



1616

FRIDAY MAILING

7/31/98

INCLUDED IN THIS FRIDAY MAILING:

- Technical Report Summary: Work Plan for Ecological Research Grants Operable Unit 4 Supplemental Project
- Newsclippings

CAB MEETINGS:

- ON-SITE COMMITTEE MEETING:** The next meeting of the On-Site Committee of the Fernald Citizens Advisory Board will be on Wednesday, September 9, 1998, at 6:00 p.m. in the Alpha Building.
- OFF-SITE COMMITTEE MEETING:** The Off-Site Committee of the Fernald Citizens Advisory Board will meet on Wednesday, September 9, 1998, at 7:30 p.m. in the Alpha Building.
- EFFICIENCY COMMITTEE MEETING:** The Efficiency Committee of the Fernald Citizens Advisory Board will meet on Thursday, September 10, 1998, at 6:30 p.m. in the Alpha Building.

OTHER MEETINGS:

- MONTHLY PROGRESS BRIEFING:** There will not be a Monthly Progress Briefing in August.
- OHIO OPERATIONS POLLUTION PREVENTION WORKSHOP:** The 2nd Annual Ohio Operations Pollution Prevention Workshop will be held August 11th through 13th at the Marriott Hotel in Dayton, Ohio. CAB members have been invited to attend. If you are interested in attending, please contact Alisa Rhodes, Fluor Daniel Fernald, at (513) 648-4968 or alisa.rhodes@fernald.gov.

QUESTIONS:

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

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What is the Work Plan for Ecological Restoration Research Grants Operable Unit 4 (OU4) Supplemental Project?

As part of the Dispute Resolution Agreement regarding OU4 milestones for the Fernald Vitrification Facility, USDOE-Fernald and USEPA agreed to five environmental projects and a cash penalty. One of these projects was the establishment of ecological research grants. This document identifies the actual field work and project-specific designs that will be used in implementing these research grants.

What is the purpose of these ecological research grants?

The purpose of these grants is to conduct pilot-scale ecological restoration activities in the field that will be representative of possible site restoration strategies. The research grants were selected based on the ecological restoration activities outlined in the Natural Resource Restoration Plan (NRRP). The proposed activities will involve establishment of native forest cover and grasslands. Annual reports will provide information on the status and progress of each grant.

What are the research grants?

• Representative Vegetation Plots

The goal of this grant is to investigate the most effective density of seedlings and saplings required for the successful restoration of areas on the Fernald site. The project will proceed in three phases: vegetation analysis (year 1), site planting and restoration (year 2), and monitoring (years 2-5). The area to be used for this grant is in Area 8 Phase I and is currently covered with pastures comprised of dense fescues interspersed with old field herbs. Existing tree cover is limited to small patches on the steepest areas of slope. During the vegetative analysis phase, the woodlots immediately north of the project area will be analyzed to establish a baseline and profile of the existing local vegetation. The profile will serve as a template for the second phase of the project in selecting species and planting densities. The second phase will involve the establishment of eight half-acre plots to assess the optimal target density per acre for establishing native cover. During phase three, the vegetation plots will be monitored twice a year during the growing season and trees will be measured for both survivability and growth. An average value will be calculated for each plot. A cost-benefit analysis will also be conducted to examine the econometrics behind species composition, spatially-patterned densities, and herbivore protection treatments.

• Establishment of Prairie Vegetation on Undisturbed Areas

The purpose of this grant is to evaluate the optimal management method of establishing a newly-planted prairie on undisturbed areas at the site. Undisturbed areas may contain high nitrogen levels, which can encourage the growth of non-prairie grass species. This project will also occur in Area 8 Phase I. The grant will take place over three growing seasons. In season one, the design and layout of research plots will be conducted, while the experimental planting and evaluation of management will occur over the next three seasons. The research area will consist of twelve plots, each measuring approximately 12 feet by 50 feet, providing for four experimental plots in triplicate. There will be one group of control plots and three groups of treatment plots. The control plot will be left unattended, while the experimental plots will have applications of wood chips over the surface soil, multiple mowings, and selective herbicide treatments. The seeding of each plot will consist of native prairie grasses and a nurse crop. The plots will be monitored only over the growing season. Biomass, percent cover, and species diversity will be measured.

