



FRIDAY MAILING

5/30/97

INCLUDED IN THIS MAILING ARE:

- Draft Minutes from March 15, 1997 Task Force Meeting
- "Nuclear Weapons at the Crossroads: Which Path Will We Take?" flyer
- Newsclippings

ANNOUNCEMENTS:

- WASTE MANAGEMENT COMMITTEE:** The Waste Management Committee will meet on Monday, June 9, 1997, to discuss the Silos Path Forward. The meeting will take place in the Uno Building at 6:00 p.m.
- SIL0 3 - SECOND WORKSHOP:** There will be a second workshop on Silo 3 on Monday, June 16, 1997. The meeting will take place at the Plantation at 7:00 p.m.
- TASK FORCE MEETING:** There will be a Task Force Meeting on Wednesday, July 10, beginning at 6:00 p.m. in the Alpha Building.

QUESTIONS:

Please call John at [REDACTED] or Doug at [REDACTED] with questions or concerns. You may also fax or e-mail us at:

John FAX: 281-3331 E-MAIL: john.applegate@law.uc.edu
 Doug FAX: 648-3629 E-MAIL: [REDACTED]

*Chair*

John S. Applegate

Members

James C. Bierer
 Marvin W. Clawson
 Lisa Crawford
 Pamela Dunn
 Constance Fox, M.D.
 Darryl D. Huff
 Thomas B. Rentschler
 Warren E. Strunk
 Robert G. Tabor
 Dr. Thomas E. Wagner
 Dr. Gene E. Willeke

Ex Officio

L. French Bell
 Jack Craig
 Gene Jablonowski
 Graham Mitchell

Draft Minutes from the March 15, 1997 Meeting

The Fernald Citizens Task Force met from 8:40 a.m. until 12:30 p.m. on March 15, 1997, at the Alpha Building, 10967 Hamilton-Cleves Highway, Harrison, Ohio. The meeting was advertised in local papers and open to the public. Time was reserved for public input.

Members Present:

John Applegate
 French Bell
 Jim Bierer
 Marvin Clawson
 Lisa Crawford
 Pam Dunn
 Constance Fox
 J. Phillip Hamric
 Darryl Huff
 Gene Jablonowski
 Dan McElroy
 Gloria McKinley
 Graham Mitchell
 Jerry Monahan
 Robert Tabor
 Thomas Wagner
 Gene Willeke

Members Absent:

Thomas Rentschler
 Warren Strunk

Designated Federal Official Present: Ken Morgan

DOE Headquarters Alvin Alm

Task Force Staff Present: Sheri Landfair
 Crystal Sarno
 Douglas Sarno

About 20 spectators also attended the meeting, including members of the public and representatives from DOE, Fluor-Daniel Fernald, and FRESH.

1. Call to Order and Approval of Minutes

Chair John Applegate called the meeting to order at 8:40 a.m.

2. Announcements and New Business

The Minutes from the January 11, 1997, meeting of the Task Force were accepted and approved as presented.

Al Alm, who was at the meeting to discuss the Department of Energy's Ten-Year Plan, as well as give an update on the status of the budget and answer questions, was introduced. Dan McElroy was introduced as a potential member to replace Jerry Monahan.

Applegate raised several membership issues. Guy Guckenberger has become a Hamilton County judge, and is thereby not allowed to remain a member of the Task Force. We will be looking for a Hamilton County replacement for him. Phil Hamric is retiring from the government, and a replacement will also be sought for his position.

Jerry Monahan has retired from the Task Force. The membership committee interviewed candidates from the Building Trades Council, whom Monahan had helped to identify, and recommended Dan McElroy to the Task Force for membership. The Task Force unanimously approved the committee's recommendation, and Applegate welcomed McElroy to the group.

Applegate reported on recent discussions with DOE to improve communications among DOE, regulators, and stakeholders. Many things are being accomplished at the site, and the Task Force would very much like to have access to that information. Tom Wagner suggested that we schedule an official tour of the site, as the last tour was in 1993. It was agreed upon to arrange a tour for an upcoming meeting.

