense, said Carrie Brittain, small-business advocate for Bechtel. Bechtel has eight such protégés around the country.

Bechtel will lend its business expertise, and in return Timberline will grow into a reliable supplier of building materials manufactured to the nuclear industry's exacting standards.

Timberline owner Randy Tweten has purchased 2 acres in the Horn Rapids Industrial Park and has an option for three more for a future 15,000- to 20,000-square-foot fabrication shop, which will employ as many as 75 union

craftspeople and other staff.

Tweten has nearly completed the manuals and paperwork associated with earning the Nuclear Quality Assurance designation but must complete an actual production job to finish the application process.

Being a protégé to Bechtel doesn't automatically guarantee future work for Timberline, but procurement officials suggest it's likely.

By helping Timberline expand its capabilities, Bechtel is assured a pipe manufacturer with NQA credentials is available to provide materials for future projects.

The Hanford vitrification project will require about 900,000 feet of pipe.

The mentor agreement gives Timberline the opportunity to be the sole source supplier on some projects if its price is considered reasonable.

Tweten said his long-term vision for Timberline includes expanding in the Tri-Cities and becoming a supplier not just to Hanford, but also to the Department of Defense and commercial customers.

"I think the Tri-Cities is an incredible opportunity," he said.

As part of the agreement, Timberline is teaming with two small Western Washington companies that have NQA programs. Diamond B Constructors in Bellingham and Puget Sound Pipe in Kent are providing Timberline with materials it needs.

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PNNL receives 3 federal awards

■ Awards given for new technologies developed at lab for practical use

By Annette Cary
Herald staff writer

New technologies developed at Pacific Northwest National Laboratory are being put to practical use — preventing terrorism, helping communities prepare for disasters and curbing pollution.

The Federal Laboratory Consortium has given the lab three Excellence in Technology Transfer Awards for projects that accomplish those goals. The awards for 2003 bring the Richland lab's total to 54 since the program began in 1984. That is more than any other federal laboratory.

With the acoustic inspection device, or AID, developed at the lab, U.S. Custom Services can quickly and reliably check for contraband or explosives hidden in railroad or truck tanks.

It relies on ultrasonic pulses that pass through sealed containers of liquid, then assesses the return echoes that bounce off the far side of the container.

An AID looks like a cordless drill, but hold it up to the side of a railroad tanker of soybean oil and it will emit a soft clicking noise as the sound passes through the oil. If there's something floating inside or a concealed compartment, the sound waves will be interrupted and the clicking will stop, alerting the operator.

It also can identify many substances or pick out a single barrel

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among hundreds that contains a different liquid — for instance not just orange juice, but orange juice laced with cocaine.

The technology was developed at the end of the Gulf War when the Department of Defense needed technology that could be used to inspect confiscated munitions to determine if they were chemical weapons without exposing soldiers.

It also needed the technology to verify the U.S. and Russian chemical weapons treaty.

The second award went to a software system that can help officials quickly collect accurate information in disasters, potentially saving lives and property.

Most recently, it's been customized for the oil industry. Translated into Spanish, it's been installed at the Minatitlan Refinery in Mexico to help officials plan for events such as fires, explosions and releases of toxic gas.

It also has been used by the National Aeronautics and Space Administration and the Chemical Stockpile Emergency Preparedness Program. It was developed by the national lab to help safeguard communities near the nation's chemical weapons depots, such as the Umatilla Chemical Depot.

The system combines modeling, visualization and communications capabilities to help emergency managers identify hazards, do risk analyses, declare emergencies, track responses and register and reunite people who must be evacuated.

The third award is for a system that treats vehicle exhaust. It relies

on combining an electrically charged gas with a specialized catalyst to substantially reduce harmful exhaust emissions.

The lab has transferred the technology to Delphi Corp., Caterpillar Inc. and a low-emissions partnership that includes the government and Ford, DaimlerChrysler and General Motors.

Last year, Delphi installed a prototype system on a Peugeot 206 demonstration vehicle and could include the system in new vehicles as early as 2005.

The new technology is intended to help manufacturers meet vehicle emissions and fuel economy requirements that the government has set for the end of the decade.

■ Reporter Annette Cary can be reached at 582-1533 or via e-mail at acary@tri-cityherald.com.