000002

• Establishment of Prairie Vegetation on Disturbed Areas

The purpose of this grant is to evaluate the optimal method for revegetating prairie species on disturbed areas of the site. The study area will consist of 2 acres of disturbed grassland along the east boundary of the FEMP in Area 1 Phase I. The project will take place over three growing seasons. The first season will focus on design and layout of research plots, experimental planting, and evaluation of various methods. Measurement and evaluation will be conducted during the growing season. Plantings started in year 1 will be evaluated



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Technical Report Summary:

Work Plan for Ecological Restoration Research Grants Operable Unit 4 Supplemental Project, USDOE-Fernald, May 1998, Document #40300-WP-0001

(issued July 28, 1998 for On-Site Committee)

for suitability in establishing a prairie on various sites. In the second year, some plots may be cleared and planted with new combinations. The third season will include some additional planting of the most promising combinations to test their suitability for specific site characteristics. In the first year there will be 45 test plots, each measuring approximately 20 feet by 20 feet, providing for 15 experimental plots in triplicate. Another ten plots could be added during the second year. The seeding of each plot will consist of cover crops and native prairie grasses. Management procedures will consist of a combination of mowing, mulch/mowing, and herbicide application.

- **American Chestnut Restoration**

The purpose of this project is to reestablish a population of blight-resistant American Chestnut trees at the FEMP. These trees will be used to obtain information on the resistance and survivability of hybrid American Chestnut trees that have been exposed to the chestnut blight fungus. Hybrid seeds, which are 7/8 pure American Chestnut, will be obtained from the American Chestnut Foundation. Seedlings, both hybrid and pure American Chestnut, will be grown for one year in a nursery at Miami University Middleton campus. At five months of age, the trees will be exposed to the chestnut blight fungus. Surviving trees will be planted in a secure area in Area 8 Phase I in the same geographic area as the revegetative test plots. A small number of Chinese Chestnut seedlings will be planted for comparison, since they are resistant to the blight. Trees will be monitored for shape, growth, shade tolerance, and resistance to the blight. During years 3-30, monitoring will be conducted on an annual basis.

- **Identification and Control of Invasive Plant Species**

The purpose of this grant is to identify invasive plant species and to evaluate control methods. The study area will consist of approximately 85 acres of mid-successional woodland bounded to the west by Paddys Run, to the east by an access road, to the north by State Route 126, and to the south by a tributary to Paddys Run. The woodland is dominated by American Elm with openings of old field vegetation. The grant will take place over five seasons. In the first season, a floristic analysis will be conducted to identify plant species and collect specimens. During the second season, an experimental plan will be written and instituted to control the invasive species. Experimental plots will be designed and implemented to assess control methods and the interspecific competition between indigenous and non-indigenous plant species. The proposed design is expected to contain 10 blocks of four treatment combinations for a total of 40 plots measuring approximately 10 feet by 10 feet each. Years 3 and 4 will be devoted to monitoring the plots. Measurements taken will include vegetative response to the treatments, species diversity, and plant cover.

- **Development of Ecological Restoration Case Study**

The purpose of this grant is to develop a means of using current research and scientific literature to help evaluate and make decisions about ecological restoration alternatives. The literature would be used in evaluating such issues as herbivore control, establishment of native forest cover, maintenance of migration corridors, techniques for bank stabilization, and monitoring activities. In addition, an approach will be developed to describe how the ecological restoration will be implemented. This information will be available through the Fernald web site (www.fernauld.gov). The web site will also provide a forum for discussion on ecological restoration issues.

The total estimated costs for implementing all of the research grants is \$245,000.

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(issued July 28, 1998 for On-Site Committee)

July 23, 1998
The Cincinnati Post
Page 12A

"Enquirer Turns Over Notes In Chiquita Story Probe"

By: Staff and Wire Reports

1616 Page 1 of 1

Enquirer turns over notes in Chiquita story probe

All sides mum on closed hearing

from staff and wire reports

A special prosecutor obtained notes and records from the Cincinnati Enquirer in an investigation of whether it used stolen material for stories about the Chiquita banana company, an attorney for the newspaper said Wednesday.

The lawyer, Jack Rubenstein, would not specify what material

the Enquirer turned over. He also would not identify four newspaper employees he said were subpoenaed and questioned by investigators.

He said the employees did not have to go before a grand jury that is probing whether proprietary documents or voice-mail messages were stolen from Cincinnati-based Chiquita Brands International Inc. The FBI and Hamilton County sheriff are also investigating.

Special Prosecutor Perry Anderson declined to comment.

Harry M. Whipple, the

Enquirer's president and publisher, said he could not comment because of the ongoing investigations.

Asked if the newspaper tried to fight the subpoena for its reporting notes, he said: "I don't think I can respond to that at this point. It's not the right time."