3. Committee Updates

Transportation Committee

Committee Chair Tom Wagner reported that activities since the last Task Force Meeting have included a meeting on February 6, 1997, to discuss options for intermodal transportation through Envirocare. The likelihood of a transfer point there does not appear promising. DOE is exploring another possibility in North Las Vegas. Jack Craig has talked to the Nevada Operations Office of DOE, and there may be a facility available to ship the waste via intermodal transportation, and apparently at half the cost. They will be doing a pilot study. The committee is awaiting details on this possibility. At this point they are also waiting for feedback on issues from February 6th meeting.

The committee also took a trip on the rail line to Cottage Grove in a small passenger vehicle on March 12, 1997.

Community Reuse Organization

Lisa Crawford reported that the strategic planning is done, and a draft report is available in the reading room. It will be sent to all members.

Health Effects Committee

Crawford reported that this committee held a meeting last month. They are still in the process of going through background materials. Another meeting is scheduled for May.

GAO Report

Jack Craig indicated that the final GAO Report will be released sometime Tuesday, March 18th. A copy will be sent to each member.

DOE Ten-Year Plan and Budget

Al Alm began his discussion of DOE's Ten-Year Plan and the budget by affirming the commitment to a balanced budget by the appropriations committee and the president's budget. The authorizing committees are stuck with their total allocations. They requested 5.8 billion dollars, which was just slightly higher than in previous years, and they also proposed a one-billion dollar privatization program. DOE has three priorities: 1) to reduce the most urgent risks as quickly as possible, 2) to reduce landlord costs, and 3) to meet compliance agreements.

Alm said it is imperative that Fernald meet the Ten-Year Plan: "If we can't achieve it here, then we won't make it anywhere." He stated that if there were not funds available to achieve this, he would reallocate funds.

It was noted that many terms used by DOE were not well understood by the public. Alm promised to put together a glossary to be sent around to stakeholders to help clarify these terms.

Monitoring Committee

Committee Chair Pam Dunn reported they have compiled the recycling results from the January 11th Task Force meeting. At this point, they are waiting on the recycling meeting, which is expected to take place in April or May.

Natural Resources Committee

Committee Chair Jim Bierer reported that activities since the last Task Force Meeting have included a January 29th meeting with Flour Daniel Fernald and EPA, at which the Natural Resources Impact Assessment was discussed. They also reviewed the Natural Resource Restoration Plan, as well as the Habitat Equivalency Analysis. They have heard that the native American agreement has been set forth; the burial will take place on site, in an area that has been certified as clean.

With all of the site activities occurring, such as buildings coming down, there have been several citizen inquiries as to what is happening. The citizens would like to be informed on a regular basis of activities on-site. They would also to see some early actions undertaken to improve the aesthetic quality of the site during construction. All of these ideas were passed on to Jack Craig for consideration and comment. The Natural Resources Committee has lost a member, and is looking for a new member. Upcoming action items include continuing to track progress of the restoration plan. The excavation plan has been delayed until July.

4. Update on Silos

Doug Sarno provided background and history of the silos on site. Then, Committee Chair Gene Willeke described the Waste Management Committee's recommendations.

In August 1996, the Task Force was presented with a proposal to change the process for Silo 3 from vitrification to cementation. This caused a fair amount of concern among the Task Force members and within the community. The Waste Management Committee first responded by presenting DOE with a list of questions that were critical to making an informed and sound decision. DOE also convened an outside technical team to help determine what had gone wrong, as well as what the next steps should be. This team came to be called the Independent Review Team. The report from the IRT should be available within a week or two.

The Waste Management Committee identified three primary questions and presented its preliminary recommendations to the Task Force.

- 1) Should the materials in Silos 1 & 2 be separated from Silo 3? The committee recommended that they should be separated. The primary reason for separation of Silo 3 wastes is the major concern that treating all silo waste together will cause significant problems, and will most likely prevent the successful treatment of the materials in Silos 1 and 2.
- 2) What is the appropriate treatment technology for the materials in Silo 3? The committee does not have a specific proposal for the treatment of Silo 3 wastes at this time because more information needs to be developed concerning treatment alternatives.
- 3) What is the appropriate treatment technology for the materials in Silos 1 and 2? Vitrification continues to be the remedy of choice for materials from Silos 1 and 2, and should be vigorously pursued. Recognizing that there is some possibility that vitrification may prove to be unfeasible, it is important also to continue the evaluation of stabilization to determine whether stabilization is a bona fide back-up option for the treatment of Silo 1 and 2 materials. Any future decision to abandon vitrification must be clearly and fully developed and determined with full stakeholder participation.