PNNL: Technology inspects munitions

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Budget book a 'must read' — for staffers

Joy, jeers mixed in early state reviews

BY KATHERINE PFLEGER
Seattle Times Washington bureau

WASHINGTON — Dozens of policy wonks waited in a long line yesterday morning for one of D.C.'s most anticipated five-volume documents: President Bush's annual budget.

It reads no more interestingly than an accounting ledger. Yet thousands of eyes pore over it on budget day, looking for details on how the president hopes to fund the government beginning Oct. 1.

Then Congress starts editing, beginning with staff members who stock up on Post-its and, in some cases, show up to work in jeans.

In the 13-pound 2004 edition, Bush calls for significant increases for homeland security, defense and law enforcement — all expected to benefit Washington state. He also included money for Sound Transit and requested new borrowing authority for the Bonneville Power Administration.

Generally, though, Democrats had to scour for the bright spots in a proposal that squeezes many domestic programs and eliminates others, including a massive land-conservation campaign in the Cascades and federally-funded poison-control centers.

"Poison-control centers?" said Jennifer Griffith, a budget aide for Democratic Sen. Maria Cantwell, questioning the cuts to basics she believes the government should supply. "It just doesn't make any sense."

Bush made it clear: He wants results.

"A federal program's measure of success is not its size, but the value it delivers," the president said in his budget message.



Maria Cantwell



Patty Murray

'A federal program's measure of success is not its size, but the value it delivers.'

PRESIDENT BUSH

Sound Transit money

By 10 a.m., Cantwell's staff was starting on charts and memos for the boss, trying to sort out — among other puzzles — how funding for the new Department of Homeland Security would look.

Meanwhile, the printer in the office of Rep. Rick Larsen, D-Lake Stevens, was already hot as staff members took turns running off parts of the budget before soft-bound copies arrived.

Some offices go bananas on budget day, leafing through the proposal and preparing briefings for Congress members; others dismiss it as a Republican agenda and don't give it a thought.

Among the big news for the state was a federal recommendation for light rail, getting the troubled project back on track for federal support.

In Seattle, Democratic Sen. Patty Murray called a news conference. In D.C., aides breathed sighs of relief that years of doubts from the federal government might be ending. "It's great news," Murray spokesman Todd Webster said.

Cascades project unfunded

At 11:30 a.m., Interior Secretary Gale Norton, Agriculture Secretary Ann Veneman and Environmental Protection Agency Administrator Christie Whitman — sometimes called the "three amigos" — held a briefing to tout the environmental proposals in Bush's budget.

Norton said Bush's proposal would fully fund the \$900 million Land & Water Conservation Fund, which provides money to set aside lands, open space and conservation.

About the same time, environmental advocates in Washington state were realizing that one of their top priorities, which would rely on the conservation fund, wasn't included.

The administration didn't request a penny for a plan to purchase and preserve up to 75,000 acres of forest along I-90, much of the land from timber companies.

The plan will need as much as \$100 million in federal dollars, with \$25 million raised privately. The Cascades Preservation Partnership was hoping the administration would provide at least \$10 million this year.

"This is a slap in the face to Washington state," said Fred Munson, deputy director of Northwest Ecosystem Alliance, which administers the partnership and leads the fund raising.

Munson said he was particularly surprised, given that members of the staff of Rep. Jennifer Dunn, R-Bellevue, had pushed Bush's environmental-policy shop on the merits of the three-year campaign. "Everyone nod-

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ded their heads and said this is great," Munson said.

Dunn's spokeswoman didn't return a call seeking comment.

Meanwhile, Democrats say the Bush administration is using the conservation fund for spending that should come from other parts of the Interior Department budget. Aides for Bremerton Rep. Norm Dicks, the top Democrat on the Interior spending panel, worry the Cascades acquisition — which would amount to the largest in state history — is in trouble.

"An appropriation that large, without administration support, well, it's impossible," said Dicks' senior aide, George Behan.

Good news for bases?

The Bush budget doesn't outline how to pay for a possible war with Iraq; that could come in later requests. However, it would provide the most generous increases in defense spending since the Reagan administration, a good sign for Washington's many military installations.

Staff members for Dicks and Larsen were concerned about roughly \$1 billion in proposed cuts to military construction. The funds can cover anything from the roofs over soldiers' heads to base improvements — all things "particularly important at a time when we are supporting our troops," said Larsen spokeswoman Charla Neuman.

Last year alone, Larsen's staff said, the military spent \$8.4 million on a new security fence at Whidbey Island Naval Air Station to prevent the public from getting onto the base.

