



FRIDAY MAILING

4/10/98

INCLUDED IN THIS FRIDAY MAILING:

- Newsclippings

CAB MEETINGS:

- OFF-SITE COMMITTEE MEETING:** The Off-Site Committee will meet on Monday, April 13, 1998, at 6:30 p.m. in the Jamtek Building, 10845 Hamilton-Cleves Highway.
- ON-SITE COMMITTEE MEETING:** The next meeting of the On-Site Committee will be held on Wednesday, April 15, 1998, at 6:30 p.m. in the Jamtek Building.
- EFFICIENCY COMMITTEE MEETING:** The Efficiency Committee will meet on Wednesday, April 15, 1998, at 7:30 p.m. in the Jamtek Building.

OTHER MEETINGS:

- APRIL MONTHLY PROGRESS BRIEFING:** The April Monthly Progress Briefing will be held on Tuesday, April 14, 1998, at 6:30 p.m. in the Alpha Building, 10967 Hamilton-Cleves Highway.

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]

March 23, 1998

Weapons Complex Monitor

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"Penú on DOE Cleanup: We are, above budget behind schedule"

1379

PEÑA ON DOE CLEANUP: WE ARE, ABOVE BUDGET, BEHIND SCHEDULE

*Crusades for Privatization, Reveals
2004 Closure Date for Fernald*

Energy Secretary Federico Peña admitted to the House National Security Military Procurement Subcommittee this past week that the department is 'where it is' on cleanup, "above budget and behind schedule." He made the statement in response to a query from Rep. Adam Smith (D-Wash.) However, later in the session he offered quite the opposite projection on the cleanup of Fernald: It would be completed and the site closed by 2004—two years ahead of the 2006/10-year-cleanup plan deadline. And he repeated his 2006-closure refrain for Rocky Flats, making no mention of the 2010 cleanup date that is being projected by state and local officials (*WC Monitor*, Vol. 9 No. 11). The Secretary went on to champion DOE's privatization initiative, succeeding in garnering support from Rep. John Spratt (D-S.C.).

Pressed on Problems at Hanford

In an initially awkward exchange, Smith asked Peña exactly what DOE is doing to stop the leaks at the Hanford tank farms while the department evaluates bids from BNFL and Lockheed Martin to treat and vitrify tank waste (*WC Monitor*, Vol. 9 No. 3). The Secretary did not provide a direct answer, saying only, "Our number-one priority is to protect the [Columbia] River." Smith then proceeded to expound on the problem being encountered with the removal of spent fuel from Hanford's K Basins, where estimated costs have increased by \$274 million and the project completion date is delayed to 2003 (*WC Monitor*, Vol. 9 No. 4). He mentioned reports of poor management by the site contractor, but Peña refused to blame Fluor Daniel, applauding the company for issuing a cure notice to K-Basin subcontractor Duke Engineering & Services.

Smith then mentioned DOE's recent tendency to miss milestones at Hanford and elsewhere, referred to threats of lawsuits from various Governors, and asked a pair of pregnant questions: "The reason we haven't met the goals is? What do you plan to do if a lawsuit is brought?" But Peña refused to offer easy solutions or sugarcoat the problems: "Obviously we hope we don't get sued. These are serious problems, and I've been talking with [Washington] Governor [Gary] Locke often about how to work them out."

Faith Placed in Privatization Chief

Spratt then asked the Secretary why privatization would result in spending less on cleanup projects. "If contractors raise their bid to include a fudge factor for unknowns, why would [DOE] expect to get a better rate?" he asked. Peña again offered no response but announced that he had just named a privatization chief (*WC Monitor*, Vol. 9 No. 11), describing him (Walter Howes) as "someone who knows how to negotiate with private contractors." Spratt then remarked that there was a "better case for \$500 million [for privatization] than \$1 billion [DOE's privatization request from the previous year], but the important thing is that we get enough this year to keep the program going." ◀

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"DOE acknowledges deep flaws in Cleanup Program"

DOE ACKNOWLEDGES DEEP FLAWS IN CLEANUP PROGRAM

*Agrees to Review All Major Projects, in
Response to IEER's Broad-Based Criticism*

The Department of Energy Office of Environmental Management has responded to a sweeping indictment of the 2006 cleanup plan from the Institute of Energy and Environmental Research (*WC Monitor*, Vol. 8 Nos. 40 & 41) by agreeing to put in place independent reviews of all major projects and committing to rectify inconsistent estimates of DOE's transuranic waste inventory. However, after a nearly five-month review by about 25 headquarters EM staff, DOE has failed to address many of the serious issues raised in *Containing the Cold War Mess*, co-authored by IEER President Dr. Arjun Makhijani and associate Marc Fioravanti. In a 40-page response to the report, the EM Office is silent in regard to IEER's charge that the *Accelerated Cleanup* plan should be scrapped and President Clinton should create a national commission to restructure the cleanup program. As for the authors' charge that "EM does not have national remediation or low-level waste management standards," DOE argues that the National Contingency Plan is a "flexible approach" that provides "a consistent, national framework for site-specific decision making."