Rubenstein said he did not know whether the prosecutor might try to bring other Enquirer employees before the grand jury. Jeff Harrington, a former Enquirer business reporter now with the St. Peters-



Michael Gallagher

Michael Gallagher, the lead reporter. The newspaper's management said Gallagher may have illegally obtained Chiquita voice-mail messages on which some o-

burg (Fla.) Times, already has appeared before the panel but declined comment.

On June 28, the Enquirer retracted its May stories about Chiquita and said it had fired

the reporting was based.

The Enquirer paid Chiquita more than \$10 million, which Chiquita's management has said allowed it to evade a lawsuit.

Chiquita sued Gallagher on July 2 in federal court, contending he damaged its reputation and induced three current and former employees to give him stolen, proprietary documents and to help him steal messages.

Gallagher has asked Hamilton County Common Pleas Judge Norbert Nadel to excuse him from testifying before the grand jury. Nadel said after a closed

hearing Wednesday: "I'm not saying anything ... no, no, no."

Gallagher and his attorney, Patrick Hanley, declined comment.

If Gallagher is ordered to appear before the grand jury, he still may decline to testify on grounds it could violate his Fifth Amendment right against self-incrimination.

The civil lawsuit demands unspecified money damages from Gallagher, the return of all confidential materials and that he identify all third parties to whom he gave copies.

000004

July 23, 1998

Journal-News

Page B4

"Chiquita Reports Increase In Second-Quarter Income"

By: Staff Report

Page 1 of 1

Chiquita reports increase in second-quarter income

Journal-News staff report

CINCINNATI

Chiquita Brands International Inc. reported Wednesday that second-quarter earnings were helped by the settlement the company received from the Cincinnati Enquirer over a series of articles the newspaper has since renounced.

For the quarter, Chiquita

reported net income of \$53 million, compared with net income of \$41 million during the same period in 1997.

"The increase in second-quarter earnings was primarily due to improved banana pricing in the company's major markets, despite the continued effect of a stronger dollar in comparison with European and Japanese currencies.

The company's other business units also performed well, in line with expectations," according to a news release from Chiquita.

The company said unusual charges — primarily write-offs of a nonoperating investment and long-term production assets — were offset by the settlement "in excess of \$10 million" that Chiquita received from the Enquirer.

000005

July 24, 1998

The Cincinnati Enquirer

Page D2

"Chiquita Voice-Mail Played"

By: John Nolan/The Associated Press

1616 1 of 1

Chiquita voice-mail played

Ex-reporter's copies shared, lawyer says.

BY JOHN NOLAN
The Associated Press

A newspaper reporter fired on suspicion that he illegally obtained voice-mail messages from the Chiquita banana company played some of the tapes for the lawyer of a man suing Chiquita, the lawyer said Thursday.

Mike Gallagher said he had obtained the tapes from a person at Chiquita Brands International Inc. with authority over the company's voice mail system, said Robert Manley, a Cincinnati lawyer for a former fruit company agent who accuses Chiquita of trying to have him kidnapped in 1990 in Honduras.

Mr. Gallagher played at least eight and possibly 20 of the tapes months ago for Mr. Manley, apparently in hopes of obtaining information, the lawyer said. Mr. Manley represents Ernst Stalinski, a former Honduran agent for the Irish fruit exporting company Fyffes Plc. Mr. Manley declined Thursday to discuss what he heard on the tapes.

"They were not particularly useful to me, as far as my case," Mr. Manley said. "He never gave me any documents, any tapes, anything like that."

Mr. Manley said he had no agreement with Mr. Gallagher and that Mr. Gallagher had come on his own to play the tapes.

Harry M. Whipple, president and publisher of *The Enquirer*, declined to comment Thursday.

Chiquita has denied any involvement in the alleged kidnapping, which Mr. Stalinski said was meant to intimidate him as a competitor. He sued Chiquita last November in Cincinnati federal court after unsuccessfully pursuing his complaint in Honduran courts.

The Cincinnati Enquirer on May 3 published an 18-page series of stories, based on a year-long investigation by Mr. Gallagher, questioning Chiquita's business practices and reporting about the Stalinski lawsuit.

On June 28, *The Enquirer* renounced the series in a front-page apology, saying it was paying Chiquita more than \$10 million to settle claims and had fired Mr. Gallagher in the belief that he improperly obtained voice-mail tapes on which the series was based.

Chiquita announced Thursday that shareholders who had sued the company after *The Enquirer* published its May 3 series have voluntarily dismissed the lawsuits in state court. *The Enquirer* said the stories contained untrue accusations and conclusions and created a false impression of Chiquita's business practices.

Mr. Gallagher has declined to comment. He and his lawyer did not return calls Thursday.