Jim Saric (US EPA) addressed the issue of the May 15 deadline for informal dispute. Saric expressed concern that he needs a path forward regarding vitrification or cementation. It is important to have a decision by May 15th. The question of what information is needed to make that decision was raised. Disappointment was expressed that the Independent Review Team went through its process, and was not able to come up with answers to these questions.

Pam Dunn asked if there was a question as to whether we could actually vitrify. Don Paine answered her that vitrification is possible, but we are faced with vitrifying 30 times the largest amount that has been vitrified in the world, in a timely and a cost-effective manner. We have a tremendous volume, and this is a unique situation. Saric asked what information needs to be known in order to discern if you can vitrify at that level. Alm asked what operation comes the closest to the situation we have here. Don answered that the one at Savannah River is closest, operating at 2 or 3 tons a day.

John Applegate brought the group back to the first question of whether to separate Silo 3 from Silos 1 and 2. The silos are very different in terms of hazard. Graham Mitchell and Jim Saric both endorsed separating Silos 1 and 2 from Silo 3. Gene Willeke proposed that the Task Force adopt the first proposal, to separate the silos. If Silo 3 is separated from Silos 1 and 2, the waste can be disposed of at places other than the Nevada Test site. If Silo 3 remains with the other silos, it will have to go to the Nevada Test Site.

The Task Force voted unanimously to separate Silo 3 from Silos 1 and 2.

The second question was then addressed. What is the appropriate treatment technology for the materials in Silo 3? Pam Dunn asked if we could send it off-site for treatment and then send it back to the site for disposal. Don Paine confirmed that the RFP does not disallow off-site treatment. When the feasibility study was done, some of the technologies that are available now were not available at that time. Gene Willeke explained that the Task Force is trying to put all of the factors together that will ultimately have to be considered to clean up the site as a whole. Lisa Crawford urged that the RFP avoid language that would bias their choice of treatment. Pam Dunn added that whomever is chosen as the contractor be open and able to communicate with the public, as public participation is important, even if through a contractor. Applegate clarified that the Waste Management committee would be involved in the development of the RFP.

A motion was put forward and seconded that the committee does not have a specific proposal for the treatment of Silo 3 at this time, because more information needs to be developed concerning treatment alternatives. It was unanimously accepted.

Next, question three was addressed. What is the appropriate treatment technology for the materials in Silos 1 and 2? The discussion began with Pam Dunn's and Lisa Crawford's concerns with the concept of continuing to evaluate dual technologies. The cost of the running the double track seems unclear, as well as the question of when that double track will cease. Based on the preliminary study, we can conclude that it is possible to design a plant to make quality glass. The caveat to that is that we are not using a low temperature melter. The melter tests would need to be finished (not able to be completed since the melter failed,) and then perhaps some other smaller tests would need to be run. Al Alm suggested since we have only a small amount of information left to be determined, couldn't this be accomplished at another site, using someone else's melter? When can we get that information? Don Paine stated that he believes this will take at least 6 to 12 months, even if more than one melter was used. The goal would be to gather information, while at the same time developing a back-up plan.

John Applegate expressed his sense of the meeting was that vitrification is the remedy of choice, and that looking at other alternatives should not be a subterfuge to really choosing them. The whole purpose of the backup investigation is to simply determine if it is a bona fide backup option. Doug Sarno suggested that we add to the outstanding concerns that the Task Force will work with DOE in determining the process for evaluating backup technologies.

5. Opportunity for Public Input

A question was asked from the floor. The following points were made: Why are you moving so strongly towards vitrification? Your pilot plant failed - the plant at Savannah

River failed, and no other plant has been successful. No other country is proposing vitrification of materials that are so low in radioactivity. Heating materials to 1000 degrees is complicated and an unknown. What about the KISS principle?

John answered that the uncertainties are driving the issue of setting up a backup process. We have always been operating under the context that we have a signed ROD that says we will vitrify.