Archaic Data, Faster Migration of Pu

DOE limited the response to four areas: TRU-waste management; Hanford HLW tank farms; radium- and thorium-contaminated waste at Fernald; and general programmatic issues. The major concessions are that key premises of DOE's TRU-waste plan are based on information dated to the early 1980s and are no longer valid, and that plutonium is moving far faster through the soil than anticipated at Oak Ridge, Hanford, and the Idaho National Engineering and Environmental Laboratory.

Still at Odds Over WIPP

Makhijani and Fioravanti remain highly critical over DOE's intention to begin transferring waste to the Waste Isolation Pilot Plant this year. "It's the wrong priority," declared Fioravanti. "Buried wastes are already contaminating soil and groundwater at several sites, which pose a risk far greater than those for stored wastes scheduled to go to WIPP." But the authors are clearly pleased that DOE took their report so seriously. "The very fact that DOE has undertaken a serious review of our report represents a positive break from its past pattern of all too frequently ignoring inconvenient advice," remarked Makhijani. ◀

March 30, 1998**Weapons Complex Monitor****Page 7****"DOE Seeks Advice on Future Use of Commercial Disposal Facilities"****1379**

DOE SEEKS ADVICE ON FUTURE USE OF COMMERCIAL DISPOSAL FACILITIES

DOE's Acting Assistant Secretary for Environmental Management James Owendoff is looking for outside guidance outside in order to determine "whether to continue or change [the department's] existing policies related to the use of commercial facilities for the disposal of LL[R]W and MLLW. *(Aside: According to one DOE official the current policy is that commercial disposal facilities should play a small role (see story below).*" The solicitation, published this past week (Federal Register 3/19/98) was described by one department official as an attempt to go beyond "internal belly-button contemplations" to develop a "proactive" policy to guide DOE decisions, to put "all the cards out on the

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"DOE Seeks Advice on Future Use of Commercial Disposal Facilities"

table." The action no doubt was taken to aid the department in reacting to the federal court suit challenging the department's continued use of the Envirocare of Utah disposal facility (see related story) even though Owendoff remarks in the *FR Notice* that any department policy "could be affected by, and may have to wait the resolution of" Waste Control Specialists' (WCS') motion for a preliminary injunction against the department.

Input On Use of WCS, Laidlaw Sought

The *Notice* requests specific input on the potential use of WCS' disposal facility in Andrews County, Texas, and a Laidlaw Environmental Services Inc. proposed facility located in Deer Trail, Colo., about 70 miles east of Denver. The WCS site would not be licensed either by the Nuclear Regulatory Commission or the relevant state agency (*NRWM Exchange*, Vol. 16 No. 14). Laidlaw's plans include applying for site permits and licenses, but at DOE's expense. Under Laidlaw's plan, the federal government would also obligate funds to maintain the site in a condition ready to receive waste. In return, Laidlaw would be required to build a disposal cell and commit to receiving the waste.

Perspectives...Make A Decision, DOE

The EM request for outside input on the use of commercial disposal facilities, described by officials as a way to establish a department-wide policy, appears on its face to be a credible initiative but it surely isn't proactive. The department has been operating under a "de facto" policy to use private facilities whenever necessary to meet site cleanup schedules. That is the case at Rocky Flats and Fernald. Both sites' cleanup schedules depend on using Envirocare of Utah's facility. Furthermore, the EM program in particular, and the department in general, has adopted privatization as its by word. And finally, it's rather obvious that no such request would have been sought if not for the WCS court suit.

But, be that as it may, Owendoff can expect from the solicitation:

- *From around Fernald and Rocky Flats, an endorsement for using commercial facilities;*
- *From public interest groups, that any commercial sites should be properly licensed by either the state or NRC;*
- *From the state of Nevada, which undoubtedly would be the recipient of most of the waste not destined for commercial sites, an absolute 'yes' on using commercial sites;*

— *From companies promoting disposal services, that their sites offer safe, efficient, economical disposal.*

There will be no consensus that will allow DOE to easily move forward on making a decision. The only result DOE officials can expect is a disparity of views, begging for someone to make and justify a decision. So why doesn't the EM just put forth a draft decision or policy and then ask for input. It would surely save a lot of time and avoid wasting a lot of staff resources. ◀

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Perspectives



March 12, 1998

98-RF-00939

Mr. Edward L. Helminski
 Publisher
 Weapons Complex Monitor
 Exchange/Monitor Publications, Inc.
 1826 Jefferson Place NW, Suite 100
 Washington, DC 20036

WEAPONS COMPLEX MONITOR ARTICLE - RGC-028-88

Dear Edward,

I'm writing this letter in response to the article "Cleanup Contractor Says DOE Needs Better Trained Staff," (Weapons Complex Monitor, January 27, 1998, Page 4). I would like to respond to the last paragraph in the article.

Fernald on Pace, but Fat Must Go

Based on the findings at Fernald and Rocky Flats, described by Heiberg as "two of the least complex sites," the review team is of the view that the DOE cleanup program suffers from contractors who aren't executing and riddled with federal workers who don't know how to supervise. Speaking as a former contractor, Heiberg told the board, "the Department of Energy must get rid of contractors who aren't doing the job." Notably, however, he went on to give Fernald good marks saying the review group "found that Fernald was on a good pace to close in 2006."

