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FERNALD CITIZENS ADVISORY BOARD

FRIDAY MAILING

11/28/97

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- ❑ Letter from National Governors Association to Senator Lott (re: Injuction)
- ❑ Letter from Senator Wyden to Secretary Pena (re: Injunction)
- ❑ Letter from John Applegate to Secretary Pena/Asst. Secretary Alm (re: Closure Project)
- ❑ Newsclippings

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]

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Technical Report Summary:

Natural Resource Restoration Plan

What is the Natural Resource Restoration Plan?
The purposes of the Natural Resource Restoration Plan (NRRP) are:

- To outline the overall objectives for restoration and final land use at the Fernald Environmental Management Project (FEMP);
- To identify the institutional controls necessary to restore and commit portions of the FEMP to an undeveloped park with an emphasis on wildlife habitat;
- To present the strategy for site restoration; and
- To provide a programmatic approach for expediting natural resource restoration to the fullest extent practicable.

The projects outlined in the NRRP are designed to contribute to an undeveloped park with an emphasis on wildlife management as the final land use. While consideration will also be given to other possible uses for portions of the FEMP, especially from stakeholder input, the primary focus of the restoration activities will be to establish a system of wetland and open water habitats with supporting woodlands and grasslands to support a diverse natural system. The NRRP is in agreement with the Fernald Citizens Task Force recommendations regarding future use of the FEMP property issued in May 1995. In addition, the NRRP is fully integrated with the SEP.

Institutional controls, as established for Operable Unit 5, are utilized in the NRRP as a means of ensuring continued protection of human and ecological receptors. These institutional controls include:

- Access controls;
- Federal ownership of the disposal facility and associated buffer areas;
- Federal ownership or control of portions of the FEMP property (outside the OSDF area) to the extent necessary to ensure the continued protection of human health;
- Performance of an environmental monitoring program during and following remedy implementation to assess the short- and long-term effectiveness of remedial actions; and
- An alternate water supply to domestic, agricultural and industrial users relying upon groundwater from the area.

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A proposed project schedule for the NRRP is also included but does not consist of "enforceable milestones".

What is the overall strategy behind the NRRP?
The strategy for the NRRP is to implement a series of specific projects both during and after the completion of site remediation. The restoration projects will be fully integrated with the remedial design and remedial action processes for Operable Unit 5 (i.e., soil excavation and remediation) where appropriate. The strategy includes:

- Initiating restoration activities at the completion of area-specific remedial activities wherever possible;
- Coordinating restoration activities under the scope of this plan with FEMP remediation activities; and
- Incorporating restoration goals into the design of grading activities

The initial strategy for natural resource restoration at the site is to begin near-term restoration projects in parallel with site remediation activities and to accomplish full restoration through additional long-term projects at the completion of site remediation.

What types of restoration projects are proposed under the NRRP?
There are two major types of restoration projects proposed for the FEMP: near-term and long-term. Near-term restoration projects are those which may be performed in the next two to eight years concurrently with site remediation. Long-term restoration projects will be implemented as soil remediation is completed and areas are regraded to support restoration.
The following are near-term restoration projects:

- Aesthetic Barriers along Willey Road and S.R. 126
- Demonstration Forest Project West of Paddys Run
- Revegetation of Area 2, Phase I
- Enhancement of Area 1, Phase I Woodlots
- Enhancement and Management of Area 1, Phase III Woodlots East of Paddys Run
- Expansion of the Northern Forested Wetland

The long-term projects include:

- Open Water/Wetland Formation in the Former Production Area
- Open Water/Wetland Formation in the Former Waste Pit Area
- Phase II Expansion of Paddys Run Corridor to the West
- Reestablishment of Corridor East of Paddys Run
- Borrow Area Wetland Construction/Edge Habitat Formation
- OSDF Aesthetic Buffer

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The NRRP has a provision for possible off-site land acquisition to complete these projects and accomplish its goals. The NRRP also proposes that these areas should be kept clear of nuisance flora such as cattails. Proposed methods of clearing include controlled burning of grasslands.