"It's a huge cut," Behan said.

Puzzled by BPA funding

Cantwell's office didn't quite know what to make of the language in the budget for the Bonneville Power Administration.

On one hand, the budget calls for \$700 million in new borrowing authority for the Northwest's power-marketing agency to increase its transmission network.

On the other, language tucked deeper in the document criticizes Bonneville's pricing structure. Some worried the administration was renewing calls to privatize Bonneville.

Cantwell fired off a statement: "I will fight the battles necessary to keep the Northwest power system strong."

Behan, though, played down the threat: "Other administrations have tried to do this without much success."

Fish, cops and Hanford

At the end of the day, Washington state interests called the 2,866-page budget a mixed bag.

Salmon funding would be reduced, which irked American Rivers and other environmental advocates, but some of Washington's Democrats agreed the cuts could have been deeper.

Bush would boost law-enforcement spending, including an increase of \$383 million to hire 1,900 new FBI employees, which could mean more agents for the Seattle office.

But Democrats also complained that Bush suggests cutting roughly \$2 billion in law-enforcement block grants to states. The budget documents said the administration was concerned the grants lack "verifiable performance goals and measures."

And for the first time since Bush took office, Republicans and Democrats were, generally, content with the funding levels for cleanup at the Hanford nuclear reservation.

On Hanford, "Patty Murray isn't going to have to fight an epic, Braveheart battle this year," said Webster, her spokesman, before heading home.

Hanford cleanup winner in budget plan

The \$2 billion earmarked for 2004 benefits the work at the nuclear facility and the Tri-Cities work force

By LINDA ASHTON
THE ASSOCIATED PRESS

YAKIMA — The more than \$2 billion the U.S. Department of Energy proposes to spend at the Hanford Nuclear Reservation in the 2004 budget year would build almost five Seattle Seahawks stadiums.

The Office of River Protection is budgeted for almost \$1.1 billion. It is overseeing the country's largest environmental cleanup project: the construction of a huge waste-

treatment complex and the removal of almost 54 million gallons of highly radioactive waste from underground tanks at Hanford.

The Richland Operations Office, which oversees everything else associated with Hanford, is budgeted for more than \$1 billion.

Energy Secretary Spencer Abraham released the 2004 budget plan on Monday in Washington, D.C.

All that money is good for the Tri-Cities, said Bill Martin, president of the Tri-City Industrial Development Council.

"It's good not only for our economy; it also means they're making progress in cleaning up the environment," he said.

One-third of the jobs in the Tri-Cities area of Richland, Pasco and Kennewick are directly or indirect-

ly related to Hanford, and they represent 45 percent of the income, he said.

The Energy Department's 2004 budget request for Hanford is fairly close to the 2003 budget, which has yet to be approved by Congress, although the 2003 budget year began last fall.

In 2004, the Office of River Protection will continue with the design and construction of the vitrification complex, which will turn radioactive tank waste into glass cylinders for long-term storage. The plant is supposed to be in full operation by 2011.

The agency also will continue the transfer of waste from old, leak-prone single-shell tanks to newer, double-wall tanks for interim storage and preparations to move the

waste from the tanks to the vitrification plant.

Elsewhere at Hanford in 2004, the Richland Operations Office will oversee the scheduled completion of the removal for dry storage of corroding spent fuel rods from the K Basins, which are 400 yards from the Columbia River; cocooning of two more Cold War-era reactors; and stabilizing more than 4 tons of plutonium at the Plutonium Finishing Plant.

About \$43.8 million is budgeted for work at the Fast Flux Test Facility, a surplus experimental reactor that Benton County is trying to save in hopes of finding a private sponsor who will use it to make medical isotopes.

Benton County sued the Energy Department last fall to stop it from

dismantling the reactor, and additional work was postponed until March. The two parties are expected to be back in court next month, but the budget assumes some key deactivation work will be done in 2004.

The 560-square-mile reservation in south-central Washington for 40 years made plutonium for the nation's nuclear weapons, beginning with the top-secret Manhattan Project to build an atomic bomb.

Today, Hanford makes nothing. Instead, its work is cleaning up the legacy of radioactive and hazardous waste that left the reservation the most-contaminated nuclear site in the nation.

Cleanup is estimated to cost \$50 billion to \$60 billion total and be completed in 2035.