John Applegate opened the floor to further public comments. One gentlemen stated that the existence of a ROD legally requires vitrification to be the remedy of choice. He also stated that he does not personally favor this choice, but until the ROD is changed, there is really no question about the choice of vitrification.

Someone questioned the ability to change a ROD. Gloria McKinley said there should be no problem with changing the ROD. Others disagreed, saying that it would be quite difficult. Phil Hamric expressed concern that the Independent Review Team had not developed a side-by-side analysis of vitrification and cementation. Without that tool, he feels a decision really cannot be made, and that it would be wrong to make two mistakes.

Gene Willeke moved that his committee recommendation for question 3 be accepted as amended, and the movement was seconded. Jack Craig suggested that a statement be added for DOE to create a balanced side-by-side in conjunction with the Waste Management Committee and other stakeholders. It was unanimously accepted.

6. Budget

The budget will be the centerpiece of the May meeting, as it has been twice rescheduled to date. John Applegate asked Al Alm to discuss the Ten-Year Plan. Alm said that the clear goal for this site is to achieve a nine-year cleanup. He commented that he will be working to achieve a sense of stability in the program, and that DOE would be discussing this process in a very public way. The only way is by improving in efficiencies and lowering support costs for the site. Fernald is the first major site to make a cleanup commitment and it is very important that we keep that commitment.

John Applegate asked for a motion to wish Guy Guckenberger farewell, and added that Phil Hamric has been a true friend to the Task Force and to public involvement. It is due to Phil's leadership that the Task Force has had many of its successes. The motion was adopted by acclamation. John offered the Task Force's congratulations to him on his successful and fruitful career with DOE. Al added that Phil is characterized by honesty, integrity, and responsibility, and will be greatly missed. John presented Phil with a plaque thanking him for his service to the Fernald Citizens Task Force.

9. Adjournment

The meeting was adjourned at 12:27 p.m.

I certify that these minutes are an accurate account of the
March 15, 1997, meeting of the Fernald Citizens Task Force.

John S. Applegate, Chair
Fernald Citizens Task Force

Date

Ken Morgan
Deputy Designated Federal Official

Date

DRAFT

May 23, 1997

Journal News

Local, A3

"Deteriorated drums repackaged at Fernald"

Reporter: Nicholas G. Jonson

Friday, May 23, 1997

Deteriorated drums repackaged at Fernald

By Nicholas G. Jonson
Journal-News

CROSBY TOWNSHIP

The last of about 5,600 drums of thorium-bearing radioactive waste has been repackaged for shipment to the Nevada Test Site, U.S. Department of Energy officials announced Thursday.

Officials said the drums, which had been stored in a building at Fernald, had deteriorated and posed a potential health threat for workers at the site.

"This is part of the waste-management project to collect and package what we call 'legacy waste' located throughout the site," DOE spokesman Gary Stegner said.

DOE Office Director Jack Craig said the DOE and Fluor Daniel Fernald, the company hired to clean up

the site, achieved a worker exposure rate of less than half the original estimate by using productivity improvements suggested by workers in the field.

Stegner said the two-year operation, targeted for completion in April 1998, was completed 10 months ahead of schedule and will save taxpayers about \$400,000.

Meanwhile, officials said Thursday that they are investigating the apparent over-pressurization of a white metal box containing low-level waste that was being stored in a Fernald warehouse.

The incident occurred at 1 a.m. Thursday, and the situation was stabilized by 2 a.m., officials said.

No workers were in the warehouse at the time of the incident, and no injuries occurred, officials said.

May 23, 1997
Journal News
Front Page

Indian remains unearthed

769

"Indian remains unearthed at Fernald site to be reburied"
Reporter: The Associated Press

at Fernald site to be reburied



The Associated Press

Tom Fugate, foreground, and Chris Baite, of Gray and Pope, dig graves Thursday at a former Fernald site for the reburial of Indian remains.

By Kevin O'Hanlon
The Associated Press
CROSBY TOWNSHIP

In a rare ceremony, 950-year-old Indian remains unearthed during a construction project will be reburied Sunday at a former Fernald uranium processing site.

The remains of as many as 25 Indians and one animal were discovered in 1994 and 1995 during a federal construction project in Crosby Township, in northern Hamilton County.