I believe the above paragraph portrays to your readers that Fernald is performing well, and also infers (by absence of comment), that Rocky Flats must not be doing the job. I have reviewed both the Project Management Review Group report, and presentation notes from Mr. Heiberg's briefing to the Environmental Management Advisory Board (EMAB), on January 21, 1998. Both accounts indicate that Mr. Heiberg's quotes were taken out of context. This article has been discussed with General Heiberg and he concurs with this view. General Heiberg said that the committee was impressed with the progress that Rocky Flats had made toward closure and in establishing a project baseline. He did emphasize the need for an independent validation of the baseline and we concur. Also of special note was that Kaiser-Hill and the DOE Rocky Flats Field Office had established a business-like and effective relationship that was essential if

Kaiser-Hill Company, L.L.C.

Courier Address: Rocky Flats Environmental Technology Site, State Hwy. 93 and Cactus, Rocky Flats, CO 80007 • 303.966.7000

Mailing Address: P.O. Box 464, Golden, Colorado 80402-0464

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closure by 2006 was to be achieved. General Heiberg indicated he would be willing to discuss this matter with you if you wish. His office telephone number is 703-550-1782.

The Department of Energy's Rocky Flats Field Office (DOE/RFFO) and the Kaiser-Hill team have worked very well as a team to create a "Closure Project" baseline, and are working together to continue the refinement and the execution of the baseline plan. We are working together to identify technical and management opportunities that will lead us to closure of the Rocky Flats Environmental Technology Site by 2006.

We would be pleased to have you visit the Rocky Flats Environmental Technology Site and let us review with you our Closure Project plans. Please contact my assistant, Ms. Randi Okey, if you would like to visit the Rocky Flats Environmental Technology Site. Ms. Okey's telephone number is (303) 966-9820. If you wish to further discuss the Monitor's article with me, I can be reached at (303) 966-9870.

Sincerely,



Robert G. Card
President & CEO
Kaiser-Hill Company, L.L.C.

LFB:dwd

cc:
E. R. Heiberg III

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"At Richland....Fluor Daniel, DynCorp Agree on Cost Cutting"

1379

AT RICHLAND FLUOR DANIEL, DYNCORP AGREE ON COST CUTTING

Fluor Daniel Hanford and subcontractor DynCorp have agreed on a plan expected to save \$60 million in Hanford infrastructure costs over the next five years (*WC Monitor*, Vol. 9 No. 2). The plan is to cut about \$10 million this fiscal year and each subsequent year through FY2003 by shrinking inventories of vehicles and equipment, demolishing some old facilities, possibly vacating other facilities, and perhaps further subcontracting some services. The companies will study whether some services would be cheaper and performed more

efficiently if kept in-house or privatized or subcontracted out, officials from Fluor and DynCorp explained.

DynCorp already is studying whether the company's site fabrication services department should be kept in-house or somehow spun off to function as a separate business. Those services consist of two 200 Area machine shops that make metal parts and components for various Hanford projects. Other DynCorp sections to be studied include three 300 Area laboratories that handle calibrating equipment, nondestructive examinations, and engineering functions.

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"Announcing...The First Annual...DOE Field Office Business Forum"

ANNOUNCING...

The First Annual...

DOE Field Office Business Forum

Transitioning to an Aggressive Program for Cleanup, Closure & Revitalization ...at DOE-Fernald, Mound Lab

May 11-14, 1998

Kings Island Inn & Conference Center
Cincinnati, Ohio

Co-sponsored by: **Fluor Daniel Fernald
Babcock & Wilcox of Ohio
Exchange Monitor Publications & Forums**

Speakers include: **Jim Fiori, (Acting) Dep. Assist. Secretary, ER, DOE-EM
Leah Dever, Manager, DOE-Ohio Field Office
Jack Craig, Director, DOE-Fernald Project Office
Nat Brown, Director, DOE-Miamisburg EM Project Office
John Bradburne, President, Fluor Daniel Fernald
Pete Heckman, President, B&W of Ohio
...plus key Fernald, Mound program managers, state &
federal regulators, local officials, and more**

With sessions on:

- ▶ **Fernald's Cleanup Plan to Meet a 2003 Closure Date**
- ▶ **Technology & Outside Contractor Needs to Accomplish Cleanup & D&D**
- ▶ **Innovative D&D Technologies being demonstrated at Fernald**
- ▶ **New Plans to Deal with Fernald Silo Waste**
- ▶ **Use of Vitrification & Alternative Waste Form Technologies**
- ▶ **The New Workforce Infrastructure at Fernald & Mound**
- ▶ **Long-Term Institutional Control & Monitoring Needs**
- ▶ **Regulatory Requirements Governing Cleanup**
- ▶ **DOE-OFO Business Procedures**
- ▶ **Local Economic Development Plans to Attract Businesses**

REGISTER EARLY SAVE \$\$\$....CALL 847-234-2353

April 2, 1998
The Dearborn County Register
Page 5-A
"Fernald meeting set for April 14"

1379

Fernald meeting set for April 14

U.S. Department of Energy representatives will present Fernald's corrective action plan regarding leaks from white metal boxes at 6:30 p.m. Tuesday, April 14, at the Alpha Building, 10967 Hamilton Cleves Highway, near Harrison.

Fernald project managers also will provide updates on all major cleanup projects.