What monitoring programs will be implemented?
There will be two main monitoring programs:

- Remedial action monitoring
- Success monitoring of restored natural resources

Monitoring for habitat impacts will be conducted during the implementation of remediation activities (Natural Resource Impact Monitoring Plan). Field monitoring and reporting will be conducted every two and a half months.

Success monitoring will be implemented to ensure that all restored habitats function as planned. Another purpose of success monitoring is to verify and compare planned restoration acreage from the NRRP to restoration implemented in the field. The document does not define the parameters of success monitoring.

What are the provisions for stakeholder involvement?
Stakeholder involvement is considered essential to the success of the restoration plan. All meeting summaries generated from Natural Resource Trustee Meetings are publicly available. Workshops are planned to involve the public in discussions on the proposals for the restoration plan for final land use. The NRRP strongly voices its support for stakeholder involvement.

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Technical Report Summary:

Natural Resource Impact Assessment

What is the Natural Resource Impact Assessment?

The Natural Resource Impact Assessment (NRIA) is a report which presents an assessment by area of:

- past impacts resulting from releases of hazardous substances
- anticipated future impacts from planned remediation activities
- potential post-remedial residual impacts

The NRIA is designed to identify injury, loss, or destruction that has occurred at the FEMP as a result of releases of CERCLA hazardous substances from past production operations, past waste management processes and future remedial activities. Existing information has been used to assess the impacts of historic releases of these substances at the FEMP and the associated restoration activities that have been or will be undertaken.

What will be done with the NRIA?

The impacts presented in the NRIA will be evaluated by the FEMP Natural Resource Trustees (NRTs) and used to determine appropriate restoration activities to compensate for natural resource impacts. These restoration activities will be developed within a restoration plan which will be integrated with the remedial design and remedial action documentation being prepared by FEMP.

How is the NRIA structured?

The approach for outlining impacts at the FEMP is to present past, future, and residual impacts by area. The areas examined are:

- Great Miami Aquifer
- Great Miami River
- Paddy's Run Corridor
- Southern Pines and Waste Units
- Northern Woodlot and North Pine Plantation

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- Introduced Grasslands
- Waste Storage/Production Area

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Technical Report Summary:

Sitewide Excavation Plan

What is the Sitewide Excavation Plan?

The Sitewide Excavation Plan (SEP) provides technical guidance for all future activities related to the excavation and disposition of soil and at- and below-grade structures and debris at the Fernald Environmental Management Program (FEMP). The Operable Unit 5 Remedial Design Work Plan identifies the SEP as the document which will provide the management strategy and technical guidelines necessary to govern sitewide soil remediation. Unlike similar documents, the SEP will not be revised during remediation. The SEP has been developed as a mechanism for promoting integration and consistency between and within individual projects and activities. Because of this integrated approach, the SEP allows for reprioritization of projects, but does not detail how this will occur.

The overall objectives of the SEP are to provide guidance for:

- All planning, design, and remedial activities related to the excavation and disposition of soil and at- and below-grade debris, including the decontamination and dismantlement (D&D) of at- and below-grade structures and utilities; and
- Integration of soil excavation activities of all areas of the FEMP.

The SEP outlines the remediation drivers, goals, methods/protocols, and related requirements (e.g., health and safety, environmental controls and monitoring, recordkeeping, documentation, and data management) which will be applied to each soil remediation project. Area-specific conditions will be addressed during the design process for each remediation project, as these area-specific conditions may limit the applicability of available measurement, monitoring, and construction technologies to be used during remediation. Among these area-specific concerns are:

- Remediation drivers
- Attainment of remediation goals
- General implementation guidelines
- Field measurements and laboratory analytical techniques
- Logistical concerns

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What regulatory documents are required by the SEP?

A remediation document hierarchy is proposed in the SEP.