Chiquita is suing Mr. Gallagher in U.S. District Court, demanding return of all confidential materials he has and asking the court to order Mr. Gallagher to identify all third parties

to whom he gave copies of voice-mail tapes.

Mr. Manley said a client of his, whom he declined to identify, brought him a box of what appeared to be Chiquita documents in June. Mr. Manley said his office, after *The Enquirer's* published apology to Chiquita, turned all those documents over to a special prosecutor investigating whether property was stolen from Chiquita. The FBI and Hamilton County sheriff are also investigating.

000006

July 27, 1998

The Cincinnati Enquirer

Page B4

"Founder To Leave Fernald Board"

By: Rachel Melcer

1616

Founder to leave Fernald board

Chairman accepts teaching position at IU

BY RACHEL MELCER

The Cincinnati Enquirer

John Applegate, founding chairman of the Fernald Citizens Advisory Board, is about to go through withdrawal.

He is relinquishing his connection to the former Fernald uranium processing plant in Crosby Township — as well as his job as professor of environmental law at the University of Cincinnati — to accept a teaching position at Indiana University in Bloomington.

There will be no more lengthy meetings about low-level radioactive waste, vitrification, dose levels or aquifer contamination. He is through mediating discussions between community members, local officials, the Department of Energy and site management company Fluor Daniel Fernald.

He will have to find a new way to spend "thousands of hours" of his time. And he says he will miss it.

"It's been a life-changing experience," he said. "I'm not sure I knew what to expect or had any idea what I was getting into" when the CAB first met in the summer of 1993.

"For a couple of years, it was really an all-consuming activity. But I leave it with a strong belief that when government opens up and really works with its citizens, it can do really terrific things."



'It's been a life-changing experience. I'm not sure I knew what to expect or had any idea what I was

getting into.'

— John Applegate

The advisory board was created to connect the community with the agencies responsible for cleaning up the Fernald site, part of the Cold War nuclear weapons complex. Local officials, concerned citizens and technical experts joined to watch over and help direct the process.

"Somehow, John was able to pull our personalities together in a way that we were able to make cohesive decisions. He's a person who was easy to like and easy to respect," said Jim Bierer, a Ross Middle School science teacher and CAB member who is taking over as its chairman.

Mr. Applegate said he is proud that the CAB completed its 1995 comprehensive report on his watch. And he is confident that Mr. Bierer and the rest of the panel will see it through to implementation.

And he is pleased that the CAB united behind a "balanced approach" to the cleanup: Instead of insisting that every inch of radioactive material be hauled off and dumped somewhere else — at great expense and as a potential shipping hazard — the group agreed that the bulk of very low-level hazardous materials can be stored on the Fernald site. Only the more dangerous items are being moved to the Nevada Test Site and other qualified dumps.

"That takes into account the needs not just of this community, but of other communities as well," he said.

Mr. Applegate also said he has enjoyed working with DOE and Fluor Daniel officials, who over the years have come to respect and work with the CAB in a productive way.

"He has led the group to make some very valuable recommendations," Fluor Daniel spokeswoman Kathy Graham said. "He's been a very effective leader, and his style and approach have been exactly what we were looking for."

The former chairman will always be remembered for a board game he created based on the Fernald site. Players could move around piles of waste, try different means to dispose of them and try to stick to a budget.

"The main idea was to get discussion going. To get people, first, to understand the issues and, then, to figure out what they wanted to do. It gave them a sense of the consequences of the decisions that they made," Mr. Applegate said.

Although he has presided over his last CAB meeting, Mr. Applegate will continue working with the DOE at a national level.

"So that will help to ease me out of the habit," he said. "Think of it as the (anti-addiction) patch."

000007

July 27, 1998

Journal-News

Page A 3

"Unlicensed Engineer's Work OK With Envirocare"

By: Associated Press - Salt Lake City

Page 1 of 1

Unlicensed engineer's work OK with Envirocare

No major problems found at dump site

The Associated Press
SALT LAKE CITY

Envirocare of Utah, where radioactive waste from the former Fernald uranium processing plant is to be dumped, said it found no major problems with work performed by an unlicensed engineer who approved construction plans for a low-level radioactive waste dump.

State regulators roaming a state database of licensed engineers this month couldn't find the name of Alan Bargerstock, the former director of engineering for Envirocare.

The company said Bargerstock, 61, claimed to have an engineering degree.

But an investigation found Bargerstock was unlicensed,

though he possessed a professional engineer's stamp. He was responsible for certifying the structural capability and other duties at the dump in Tooele County.

Company President Charles Judd said a review by outside engineering firms did identify typographical errors and minor changes in drawings.

"We are making some minor changes but found no problems," he said.