For more information, call Gary Stegner, 1-513-648-3153.

April 1, 1998
The Harrison Press
Page 12B

"Spring clean-up time has arrived"

By: Gary Storer

Spring clean-up time has arrived

Crosby Corner

By Gary Storer

April offers a couple of opportunities to become friends with planet earth. Crosby Township Spring clean-up arrives on April 17, 18 and 19 in order to help you with those spring cleaning chores. The Dumpsters will be placed in New Baltimore and New Haven and are intended for use by Crosby Township residents only. This is always a very popular event so plan to participate early and help cleanup your township and maintenance staff thank you for your participation and cooperation.

Garden Street Iron and Metal (GSI&M) 7500 New Haven Road, will again help you celebrate Earth Day on Wednesday, April 22, with special pricing on aluminum cans only. GSI&M pays cash for recyclables. For additional info call 738-2678. Re-duce, re-use, re-cycle!

The following is a brief summary of some of the activities of the trustees in between the regular meeting dates during the month of March:

March 2 - the trustees met to examine the need for a part-time Township administrator.

March 2 - trustee Gary Storer attended the 1998 annual meeting of the Hamilton County District Advisory Council. The purpose of meeting was to elect officers, and to appoint a member to the Hamilton County Board of Health, and to review the annual report of the health district.

March 3 - the trustees met with D.A.G. Construction managers and D.R. Brooks Architects to discuss the senior center. The senior center is 5,500 square feet and will take 5-6 months to complete. Construction is scheduled to begin on April 6.

March 3 - trustee Storer attended two meetings of the Fernald Community Reuse Organization (CRO). The first was the communication and public involvement committee, which discussed and acted on revision of the CRO public participation plan. The second was the land re-use, equipment, and materials committee, which discussed the Native American Alliance proposal, and the industrial site marketing assessment study.

March 10 - trustee Storer attended the March monthly cleanup progress. the DOE and Flour Daniel Fernald representatives discussed the environment monitoring program.

March 14 - trustee Jane Harper attended the Fernald Citizen Advisory board meeting.

March 16 - the trustees met with Mr. Eric Fryer, senior project manager for public management and regional affairs at Miami University. These ongoing meetings are to determine township job descriptions and an integrated pay schedule for township employees.

March 18 - trustee Storer attended the eighth meeting of the Fernald Health effects subcommittee. The March 1998 Fernald Risk Assessment Report provides the results of the first phase of the entire project and focuses solely on the potential of increased rates of lung cancer. The report is available for review at the public environmental information center (PEIC).

March 19 - trustees Harper and Storer attended the monthly meeting of the Crosby Township Historical Society. The program was presented by Cricket Hayden from Bright, Ind. It focused on clothing she made from the early 1800s, as we prepare for the Crosby Township bi-centennial celebration in the year 2003.

March 23 - trustee Storer delivered the third Intercommunity Cable Regulatory Commission (ICRC) community live report.

March 24 - trustee Storer attended the Cinergy Management and Government officials update meeting. Cinergy management gave a progress report since their merger was consummated three years ago.

March 26 - trustee Storer attended their monthly F.R.E.S.H. meeting. Updates were heard on the Paddy's Run Road site, advanced waste retrieval (AWT) and waste pit remediation by International Technology Corporation.

Fernald personnel are safely removing the contents of about 131 T-Hoppers containing 1.4 million pounds of enriched uranium trioxide powder. The T-hopper contents are being repackaged into 55-gallon drums for sale and shipment offsite. This project is expected to be completed by August 1998.

Work along Willey Road will continue through March. Trenching excavation, pipe placement, roadway work and electrical power installation are some of the ongoing construction jobs con-

nected with the Southfield Aquifer Restoration project. Safe shutdown activities in plant 8 were completed in March. Safe shutdown operations continue in plants 2, 3 and 6 and will be initiated in the cooling water tower, propane storage building and tank farm.

The ground breaking ceremony for the Crosby Township senior center/administrative complex was canceled in March due to 8 degree temperatures. It is rescheduled for April 14 at 3 p.m. at the Civic center, and the public is invited. We are sorry for any inconvenience.

Hamilton County's yard waste recycling drop-off sites were opened on March 13. Rumpke sanitary landfill is the closest location for Crosby Township. There is no charge for yard waste drop-off, however, you will be asked to follow rules such as yard waste must be brought to location in containers or brown paper bags. Call 333-4732 for complete set of drop-off site rules.

The Crosby Township trustees will meet April 13 and 27. See you there. Other important dates in April include: Palm Sunday/Daylight Saving Time, April 5; Good Friday, April 10; Easter, April 12, tax day, April 15; Earth Day/Secretary Day, April 22, Cincinnati Flower Show, April 22-26.

Crosby Corner is written by Gary Storer in an effort to improve communication between the trustees and the Citizens of Crosby Township.

The IRS audits the tax returns of almost two million Americans each year.
— Working women.

April 1, 1998

The Harrison Press

Page 3A

"Fernald community group receives development grant"

Fernald community group receives development grant

The Fernald Community Reuse Organization (CRO) was recently awarded a \$50,000 grant from the Ohio Department of Development's Office of Defense Adjustment for an entrepreneurial assistance program.