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Budget slaps BPA, dredging proposal

Northwest lawmakers are alarmed by criticism of the power agency in a performance assessment

By **JIM BARNETT**
and **TOM DETZEL**
THE OREGONIAN

WASHINGTON — Spending on Northwest projects from highway construction to salmon recovery would grow slowly or be subject to delays or cuts under the 2004 budget proposed Monday by President Bush.

The budget — often regarded as a political document, regardless of the party in power — also contained some potentially ominous precedents for Northwest electricity consumers and businesses engaged in international trade.

One was a broadside at the Bonneville Power Administration, which the White House budget office accused of competing with private power sellers.

And the budget raises another hurdle for a \$119 million plan to deepen the Columbia River shipping channel by continuing a policy of "no new starts" for construction projects by the U.S. Army Corps of Engineers.

The slap at the financially ailing BPA, which generates half the region's electricity, set off alarms in the Northwest congressional dele-

gation.

"This is the strongest attack in a president's budget on BPA since Ronald Reagan was president," said Rep. Peter DeFazio, D-Ore., who vowed war against any effort to shift the BPA's decades-old mandate to sell federal power at cost.

The criticism of the BPA also drew fire from Sen. Patty Murray, D-Wash., who sits on the powerful Senate Appropriations Committee, and from Sen. Gordon Smith, R-Ore. A spokeswoman said Smith "will fight" any privatization effort.

The critique came as part of an Office of Management and Budget performance assessment of select agency programs that accompanied the budget.

The office complained that the BPA competes with the private sector when selling surplus power to California and asserted that taxpayers are subsidizing the agency through low-cost financing the BPA has obtained from the U.S. Treasury.

In addition, the BPA's main functions "could be performed under contract or through non-federal ownership of transmission lines and generation capacity" at the 29 dams that produce the bulk of its power, the budget office said.

Though the budget office said it was up to the BPA to recommend ways "to improve" its marketing and cost recovery, the BPA released a statement seeming to de-

mur. "This is something the administration believes should be explored, but there will be no implementing initiatives any time in the near future," the BPA said.

Potentially as troubling for supporters of the Columbia dredging project was the corps' decision to extend its policy of "no new starts" for a second year and perhaps indefinitely.

Work on the two-year Columbia deepening project had been scheduled to begin in mid-2004. But it was excluded from the budget because the corps' Portland office has not completed a revised environmental impact statement.

Project supporters, including the Port of Portland and members of Congress, contend that the Columbia is not a new start because the corps has spent money from a construction account on project planning. In their view, the project could move ahead in fiscal 2005.

But White House budget office officials and corps leaders generally have adopted a more restrictive definition of "new start." Unless the corps already has signed a contract for dredging, it probably won't proceed, they said.

Other elements of the budget could stall economic recovery in the Northwest and impose additional hardships on families, according to Democrats.

Rep. David Wu, D-Ore., said the budget proposed halting a scheduled increase in Pell Grant funding

for college students. "This is a disaster for education when we already have problems of our own," he said.

And aides to Sen. Ron Wyden, D-Ore., combed proposed spending on highways and found that Oregon would get \$21 million less in 2004 than under the 2003 spending bill passed by the Senate but not yet signed by Bush.

Other highlights from the budget:

- ◆ Spending on Northwest salmon recovery by five resource agencies would increase slightly from the \$219.4 million proposed by the 2003 budget, but the BPA is expected to cut back on ratepayers' contribution. Environmentalists say the total is about half of what is called for in a federal recovery plan.

- ◆ Wildfire programs are slated to get \$2.2 billion, an increase of \$219 million, after the second-worst fire seasons on record. The budget also calls for \$416 million to reduce hazards on 2.5 million acres, mostly near populated areas.

- ◆ Murray praised the administration for committing more than \$2 billion for continued cleanup of radioactive waste at the Hanford Nuclear Reservation. Bush had shorted the Hanford cleanup in each of his previous two budgets.

Washington state nuclear alert deemed false alarm

By Reuters

RICHLAND, Wash. -- Emergency crews found no evidence of radiation leaks at the nation's largest nuclear dump Wednesday after a false alarm triggered evacuations and a lock-down of hundreds of employees, spokespersons for the site said.

The alarm went off in an area of the Hanford Nuclear Reservation where spent reactor fuel is stored in liquid-filled basins overseen by the U.S. Department of Energy and a team of private contractors led by California-based Fluor Corp.