- The remediation process begins with a pre-design investigation to establish the extent of the excavation. Radiological survey and laboratory data, as needed, are forwarded to the remedial design step to prepare the first deliverable document, the integrated remedial design package (IRDP), which will guide the actual excavation of the soil. The IRDPs will address area-specific concerns and contain a detailed design of the area-specific remediation elements according to the SEP guidelines. The IRDPs will also accommodate the lessons learned during previous phases of the sitewide remediation process.
- After the IRDP has been approved, soil excavation will begin and materials designated as above waste acceptance criteria (WAC) will be segregated from those destined for the on-site disposal facility (OSDF). Upon completion of the excavation, a pre-certification survey (and potential additional localized excavation) will precede commencement of certification activities. Disposal in the OSDF can be evaluated on a case by case basis.
- After completion of all soil remedial actions according to an area-specific IRDP, an area-specific Certification Design Letter will be prepared. The Certification Design Letter will establish the boundaries of each certification unit (CU) that subdivides the remediation area, sampling locations within each CU, and a list of CU-specific constituents of concern (COCs) which require laboratory analysis to determine whether the certification criteria have been met. This letter along with relevant standard procedures described in the SEP will be used to guide the certification sampling and statistical analysis processes necessary to demonstrate attainment of all the applicable remedial requirements summarized in the SEP.
- Upon successful certification of all CUs in the area, a third deliverable document, the Certification Report, will be released for the remediation area. This report will contain summary information on sampling locations, analytical results, statistical methods, certification criteria, and notification of successful certification.
- After completion of all of the individual remediation projects, the sitewide final grading and restoration will be guided by the Natural Resource Restoration Plan. A Remedial Action Report will be prepared for each of the five operable units at FEMP to document all of the remedial actions completed within the scope of the specific operable unit. After completion of sitewide remediation and restoration, a Site Closeout

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Report will be submitted to summarize all the activities conducted and the final conditions at the site.

All of these documents included review time for both EPA and OEPA.

What else can be found in the SEP?

The SEP also discusses six location-specific soil excavation approaches:

- Shallow excavation of impacted on-property area outside the Former Production Area and other waste storage/management areas
- Excavation in waste storage/management areas outside the Former Production Area
- Excavation of existing stockpiles in the Former Production Area
- Excavation following D&D in the Former Production Area and Sewage Treatment Plant
- Off-property and non-impacted on-property area certification
- Non-high density polyethylene (HDPE) pipeline excavation outside the Former Production Area

The SEP outlines control mechanisms and monitoring methodologies, the results of which will be reported as part of the Integrated Environmental Monitoring Plan, for the following categories:

- Natural Resource Impacts
- Air Pathway
  - Noise
  - Fugitive Emissions
  - Airborne Radiological Particulates
  - Radon
  - Direct Radiation
- Surface Water Pathway
- Groundwater Pathway

The SEP also calls for the development of Project-Specific Health and Safety Plans (PSHASPs) for each project in order to protect workers during soil excavation activities.

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Technical Report Summary:

Integrated Environmental Monitoring Plan

What is the Integrated Environmental Monitoring Plan?

The Integrated Environmental Monitoring Plan (IEMP) is a revised version of the Environmental Monitoring Plan (EMP), but is redirected towards the new remediation phase of activities. The IEMP incorporates the regulatory requirements that are found in the Applicable or Relevant and Appropriate Requirements (ARARs) and compliance agreements. The IEMP also states provisions for reporting project-specific control monitoring that will accompany remediation activities.

The IEMP is organized according to the principal environmental media and contaminant migration pathways to be examined routinely under the program. For each media, the IEMP provides an evaluation of the regulatory drivers, the scope of the monitoring activities, a media specific plan, and the details and results of this process. The IEMP is comprised of five monitoring programs:

- Groundwater Monitoring Program
- Surface Water Monitoring Program
- Sediment Monitoring Program
- Air Monitoring Program
- Biota Monitoring Program

The IEMP also contains the Natural Resource Impact Monitoring Plan, whose purpose is to monitor the status of impacts to natural resources on the Fernald site during remediation.

What are the purposes of the IEMP?

The purposes of the IEMP include:

- Maintaining the FEMP's continued commitment to an effective remediation-focused environmental surveillance monitoring program,
- Fulfilling any additional sitewide monitoring and reporting requirements that are activated by the Comprehensive Environmental Response,

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Compensation, and Liability Act (CERCLA) ARARs for the FEMP's signed Records of Decision,

- Providing the mechanism for assessing the performance of the Great Miami Aquifer groundwater remedy, including the determination of when restoration activities are complete,
- Providing a consolidated reporting mechanism for the FEMP's individual environmental regulatory compliance monitoring activities, and
- Providing a reporting interface for the various project-specific emissions control monitoring activities that, because of ARAR requirements, will be implemented at the locations of the projects under approved project-specific remedial design plans

Why is the IEMP important?