The reviewed drawings will be submitted to the state Department of Environmental Quality, which has suspended permit changes and the renewal of Envirocare's license until it reviews the documents.

U.S. Department of Energy officials earlier this month expressed concerns about the impact of the Bargerstock incident on the pace of the Fernald cleanup.

000008

July 29, 1998
Western Hills Press
Page A3
"Westfed Helps Build Habitat House"

1 of 1

1616

Westfed helps build Habitat house

Cincinnati Habitat for Humanity had a dedication ceremony July 12 to celebrate the completion of a house on Herron Avenue in South Cumminsville in partnership with the Johnson family.

This particular house was sponsored by Westfed, a federation of west-side churches and businesses committed to sponsoring CHH homes. This is the fourth house built by Westfed.

Westfed consists of Groesbeck

United Methodist, St. Catharine of Siena, St. Peter & St. Paul United Church of Christ, Westminster Presbyterian, Westwood First Presbyterian and Westwood United Methodist churches; and Cincinnati Savings & Loan, Fluor Daniel Fernald; Guardian Savings Bank, Harvest Home Savings Bank, Oak Hills Savings & Loan, and Union Savings Bank.

000009

July 30, 1998

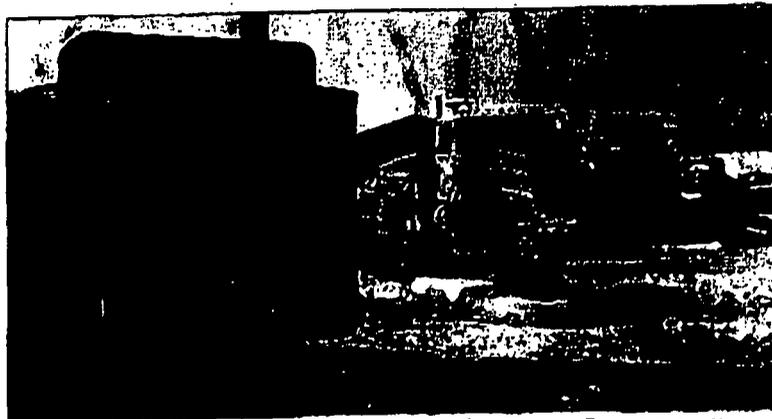
The Cincinnati Enquirer

Page B2

"Fernald Waits For OK To Ship Waste To Nev."

By: Rachel Melcer

1 of 1



The Cincinnati Enquirer/Glenn Hartong

Low-level radioactive waste awaits processing at the Fernald complex in Crosby Township.

Fernald waits for OK to ship waste to Nev.

Inspectors expected to give findings in Aug.

BY RACHEL MELCER

The Cincinnati Enquirer

CROSBY TOWNSHIP — Ever since a radioactive waste shipment from Fernald to Nevada leaked onto a Kingman, Ariz., roadway seven months ago, officials at the former uranium processing plant have been dotting their i's and crossing their fingers.

Now a team of inspectors from the Nevada Test Site, repository of the nation's radioactive waste, is at the Fernald plant to determine whether it can resume shipments that were abruptly halted after the Dec. 15 accident.

"We want to actually verify that they are doing the right thing," said Mike Noland, assistant radioactive waste acceptance project manager for Bechtel Nevada, which oversees the Nevada Test Site.

The leak, which Department of Energy (DOE) officials say did not endanger public health or the environment, was caused by a faulty "white metal box" that had been the cornerstone of the shipping program. The 4-by-4-by-7-foot containers were loaded onto trucks at Fernald, about 18 miles northwest of Cincinnati, and hauled on interstates and federal roads across the country.

The DOE began an intensive re-

view process, beginning with an internal report and winding down with this week's inspection by Nevada personnel. The team is expected to release its findings to the DOE in about one month and then, if the report is favorable, final Energy Department approval should come "fairly quickly," DOE spokesman Gary Stegner said.

Engineers are designing new containers to handle the waste, and a manufacturing contract may be awarded this fall, said Don Paine, Fluor Daniel Fernald vice president of waste management.

Officials gave this account of the December accident:

Material that appeared to both the naked eye and X-rays to be dry was loaded into white metal containers, which had stood up to cross-country shipments virtually without incident since 1986. But the bumps and jolts of transit caused the material to separate. Liquid then leaked through a stress fracture that developed in the box. The truck driver found the leak during a routine roadside safety check.

The DOE accident investigation revealed that personnel at both sites were not careful enough in their oversight of the low-level radioactive waste because it does not pose a severe, immediate safety threat. And Fernald scientists should have known that liquid could leak out of the material during shipment, the report said.

000010