"All indications that we have right now is that this was a false alarm. We are still waiting for some survey information to come back, but all reports are negative so far," said Kim Ballinger, spokeswoman for the site.

Emergency workers blamed "instrument malfunction" for the alarm, which is designed to warn of any airborne radiation release at the Hanford site in rural Eastern Washington state near Richland.

As a precaution, officials briefly evacuated a 20-mile stretch of the nearby Columbia River, which contains no towns or significant settlements. Hundreds of plant workers were quarantined until they could be screened for contamination.

The complex produced plutonium for the nation's first atomic bombs under the Manhattan Project 60 years ago and has stored a variety of nuclear waste since then.

Source: Reuters

Lawmakers stood behind Envirocare of Utah last fall to protect the landfill company from the wrath of voters who didn't want Utah to be the nation's premier dump site for radioactive waste.

Now lawmakers appear to be shielding the Tooele County landfill again -- this time from Gov. Mike Leavitt's veto pen. Senate Bill 172 would help Envirocare avoid the sting of Leavitt's promised rejection of hotter radioactive waste by setting a framework for action after the governor's current term is up.

"Boy, that is convenient," said Claire Geddes, director of Utah Legislative Watch and an advocate of tighter limits on radioactive waste. "That's the kind of issue that makes all of us question what they are doing" in the Legislature.

But sponsoring Sen. Curt Bramble, a Provo Republican and leader of Envirocare's Initiative 1 opposition in Utah County, denied his bill is intended to veto-safe the company's multimillion-dollar enterprise.

"That didn't even -- that concept was not part of the process," said Bramble, whose bill is on a fast-track and headed for the floor of the Utah House of Representatives.

The bill is publicly embraced by the Tooele County landfill company, which has made direct campaign contributions to all but 13 of the 104 legislators.

It would have 15 legislators study Utah's hazardous and radioactive waste policy, beginning in May. It also puts an unusual 20-month moratorium on voting on what is called class B and C waste.

B and C waste is a lucrative part of the radioactive waste market that is soon to be abandoned by a South Carolina facility, the sole disposal option for radioactive waste producers in 36 states.

Utah has a three-step license approval process for taking B and C waste. Envirocare completed the first step, a technical review, in July 2001.

To open its one-square-mile facility to disposal-starved states, the company must clear two political hurdles by July 9, 2006 -- getting the Legislature and the governor to sign off on the expansion plan.

Trouble is, Leavitt, who is fighting a high-level waste site on the Skull Valley Goshute Indian Reservation, said last fall he would reject Envirocare's B and C-license request. But his term ends the month before the moratorium expires, and while he is not saying, speculation is widespread he will not seek an unprecedented fourth term.

Meanwhile, Envirocare friends are in the race to replace Leavitt.

Among them is House Speaker Marty Stephens, who received \$6,500 in campaign contributions from Envirocare in the past election. Another is former House Speaker Nolan Karras, who joined Envirocare's Election Night victory party celebrating the defeat of Initiative 1.

Envirocare pumped \$3.8 million into opposing Initiative 1, a ballot initiative that would have banned B and C waste, which is generally hundreds and some- times thousands of times more radioactive than the class A waste the company already takes. With the help of lawmakers insisting more study is needed, the company also successfully fought Rep. Kory Holdaway's legislative effort this month to outlaw B and C waste.

Meanwhile, Envirocare has put its license pursuit on hold, in part because of what it discovered while fighting the initiative.

Company focus groups had found voters were confusing the low-level waste Envirocare accepts with high-level nuclear waste like the spent power-plant fuel proposed for the unrelated Skull Valley site. The groups showed that it takes about 20 minutes to explain the difference to an average Utahn, said Envirocare President Dwayne Nielson.

In essence, the moratorium mandated by Bramble's bill would give Envirocare time to sell the public, lawmakers and the governor on B and C waste.

Envirocare has been working with political consultant Eddie Mahe, the mastermind behind Newt Gingrich's Contract With America in 1994.

It also has launched an image campaign "to inform the public about what low-level radioactive waste is and to dispel myths about their industry." The company has adopted terminology from the high-tech industry, calling itself "a provider of environmental cleanup solutions."

Holdaway, whose effort to ban B and C waste was trounced in the House, called it "crap" that lawmakers should devote an entire special session to Envirocare's license rather than dealing with it in the din of a general legislative session.

"That's a hot issue with voters," said the Taylorsville Republican. "If it's an important enough issue, then bring us in and let us put our names by it."

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