"The purpose of this program is to stimulate growth of entrepreneurial firms which may hire Fernald workers," said CRO Chair Dr. David McWilliams. "Fernald employees who have started or are interested in starting a business would be eligible to apply. We're very pleased about this grant and the opportunities that may result for Fernald employees."

To screen and select participating firms the CRO will work directly with regional Small Business Development Centers.

"These firms will then be matched with private sector management assistance consultants to accelerate the execution of their business plans," said Curt Paddock, CRO economic development consultant. "The CRO will pay for these services through mini-grants."

The application, screening and selection process and schedule must still be developed and details should be worked out and publicized by May, said Paddock.

The CRO has also applied for a \$265,000 grant from DOE to develop a comprehensive plan to help the Fernald work force and community adjust to job losses resulting from Fernald's downsizing and eventual closure.

The CRO was formed to provide

development planning and assistance to local communities and workers at the U.S. Department of Energy's Fernald Environmental Management Project to help offset the impact of the site's closure process. The group will facilitate public dialogue on Fernald workforce transition and local economic development planning, and potential reuse of the Fernald site, equipment and re-

sources.

The next CRO meeting will be held April 7 at Ross High School, 3425 Hamilton Cleves Highway, 6:30 p.m. The public is welcome to attend and participate.

For information write to: Fernald Community Reuse Organization, P.O. Box 38, Ross, Ohio 45061 or call (513) 648-4168.

April 7, 1998
The Cincinnati Post
Page 13A

"Whitewater Township grumbles at waterlines"

By: Kimball Perry

1379

Whitewater Township grumbles at waterlines

By Kimball Perry
Post staff reporter

Whitewater Township residents are upset that growth is going to erode the area's rural nature — and that they are helping to pay for it.

As part of a project to help western Hamilton County expand, waterlines will be installed this summer along Harrison Avenue west of Ohio 128, at a cost of \$3.2 million.

Of that, property owners will pay \$1,085,947.42.

Vicky Eccard is upset that she is having to pay \$12,240 of that cost and she doesn't want the waterlines.

"I think it's an outrageous amount," Ms. Eccard said. She has a three-acre lot on Harrison Avenue across from Whitewater Park.

"Most of the people out here can't afford it. I don't know what people are going to do."

Harrison Avenue resident Gina Schwegler, who will have to pay \$8,462, thinks the work will ruin the rural atmosphere.

"I'm upset because if they get city water up here, there will be development. I like where I live. I don't want development," she said.

Commissioners said Monday, though, that they are planning to approve the project despite a petition from residents objecting to the assessments.

Hearings set

■ A public hearing on the water line project will be held Wednesday before Hamilton County commissioners at their downtown administration building.

■ Another public hearing is scheduled for Thursday evening in Whitewater Township.

The biggest complaint revolves around "panhandle lots." Several subdivisions along the proposed water route have multiple lots that have narrow strips of street frontage leading to wider, larger tracts off the street.

To try to be fair, Hamilton County officials decreed that the smallest frontage for which lots will be assessed is 80 feet, even if the actual lot size is smaller.

"The easy way to measure benefit (of water lines) is front footage," county Public Works Director Gary Van Hart told commissioners Monday. "But panhandle lots negate that."

There is no zoning in Whitewater Township to prevent lots from being divided up that way.

Whitewater Trustee Ray Schaible is to be hit with the largest assessment. He will have to pay more than \$82,000 for water lines in front of his property.

The upset Whitewater Township residents may get even angrier.

The installation of the water lines along Harrison Avenue will be followed by sewer lines. Residents also will have to pay for a portion of that work.

Metropolitan Sewer District officials expect to spend \$1.2 million installing trunk sewers in the area as part of a plan to place sewers where there now are none in Hamilton County.

The completion of the Harrison Avenue water project will fulfill the commitment Hamilton County officials made to Cincinnati Water Works as part of the deal to extend waterlines to Crosby Township and the area around the old Fernald uranium processing plant.

To get water to the Fernald area, where residents for years used bottled water out of fear of contamination, Hamilton County officials cut a deal with Cincinnati Water Works. The water works agency agreed to extend water to that area but needed a guarantee of 200,000 gallons flowing through those pipes to keep the water from going stale.

Because Fernald was a government facility, the Department of Energy paid \$6.5 million of the \$10.8 million cost of that part of the water plan to get water lines to Fernald.

The total project costs \$21.1 million.

April 8, 1998
Cincinnati Enquirer
Page B3

"Achieving excellence on the cheap"
By: Christine Wolff

About this series

Each year, schools throughout the United States apply for the "National Blue Ribbon School of Excellence" award, the U.S. Department of Education's highest recognition.

This year, Mason High School is in the running. Award winners will be announced in May.

On the Hamletown page this week, the Enquirer features the six Tri-State elementary schools recognized as Blue Ribbon winners in 1997.

- **Sunday:** Central Elementary, Reading.
- **Monday:** Dry Ridge Elementary, Dry Ridge, Ky.
- **Tuesday:** Cincinnati Hills Christian Academy, Symmes Township.
- **TODAY:** Crosby Elementary, Crosby Township.
- **Thursday:** Selman School, Madeira.
- **Friday:** Shawnee Elementary, West Chester.

things that you think are significant," the principal said. "Then you start writing about it and you realize not everybody's doing it."