The data obtained from the monitoring programs outlined in the IEMP can be used to determine compliance with regulatory requirements, to notice trends that indicate an unacceptable future condition, to determine what activities are contributors in the event of an unacceptable trend, to outline what responses should be taken to address an unacceptable situation, and to begin communications with the appropriate agencies or stakeholders.

What are the key points of the Monitoring Plans?

Groundwater Monitoring Program
The purpose of the groundwater monitoring program is to track the progress of the restoration of the Great Miami Aquifer and satisfy the requirements for the FEMP's site-specific agreements related to groundwater monitoring. The program calls for the monitoring of groundwater contaminants by well at several key locations on and around the site. Well locations are selected based on considerations such as property boundaries and contaminant levels. A "short list" of contaminants in each zone will be monitored as indicators of restoration impact.

Surface Water Program
This program will monitor sitewide surface water and treated effluent during active remediation of the site. Water samples will be collected at various sites and analyzed for the presence of parameter contaminants.

Sediment Program
The sediment program monitors levels of contaminants in spring sediments from Paddys Run and storm sewer outfall ditches. All sediments will be examined for the presence of uranium and in some locations other isotopes known to be in high concentration.

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Air Monitoring Program
The IEMP represents a change from the previous approach to air contamination. Whereas previous programs have been accomplished through computer modeling, the new monitoring approach reflects the change from point source emissions to many different emmisions from a variety of remediation activities. The program monitors airborne particle and radioactive emissions. Placement of monitoring stations is based on both emission sources and wind patterns.

Biota Monitoring Program
The Biota Monitoring Program will monitor produce grown in or near the FEMP site for uranium contamination on a tri-yearly basis.

How will results of the IEMP be reported?

Reports currently produced under existing environmental monitoring plans will be consolidated under the IEMP during the fiscal years 1997 and 1998.

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November 7, 1997

The Honorable Federico Peña
Secretary of Energy
U.S. Department of Energy
1000 Independence Avenue SW
Washington, DC 20585

Subject: Unregulated, Offsite Private Waste Disposal

Dear Secretary Peña:

As a result of the recent Court ruling in Waste Control Specialists vs. USDOE, the Hanford Advisory Board is concerned about the potential disposal of USDOE wastes in unregulated private waste disposal facilities and has adopted the following advice:

1. USDOE's consideration of unregulated, offsite private facilities for disposal of USDOE wastes is an unacceptable setback to ending USDOE's self-regulation of its waste disposal.

2. The Hanford Advisory Board strongly supports USDOE's announced commitment to end USDOE's self-regulation of its waste disposal practices. In particular, the Board is concerned about USDOE low-level wastes, which have no external regulation by states, NRC or EPA. The Board wishes to encourage progress to ending self-regulation. Entering into new contracts which rely on self-regulation undermines this goal.

3. The Hanford Advisory Board supports lowering of waste disposal costs through meaningful competition and comparison of charges with commercial costs. However, using private disposal sites that have no independent state and/or NRC regulation for USDOE wastes undermines responsible competition and private development of regulated waste minimization and treatment facilities.

4. Adoption of a policy to ship ER or WM wastes to private, unregulated offsite disposal facilities receiving USDOE wastes would violate the public's rights to comment on the environmental and health impacts of such a policy. The Board opposes USDOE entering into contracts, or adopting a policy to accept proposals, for use of such "self-regulated" facilities in violation of NEPA requirements for impact analysis and public comment.

5. USDOE should appeal the injunction in Waste Control Specialists vs. USDOE and present a vigorous defense, including a clear record of (1) the need for external

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regulation of any offsite waste disposal and (2) the lack of NEPA review of offsite waste disposal at unregulated facilities.

We look forward to your response and to periodic progress updates on this matter.