They date to about A.D. 1050, but experts are not sure to which tribe they belonged, said Gary Stegner, spokesman for the U.S. Department of Energy, which oversees the Fernald site.

Seventeen American Indian nations lived in or passed through the Ohio Valley in the 18th and 19th centuries.

The burial is required under the Native American Grave Protection and Repatriation Act of 1990. The law says remains or burial artifacts possessed by museums or institutions that receive federal funding, or remains uncovered on federal land or during federal construction projects, must be reburied or stored according to tribal wishes.

Because the origin of the remains

could not be determined, government officials contacted the Shawnee, Miami, Seneca, Delaware and Wyandot tribes and the Native American Alliance of Ohio for advice.

The tribes picked the Fernald site because the graves will be on protected property and close to where the remains were unearthed, said Joe Schomaker, who is coordinating the ceremony for Fluor Daniel Fernald, the contractor cleaning up the site for the government.

Repatriation ensures that sacred objects are given proper treatment, said Floyd Leonard, chief of the Miami Tribe, which inhabited the Ohio Valley until the early 1800s.

Some parts of Sunday's ceremony at Fernald will include elaborate dances and songs performed by some tribes.

But Leonard said the Miami Tribe's reburial ceremonies are without fanfare.

"It's a very simple reburial," he said. "It's done as quietly as possible."

Schomaker said the tribes are not concerned about the remains being buried on the 1,050-acre Fernald site, many parts of which still are contaminated by radiation.

The site processed uranium ore and thore as part of the nation's nuclear

weapons program from 1951 until 1987 when cleanup began.

Schomaker said the remains include those of three females ages 2, 13 and 3 and those of a 16-year-old male who was buried with a dog. The dog's remains also will be buried in Sunday's ceremony.

There also are partial remains of 16 to 20 more people.

An estimated 800 museums and tribes have become involved in repatriation process, listing an estimated 5,400 human remains, 251,000 funerary objects, 452 sacred objects and 165 objects of historical or cultural importance to particular tribes.

The National Park Service, which oversees implementation of the law, estimates that remains for 195,000 more Indians yet to be counted.

"It's early in the curve on this," spokesman Tim McKeown.

McKeown said he believed the ceremony will be the first for Ohio.

Some anthropologists are loath to skeletal remains returned for reburial when, they say, there is still much to be learned from them.

But Indian groups say displaying such objects is sacrilegious and creates tribal culture.

10

May 23, 1997

Cincinnati Enquirer

Metro, C3

"Overpressurization causes alarm at Fernald"

Reporter:

769

Overpressurization causes alarm at Fernald

The Cincinnati Enquirer

All site operations involving potential hydrogen-generating materials at Fernald have been suspended while officials investigate the cause of the overpressurization of a metal box containing low-level radioactive waste, Department of Energy (DOE) officials said Thursday.

The incident, which occurred

at 1 a.m. Thursday in a storage warehouse at the Fernald Environmental Management Project (FEMP) — the former Fernald uranium processing plant — was witnessed by a worker walking past the warehouse, DOE officials said.

No workers were inside the warehouse at the time of the incident and no injuries occurred.

Damage was limited to the container.

Tests conducted throughout the day indicated there was no release of radioactive material to the environment, DOE officials said. The cause of the overpressurization remains under investigation by the DOE, FEMP and Fluor Daniel Fernald.

May 25, 1997
Journal News
A6, Picture This

769



Submitted photo

The Fernald Community Reuse Organization has received a \$150,100 startup grant from the U.S. Department of Energy. Ross Local Schools Superintendent and CRO Chairman David McWilliams, seated left, shakes hands with Mike Detmer, DOE Ohio field office contracting officer, at the grant signing. Also present were Ken Moore, CRO member, standing left, and Jack Craig, DOE-FEMP office director.

May 26, 1997

Cincinnati Enquirer

Metro, B1

"Indian remains reburied in ritual"

Reporter: Lucy May

Indian remains reburied in ritual

Construction turned them up 3 years ago

BY LUCY MAY

The Cincinnati Enquirer

CROSBY TOWNSHIP — With the slice of a blade Sunday, Chief White Bear kept a promise he made three years ago to himself and to people who lived 950 years ago.