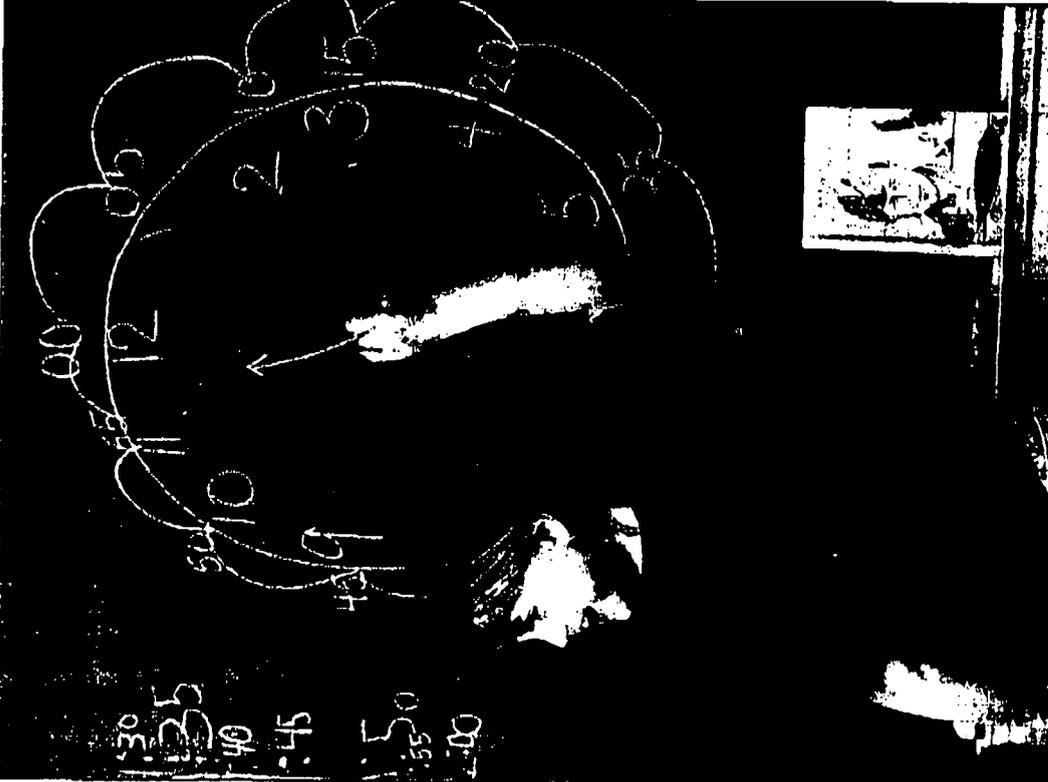
The school's teachermentor program now links 25 students one-on-one with teachers who volunteer as role models.

"It's a person to put their arm around a shoulder and say, 'How can I help?'" Mr. Lawler said.

Students from Harrison High School volunteer as "Tutor Friends" to help Crosby youngsters with reading and math. Senior citizens, paired with Crosby's sixth graders, read and discuss books together. A partnership with nearby Flux Daniel Permaid Inc. created an after-school science program.

Parents and teachers work as a team, a "recognition of how close our community is," said Martha Hanon, a second-grade teacher.

"If I say a child is having trouble with something, they say, 'What can I do?' and they do it," she said.



The Cincinnati Enquirer's Courtney Hendy, 8, a second-grader at Crosby Elementary, works on a lesson on Blue Ribbon award last year despite having limited resources.

er, and their faces light up." Principal Daniel Lawler said. "We're proud that we do a nice job and good things without all the frills."

Mr. Lawler credits the staff's "we can do it" attitude for earning the school's first national Blue Ribbon, after trying unsuccessfully nine years ago.

The school sits in a sprawling district of eight schools in an area mixed with suburban

Achieving excellence on the cheap

Teachers make decisions at Crosby school

BY CHRISTINE WOLFF
The Cincinnati Enquirer
Jeremy Lucy, 9, and Megan Westrich, 8, third-graders at Crosby Elementary School, manipulated plastic blocks for a lesson on how to "analyze strategies," using objects to solve problems.

Problem: "Keith wants in line to buy a snack. Eight people are ahead of him."

Jeremy and Megan snapped eight plastic blocks together in a row. "Two people leave the line." The youngsters fingers quickly detached two blocks.

"Four people buy their food." Snap! Four blocks came off.

"How many people are ahead of Keith now?" Counting the remaining blocks, the students wrote "2."

"They could probably answer these questions without the object," teacher Stephanie Tillman said, "but I want them to learn to use them for the harder problems."

U.S. DEPT. OF EDUCATION
EXCELLENCE IN EDUCATION
NATIONAL BLUE RIBBON AWARDS
CROSBY ELEMENTARY

Crosby Elementary
Crosby Elementary School is one of six Tri-State schools awarded a '97 "National Blue Ribbon School of Excellence" award, the highest recognition from the U.S. Department of Education. This is the fourth in a series of higher accolades of the six schools running this week.