Very truly yours,

Marilyn B. Reeves, Chair
Hanford Advisory Board

cc: Al Alm, DOE-HQ
John Wagoner, DOE-RL
Alice Murphy, Designated Federal Official
Chuck Clarke, Regional Administrator, U.S. EPA
Tom Fitzsimmons, Director Washington Department of Ecology
The Oregon and Washington Congressional Delegations
Randy Smith, Environmental Protection Agency
Dan Silver, Washington Department of Ecology

This advice represents HAB consensus for this specific topic. It should not be taken out of context to extrapolate Board agreement on other subject matters.

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NATIONAL GOVERNORS ASSOCIATION

George V. Voinovich
Governor of Ohio
Chairman

Thomas R. Carper
Governor of Delaware
Vice Chairman

Raymond C. Scheppach
Executive Director

Hall of the States
444 North Capitol Street
Washington, D.C. 20001-1512
Telephone (202) 624-5300

November 14, 1997

The Honorable Trent Lott
Majority Leader
U.S. Senate
487 Senate Russell Office Building
Washington, D.C. 20510

Dear Senator Lott:

We ask your help in fixing a serious problem with federal law as it applies to the disposal of federal radioactive wastes, which was recently brought into focus by a decision by the U.S. District Court for the Northern District of Texas.

As you may know, on October 3, United States District Judge Joe Kendall issued a preliminary injunction in the case of Waste Control Specialists v. the U.S. Department of Energy. The case involves the plaintiff's claim that it has been unfairly excluded from consideration for a DOE contract for radioactive waste disposal. The company requests that the court require DOE to consider it for such a contract, notwithstanding the fact that the company does not have, and under Texas law cannot get, a license from the state for the disposal of radioactive waste.

We have no quarrel with the company involved in this case, and believe that competition for disposal of DOE waste is a good thing. However, we are deeply concerned that the judge has ruled that a license from the state is immaterial to DOE's ability to contract for disposal of radioactive wastes. According to Judge Kendall, "neither the grant nor the refusal of a state low-level radioactive waste disposal license can constitute the basis for the qualification or the disqualification of a DOE contractor to dispose of DOE low-level or mixed radioactive wastes at a private site." Judge Kendall bases this view on his finding that the states are completely preempted under the Atomic Energy Act of 1954.

This decision runs directly counter to our strongly held view that federal agencies must be bound by state siting and environmental laws just as private parties are. In the furtherance of those views, we fought long and hard to clarify that the Department of Energy is subject to state authority under the Resource Conservation and Recovery Act and to gain passage of the Federal Facility Compliance Act of 1992. The federal government must live under the law in the same way and to the same extent that the law applies to everyone else.

We would also note that the decision in the Waste Control Specialists case would allow DOE to become effectively self-regulating. We do not believe that self-regulation serves the public interest or is compatible with basic notions of fair play.

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Indeed, DOE self-regulation has been shown over many decades to be unworkable and insufficient. Furthermore, it runs counter to current initiatives to externally regulate DOE facilities.

We urge you to look into this matter as expeditiously as possible, and will be happy to work with you to craft a solution to the issues raised by this decision. The importance of this matter goes far beyond the immediate issue of competition for the business of disposing of DOE waste. It would be a tragedy if the short-term goal of engendering competition caused a long-term erosion of state authority and respect for the rule of law in siting and operating radioactive waste disposal facilities.

Sincerely,

Governor E. Benjamin Nelson
Chair
Committee on Natural Resources

Governor Mare Racicot
Vice Chair
Committee on Natural Resources

cc: Judge Kendall

1122

RON WYDEN
OREGON

[illegible] Senate Building
Washington, DC
20510-3703
(202) 224-5244

e-mail
[illegible]@wyden.senate.gov

web site:
www.senate.gov/~wyden

United States Senate

WASHINGTON, DC 20510-3703

November 19, 1997

Secretary of Energy Federico Pena
United States Department of Energy
1000 Independence Ave., S.W.
Washington, D.C. 20585

Dear Secretary Pena:

The State of Oregon and I have applauded the steps the U.S Department of Energy (USDOE) has taken to end its self-regulatory status and to increase both public trust and environmental protection through external regulation. A recent decision by a United States District Court in Texas (Waste Control Specialists, Inc. v. United States Department of Energy) threatens to reverse that progress, and could pose a serious threat to Oregon's interest in protection of the Columbia River if allowed to become a precedent for the Department's policy.