When the remains of about 25 Indians were unearthed during a construction project near here three years ago, the chief promised that he would not cut his hair until they were returned to earth.

On Sunday, he kept the promise, cutting off his top knot during a reburial ceremony at the former Fernald uranium processing site and offering

it as a gift to the ancestors.

"It is one of our jobs," said the chief, whose English name is Oliver Collins and who presides over a tribe in West Portsmouth, Ohio. "It's one of the things we love to do because it really needs to be done on a mass scale."

The ceremony marked the first time Indian remains found on private land have been reburied on federal soil for protection purposes, said Tricia Thompson, spokeswoman of Fluor Daniel Fernald, the government contractor hired to clean up the site.

(Please see **INDIAN**,
Page B6)

Indian: Remains reburied in ritual

CONTINUED FROM PAGE B1

The remains were unearthed in 1994 and 1995 during a federal construction project in Crosby Township.

They date to about 1050 A.D., but experts are not sure to which tribe they belong, said Gary Stegner, spokesman for the U.S. Department of Energy, which oversees the Fernald site.

Seventeen American Indian nations lived in or passed through the Ohio Valley in the 18th and 19th centuries. By 1450, the Shawnees had established camps in most of Northern Kentucky and southern Ohio. After decades of struggle, they faced their ultimate defeat in November 1811, when William Henry Harrison attacked their headquarters on the Tippecanoe River and burned their town to the ground.

The reburial was required under the Native American Grave Protection and Repatriation Act. It says remains or burial artifacts possessed by museums or institutions that receive federal money or remains uncovered on federal land or during federal construction projects must be reburied or stored according to tribal wishes.

Part of the reason it took three years to rebury the remains was the complex navigation through federal rules and regulations that had to be done, said Joe Schomaker, Fluor Daniel Fernald's cultural resources manager.

It also took time to negotiate with all the tribes with an interest in what happened to the remains, he said.

Since the origin of the remains could not be determined, government officials

contacted the Shawnee, Miami, Seneca, Delaware and Wyandot tribes and the Native American Alliance of Ohio.

The tribes picked the Fernald site because the graves will be on protected property and close to where the remains were unearthed. The tribes requested that the exact location not be identified, Ms. Thompson said.

The remains included those of three females ages 2, 13 and 30; and those of a 16-year-old male who was buried with a dog. There also were partial remains of 16 to 20 other people.

About 100 people were to take part in the ceremony. Several members of the audience cried as tribal leaders, dressed in traditional attire, performed the centuries-old burial rites in their native tongue. Because the participants consider the ritual sacred, reporters could not watch it.

Mr. Collins, co-chairman of the Native American Alliance of Ohio, said the alliance is pushing House Bill 429 in Columbus, which would change the definition of a cemetery to include American Indians. That, Mr. Collins said, would help American Indians protect the graves of their ancestors.

"Would you like it if your mother's remains were in a box on a shelf somewhere?" asked Beagle Billock, business manager of the Northeast U.S. Miami International Tribal Council. "It's so the people can be at rest."

The Associated Press contributed to this story.



Which Path Will We Take?

NUCLEAR WEAPONS AT THE CROSSROADS:

Which Path Will We Take?

DATE: Thursday, June 12, 1997

TIME: 7:00 - 9:00 p.m.

PLACE: Venice Presbyterian Church
Layhigh Road
Ross Ohio



- Did you think that when the Berlin Wall came down and the Soviet Union dissolved that the Cold War was over?
- Do you think that the US is now leading the world away from the threat of nuclear war?
- Are you aware that the US is taking money from clean-up of bomb factories and putting it into research and development of nuclear weapons?

The Military Production Network presents its newest Road Show

Join us for:

An informative and engaging half-hour **Slide Show**, presented by a MPN member living and working in the shadows of a nuclear bomb factory, and knowledgeable about issues of national and international concern,

An opportunity to **Ask Questions** about nuclear weapons production and nuclear waste, and

A chance to find out about **Tangible Steps** you can take to help make the world a safer place.

The Military Production Network is a national alliance of organizations working to address issues of nuclear weapons production and waste clean-up.

For more information about the Road Show, please contact the Military Production Network at (208) 547-3175 or F.R.E.S.H. at (513) 738-8055.