- **Principal:** Daniel Lawler
- **Enrollment:** 335 students in grades K-6
- **History:** Built in 1951, with additions in 1960, '85, '90
- **Judge's comment:** "The school has worked with a minimum of resources and created an environment which maximizes learning... interaction among students, teachers and administrators was informal and friendly... The overall impression of Crosby School is one in which people take pride."

principal to read about papers they have written.

The reward: Their names are broadcast throughout the school.

"It doesn't cost a thing to put names on the loudspeaker."

CROSBY TOWNSHIP
Students troop into the office of Crosby Elementary School's

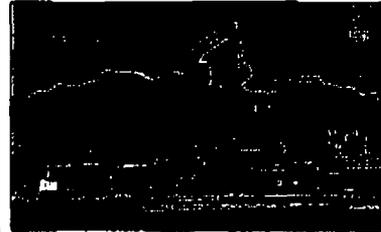


TOP NEWS WORLD NATION POLITICS METRO BUSINESS WEATHER



A Nuclear Waste Dump's Murky Deals

By Joby Warrick
Washington Post Staff Writer
Monday, April 6, 1998; Page A1



Envirocare, in Clive, Utah, is the only private dump in America that handles the U.S. government's nuclear waste. (AP photo)

CLIVE, Utah – Deep in the Great Salt Lake Desert, 40 miles from the nearest town, freight cars are lined up before dawn, laden with hazardous cargo. Tractor-trailers and dump trucks arrive as the sun climbs, adding to the procession of radioactive waste haulers that snakes for a mile across the sand.

Delays can stretch for hours or even days here, for this is the home of Envirocare, the only private dump in America that handles the U.S. government's nuclear waste. Since 1993, more than 14 million cubic feet of lightly radioactive dirt and junk from the Department of Energy (DOE) has been entombed at this isolated dump – mostly because there was nowhere else for it to go.

Envirocare has won contracts worth as much as \$250 million from the DOE alone and is projected to receive another \$350 million from the department over the next five years. In exchange, the dump has given the federal government something it needs very badly: a reliable way to get rid of mountains of low-level radioactive debris without breaking budgets or triggering lawsuits from states and communities near contaminated sites around the country.

But this mutually beneficial relationship has become clouded by a scandal that threatens the dump's future, and with it the government's plans for cleaning up contaminated Cold War bomb factories, uranium processors and other facilities.

In a series of revelations over the past year, Envirocare founder and owner Khosrow Semnani acknowledged paying \$600,000 to then-Utah Radiation Control Division Director Larry Anderson, the state regulator responsible for the dump's license and safety.

The nature of the payments remains in dispute, and there is no evidence so far of serious safety problems at the dump. But the scandal has raised questions about the validity of Envirocare's license and the adequacy of the state's response to the dump's history of safety violations – which include chunks of radioactive material literally falling from boxcars and top managers scoring a perfect zero on radiation competency tests.

Perhaps more important, the controversy has focused attention on

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the government's near-dependency on a single private dump, and how it has responded to Envirocare's problems.

Faced with a massive backlog of waste and few available alternatives, three federal agencies apparently chose largely to ignore the budding Envirocare scandal and keep the waste stream flowing. A fourth, the DOE, which supplies most of the waste, cut a deal with Envirocare that forced Semnani to step down temporarily as president but guaranteed the company could continue to receive waste and bid on new contracts.

Top DOE managers strongly defend their response to the scandal. Freezing the shipments based on mere allegations, they say, would surely have exposed the government to litigation and long delays in the cleanup of scores of hazardous waste sites around the country.

"We made a hard business decision on behalf of the taxpayers," said one senior official, who insisted on anonymity because of pending lawsuits. "And we were the only ones who did squat."

But a federal judge, ruling in a related Texas case, said DOE policies that allowed Envirocare to retain its virtual monopoly suggest that "something is amiss" at the department. "It may be a case of incompetence, or it may be something far worse," said U.S. District Judge Joe Kendall.

Meanwhile, the loss of Envirocare's services – the thing government officials sought most to avoid – may already be occurring. An injunction issued by Kendall has temporarily frozen the awarding of new DOE contracts to Envirocare, stalling the cleanup of 1 million tons of contaminated waste at a federal plutonium production facility in Fernald, Ohio. An Envirocare rival subsequently asked Kendall to expand his injunction to halt all government waste shipments to the Utah dump.

A federal grand jury in Salt Lake City investigating the payments to Anderson could issue indictments within days or weeks. Federal officials are bracing for the possibility that the dump might be sold or closed, which could force government agencies handling the cleanup to scramble to find places to put the 2 million cubic yards of waste projected to go to Utah over the next few years.

The problems have prompted calls for possible hearings on Capitol Hill. One congressman who is considering an investigation is Sen. Robert C. Smith (R-N.H.), chairman of the Senate's strategic forces subcommittee, who worries that the fallout from the Envirocare case may be delays in waste cleanup that could cost the country \$200 million a year.

"If this stuff starts building up and you can't dispose of it, you can find yourself in the danger zone real fast," he said.

As the successor to the government's Cold War-era Atomic Energy Commission, the DOE has inherited the task of cleaning up the radioactive refuse from uranium mines, munitions facilities and other sites around the country. The most dangerous, highly radioactive material will end up in other more scaled repositories

built to last thousands of years. But in sheer volume, the bulk of the waste is made up of construction material, mineral ores and contaminated soil – wastes that are only mildly radioactive but still too "hot" for burial in ordinary dumps.