In the Texas case, the Department was ordered to consider the offsite disposal of low-level radioactive wastes from USDOE facilities at a privately owned dumpsite, for which the State of Texas denied permits and there is no Nuclear Regulatory Commission regulation. The court wrote in its findings that the Department argued "without any evidence, in vague, abstract and evasive language, that the adoption of such proposal presented 'complex' policy issues that have not yet been resolved by the DOE..." Apparently, the court was not briefed on how such offsite, private dumpsites-- subject only to self-regulation by USDOE-- would breach the Department's policy to move to end self-regulation, and was a disposal option that had never been subjected to environmental and health impact analysis under the National Environmental Policy Act. It is imperative that this decision be appealed and the Department present a strong case for its policy of ending self-regulation, as well as demonstrating that such offsite disposal cannot be considered without public, state and tribal review of the environmental and health impacts.

If the Department does not reaffirm its commitment to external regulation of its waste disposal, it will suffer a serious blow to its improved credibility and trust in the Northwest. The precedent of a private, offsite disposal facility subject to only USDOE self-regulation is a troubling one as other private facility owners may seek equal treatment and open other sites elsewhere in the nation. I am concerned that this could literally expand Hanford on to private property, exempt from state or NRC regulations as to suitability of the site, groundwater protection, disposal practices, closure requirements, financial assurances, etc.

Committees

Budget
Commerce, Science & Transportation
Energy & Natural Resources
Environment & Public Works
Special Committee on Aging

Oregon State Offices:

[illegible] NE Multnomah St
Suite 320
Portland, OR 97232
(503) 326-7525

151 West 7th Ave
Suite 435
Eugene, OR 97401
(541) 431-0229

Sac Annex Building
105 Fir St
Suite 210
La Grande, OR 97850
(541) 962-7691

U.S. Courthouse
310 West 6th St
Room 118
Medford, OR 97501
(541) 858-5122

The Jamison Building
131 NW Hawthorne Ave
Suite 107
Bend, OR 97701
(541) 330-9142

707 13th St. SE
Suite 286
Salem, OR 97301
(503) 588-4555

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The Department has made great strides in reducing costs at Hanford. This progress is in part due to the introduction of competition as well as independent validation of costs with comparison to commercial markets. This has resulted in a great reduction in costs for waste disposal at Hanford since I first began asking questions about the rates charged for disposal as part of the Hanford contractors' indirect and overhead costs. I am supportive of greater competition in order to continue progress in reducing costs. However, the introduction of competition must not come at the expense of progress towards the Department's goal of ending self-regulation of its waste disposal sites and practices. In the Northwest, the health of the Columbia River depends on this policy. Please inform me if there is any change contemplated in the Department's policy towards external regulation of waste disposal, and if so, how the Department intends to comply with the National Environmental Policy Act in regards to both the policy and specific proposals for unregulated offsite waste disposal facilities. Also, please inform me what action will be taken in response to the Texas court ruling.

Thank you for your attention to this important policy question and its implications for my interest in protecting the Columbia River and the health of the citizens of Oregon

With warm regards,

Sincerely,

RON WYDEN
United States Senator

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FERNALD
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November 20, 1997

Secretary Federico Pena
U.S. Department of Energy
1000 Independence Ave. SW
Washington, DC 20585

Assistant Secretary Al Alm
U.S. Department of Energy, Environmental Management
1000 Independence Ave. SW
Washington, DC 20585

Dear Messrs. Pena and Alm:

In a recent letter to the Ohio Field Office Director, the CAB reiterated recommendations we first made in 1995:

"(The Citizens Advisory Board) is calling for a fundamental shift in the approach to remedial operations at Fernald. DOE and its contractor must view the project as an environmental remediation operation. It is their job to implement the remediation decisions that have been made, quickly, safely, and cost-effectively--and then to leave. If Fernald is to be really treated like the remediation project it is--where work should be focused on a single goal and completed in a finite period of time--management at all levels must make an immediate and decisive change. Such an approach has several important consequences for remedial priorities, and focuses attention on obstacles to remediation apart from the existing operable units. Its cornerstone must be to eliminate big sources of non-productive expense: high overhead, storage of materials awaiting shipment, and cumbersome Department of Energy requirements."

DOE Fernald has begun to implement this approach through accelerating cleanup, projectizing, and mortgage reduction. In its 1998 appropriations, Congress appears to have gone even further by designating Fernald one of two DOE Defense Facility Closure Projects. Congress has tasked DOE to respond to this designation with a "detailed plan outlining a proposed project management structure which reduces the numerous layers of Federal bureaucracy through which closure projects must report."

We cannot urge DOE strongly enough to take full and immediate advantage of the opportunity that Congress has presented. We are writing to ensure that happens. If this report is to have any impact, it must provide the management system and tools necessary to conduct the safe and efficient cleanup of Fernald. The key decisions have been in place at Fernald for some time. Now that it appears a stable funding source is also in place, we must eliminate the continual replanning and rebudgeting through layers and layers of bureaucracy and focus instead on making real progress on the work waiting to be done.

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We are pleased to see that DOE has begun the process of responding to Congress and reengineering the relationship between headquarters and the field. On the other hand, stakeholders have yet to be formally involved in the process. The Fernald Citizens Advisory Board has been making recommendations to DOE for over two years for just this sort of activity. We have organized ourselves for a primary focus on cost reductions, management streamlining, and an overall culture shift away from the cumbersome bureaucracy that has moderated progress for years. With Congress and stakeholders in alignment, this presents a great opportunity to help achieve accelerated cleanup at Fernald.

In sum, we urge your continued personal attention to the new closure management structure, so that DOE and its stakeholders can benefit from this opportunity.

Sincerely,

John S. Applegate
Chair

cc:
Jack Craig
Ohio Field Office Manager
Ohio Congressional Delegation

November 24, 1997
Cincinnati Enquirer
Metro, B1
"Tristate legislators had impact"
Reporter: Paul Barton

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Tristate legislators had impact

A look at who did what in '97

BY PAUL BARTON
Enquirer Washington Bureau

WASHINGTON — From stormy hearings on campaign finance to GOP coup attempts and Internal Revenue Service reform, the first session of the 105th Congress saw Cincinnati-area members making news in a lot of places.

And when area members return to Capitol Hill in January, most will have major legislative initiatives still hanging.

Three area Democrats — Sens. John Glenn of Ohio and Wendell Ford of Kentucky and Rep. Lee Hamilton of Nashville, Ind. — will be coming back for their last year in office.

All three announced their retirement earlier this year.

Rep. Jim Bunning, R-Southgate, will be running for a Senate seat in 1998.

A rundown of other developments involving area members this year:

▶ **Rep. Rob Portman,** R-Terrace Park: While it was not the only issue he worked on, IRS reform easily got the most attention and showered Mr. Portman with national media attention as he served as co-chairman of the National Commission on Restructuring the IRS and got into a dispute with the Clinton administration over the idea of an independent board to supervise the agency. As support for IRS changes mushroomed with voters, the Clinton administration gave in, and Mr. Portman went on to shepherd reform legislation through the House by a 426-4 vote. Senate action awaits next year.

▶ **Rep. Steve Chabot,** R-Cincinnati: Participated in group of 11 rebel lawmakers to help refocus the attention of GOP leaders on budget issues by refusing to agree to their spending levels for congressional operations. Continued to push legislative agenda aimed at government waste by introducing bills that would end overseas marketing help for major corporations and abolish a program known as the National Sheep Industry Improvement Center. Citizens Against Government Waste again named him one of their top taxpayer watchdogs. Mr. Chabot also introduced a bill to allow TV coverage of federal courts. He is hoping for House floor action on the proposal when Congress returns.