Although some of these low-level wastes are stored at the government installations where they originated, ever larger amounts are loaded into freight cars and shipped to Utah.

Envirocare was opened in 1987 by Semnani, who apparently had found a valuable ally for his project in Anderson, then the state's chief regulator for nuclear waste. According to court documents, Anderson approached Semnani in 1986 and offered to serve as a private consultant while still at his state post. In return, Anderson was to receive a \$100,000 advance payment along with 5 percent of the profits.

Neither Semnani nor Anderson would agree to be interviewed, but their accounts of the relationship emerged from an unusual lawsuit filed by Anderson in late 1996. In the suit, Anderson acknowledged receiving money from Semnani but denied there was anything improper about the payments. In fact, Anderson claimed that the dump owner broke their agreement and shortchanged him by about \$5 million.

Semnani, in a response to the Anderson suit, acknowledged making the payments of \$600,000 in cash, gold coins and a condominium in Utah's Park City ski resort. But he characterized the payments as extortion, saying he feared Anderson would cause problems for his company or even shut him down. He did not report the alleged crime to authorities because he feared he would not be believed, a spokesman for Semnani said.

Regardless of the nature of the payments, the dump flourished under Anderson's watch from 1987 to 1993. A confidential state report from 1990 concluded that Anderson appeared to have "lost objectivity with regard to Envirocare." The division director repeatedly overruled his staff by reducing fines against Envirocare, and he once pressured workers to complete in three months a license review that would normally take 1 1/2 years, the report said. One clearly exasperated state worker told the auditors: "He [Anderson] listens to Mr. Semnani more than he listens to his staff."

State enforcement files from the time of the payments portray a company struggling to handle its job. Especially in the early years, inspectors' reports describe sloppy management and chronic violations that drew small fines, if any penalty at all.

Clouds of contaminated dust were left to blow across the dump site into the open desert. Waste was buried before it was properly analyzed and labeled. Once, in a routine test of Envirocare's ability to measure the radioactivity of incoming waste, company officials failed to correctly label any of the 10 samples they were asked to identify.

Charles Judd, a Semnani lieutenant who took over as Envirocare's president after the scandal emerged, acknowledged "rough spots" in

the company's early history, but denied the dump was given special favors. "Envirocare was just starting up," he said. "You'd expect that there would be issues. But we learned, and Anderson and his people learned."

Despite DOE's increasing reliance on the dump, federal oversight was relatively limited until the scandal broke in January 1997. DOE and the Environmental Protection Agency launched extensive investigations that resulted in hundreds of thousands of dollars of fines against Envirocare, but those inquiries had barely begun when DOE decided against severing its relationship with the facility.

The DOE entered into a "consent agreement" that forced Semnani to resign as president and withdraw from the daily operation of the company for 18 months.

But the deal, signed in May, allowed Semnani to retain his 100 percent stake in Envirocare and to install his longtime vice president as his successor. The agreement, drafted in consultation with Envirocare attorneys, also allows Envirocare to continue to bid on new government contracts. Days after it was inked, Envirocare was awarded \$7 million in new business from Kaiser-Hill Inc., a Denver-based DOE contractor that is supervising the cleanup of waste from DOE's Rocky Flats weapons complex.

The deal prompted Sen. Lauch Faircloth (R-N.C.) to send a letter to Energy Secretary Federico Peña questioning why the department had not sought tougher concessions. "The consent agreement makes it appear that the Department needed Mr. Semnani ... and would, therefore, agree to his terms," Faircloth wrote.

But DOE officials defend the agreement as the only reasonable alternative, given the lack of formal charges in the Envirocare case. "We had allegations, the initiation of an investigation and not much more than that," one senior spokesman said. "A year later, there's still no indictments, much less a conviction."

Energy officials say they don't like their dependence on Envirocare either and are taking steps to encourage competition. But for now, the DOE relies on commercial disposal for some of its waste, and Envirocare is the only company that provides it. "We can only dump in a regulated facility," the spokesman said.

The agency can, if it chooses, authorize new dumps under the powers granted to it by the Atomic Energy Act. DOE officials recently began studying that option, but they acknowledge that step would be controversial and would overturn a long-standing department policy of deferring to states.

The permit issue is at the heart of the October injunction against DOE by Judge Kendall, who temporarily halted the department from awarding new disposal contracts. Kendall ruled in favor of a Texas company, Waste Control Specialists LLC, which spent \$50 million to develop a dump site in west Texas but until now has been denied a chance to bid on contracts because it lacks a waste permit from the state.

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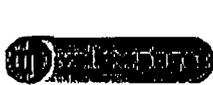
"The DOE had all kinds of options, but they were comfortable," said Martin Malsch, a former NRC deputy general counsel who now represents WCS.

The DOE is hoping the immediate crisis will ease this week when a federal appeals court considers whether to throw out Kendall's order. But critics say the DOE will have to find new ways to encourage competition soon or it could find itself in the same predicament.

"There are other companies out there that can do the job, and some are being turned away ... for reasons that are bogus," said New Hampshire's Smith. "It doesn't pass the straight-face test for me."

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