▶ **Rep. John Boehner,** R-West Chester: He began the year defending embattled House Speaker Newt Gingrich and became enraged when he learned his cellular phone call with other GOP leaders was intercepted and turned over to Democrats. Mr. Boehner hounded the Justice Department to investigate the matter and is now threatening a lawsuit against a top House Democrat, Rep. Jim McDermott of Washington. Mr. Boehner, the chairman of the House Republican Conference, was linked in July to an alleged plot by GOP members to overthrow Mr. Gingrich. Mr. Boehner denied any overthrow attempt. More recently, Mr. Boehner has been concentrating on new legislative initiatives to keep Congress from spending any budget surpluses that emerge soon and to reshape education programs. A Boehner bill to allow for private-sector consolidation of student loans was enacted into law.

▶ **Rep. Jim Bunning,** R-Southgate: As a member of the House Budget and Ways and Means Committees, Mr. Bunning helped to draft balanced budget and tax cut package. He got included into that package a provision to allow tax deductions for interest on student loans. As chairman of the Social Security subcommittee in the House, Mr. Bunning held seven hearings on the future of the system.

▶ **Rep. Ted Strickland,** D-Lucasville: Worked on numerous labor-related issues, including contract protections for

(Please see TRISTATE, Page B5)

November 24, 1997
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"Tristate legislators had impact"
Reporter: Paul Barton
continued

Tristate: Legislators' impact on big issues

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workers at the Portsmouth Gaseous Diffusion Plant while opposing efforts by the Federal Trade Commission to weaken "Made in U.S.A." label requirements. He vigorously opposed Clinton administration decision to implement new clean air standards and fought renewed GOP efforts to kill the Appalachian Regional Commission.

▶ **Rep. Lee Hamilton,** D-Nashville, Ind. As usual, Mr. Hamilton, ranking member of the House International Relations Committee, continued to be aggressive on numerous foreign policy issues from China to tropical rain forests. He gained national press attention for his fight to derail legislation that would have reorganized foreign policy agencies. He argued for full repayment of U.S. debts to the United Nations.

▶ **Sen. John Glenn,** D-Ohio: Mr. Glenn served as ranking Democrat on the high-profile Senate Governmental Affairs Committee probe of 1996 campaign financing. While he denied it, many observers saw him as the Clinton administration's defender on the panel. Mr. Glenn argued for the committee to pursue comprehensive campaign finance reform but saw the investigation end before any progress could be made. Also made news when NASA said it was considering his request to go back into space. He continued to push a range of government cost-cutting and efficiency measures.

▶ **Sen. Mike DeWine,** R-Ohio: Establishing himself as a leading advocate for children in the Congress, Mr. DeWine drew plaudits from the left and right. Played a leading role in efforts to revamp federal foster care laws. Held series of hearings on mergers and consolidations in various industries as chairman of the Senate antitrust subcommittee. Got Postal Service to adopt a stamp promoting organ and tissue donation.

▶ **Sen. Wendell Ford,** D-Ky.: After having spent much of the year outraged over tobacco farmers being left out of the settlement, Mr. Ford developed $28 billion proposal to protect those farmers and help their families gain new skills. His language already has been included in tobacco settlement bills. Mr. Ford also spent the year denouncing the campaign finance system and working on several other proposals, including a bill to prevent insurance industry discrimination against women whose families have history of breast cancer.

▶ **Sen. Mitch McConnell,** R-Ky.: Mr. McConnell attracted widespread media attention again for his continued opposition to campaign finance reform. Took over chairmanship of the National Republican Senatorial Committee. His success in attracting contributions drew attacks from groups such as Common Cause. Mr. McConnell also took the lead in calling for an end to federal affirmative action programs.

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Fernald neighbors briefed

The Associated Press

HARRISON

The government wants to know what area residents think of its proposals to revive a program for removal and treatment of radioactive waste from three concrete silos at the former Fernald uranium processing plant.

The U.S. Department of Energy and the company managing the Fernald cleanup planned to hear comments from residents Tuesday night at a meeting near the 1,050-acre site.

At least $50 million in taxpayer money has been spent on silo cleanup at the site. But the failure Dec. 26 of a plant to test a vitrification process that would have turned the waste into glass chunks for off-site disposal forced an overhaul of cleanup plans.

Thousands of tons of waste from Cold War uranium processing operations are stored inside the silos, which are encased in earthen berms.

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