



FULL BOARD MEETING T-214

Thursday, August 14, 2003

FINAL MINUTES

The Fernald Citizens Advisory board met from 6:30 p.m. to 9:20 p.m. on Thursday, August 14, 2003, in T-214 at the Fernald Closure Project site.

Members Present: Jim Bierer
Sandy Butterfield
Marvin Clawson
Lisa Crawford
Lou Doll
Pam Dunn
Glenn Griffiths
Gene Jablonowski
Robert Tabor
Steve DePoe
Jane Harper
Graham Mitchell
Gene Willeke

Members Absent: French Bell
Lisa Blair
Kathryn Brown
Blain Burton
Tom Wagner

Designated Federal Official: Gary Stegner

The Perspectives Group Staff: Douglas Sarno
David Bidwell

Fluor Fernald Staff: Sue Walpole

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

General Announcements and Ex-Officio Comments

Jim Bierer called the meeting to order. The Board approved the minutes from its June 12th meeting.

Jim noted that all SSAB Chairs received a letter from Jessie Roberson in mid-June, which reiterated DOE's commitment to the boards but instructed them to limit their attention to Environmental Management issues. Doug Sarno promised to include a copy of the letter in the next mailing to FCAB members. Jim also announced that the FCAB budget for FY04 had been reduced from an estimated \$240,000 to around \$200,000. This reduction is not as large as that imposed on some other SSABs in the DOE Complex. Jim stated that the Board may have to curtail some of its activities, but should be able to continue its regular meeting schedule. Doug stated that FCAB resources would be discussed at the Board's retreat in September, but added that it appears the budget for FY05 will drop to \$100,000.

Jim reviewed a letter from the Nuclear Regulatory Commission, in response to the FCAB's support regarding the designation of silos waste as 11e.(2) materials. Jim noted that this issue might be moot, because language that would resolve this issue has been added to a Congressional appropriations bill. Jamie Jameson explained that the appropriations language has not yet been approved, but Fluor remains confident it will be. He also thanked the Fernald community for its support of Fluor's effort to have the materials designated 11e.(2).

Jamie acknowledged a recent newspaper article that raised concerns about safety at the Fernald site. He discussed the safety records of different groups of workers and of the site as a whole. Jamie stated that site workers from the Fernald Atomic Trades (FATLC) have the best safety record in the Complex—a Recordable Incident Rate of 0.61—and that workers on Fluor's self-perform projects have performed nearly as well. He explained that a higher rate of accidents has occurred among subcontractors. Jamie stated that Fluor staff members have been added to the subcontractors' management teams, in an effort to build a culture of safety within those teams. The total site has an incident rate of 1.43. Lisa Crawford asked about the newspaper report, which stated that an independent safety review found that many laborers believe schedule is more important than safety at the site. Jamie stated that the reviewers spoke first with employees who no longer work at the site, but added that he and his staff have been speaking with workers at the site to address this issue and promote safety as the top priority. Lisa also stated that community members are concerned about reports of "near misses." Jamie stated that all accidents and near misses are investigated and added that these incidents are often exaggerated through the rumor mill. In response to a question by Jane Harper, Jamie stated that 14 medical personnel are employed at the site, but that all after hour first aid calls currently go to Crosby Township.

Glenn Griffiths stated that the site has an excellent safety program and record. He provided copies of DOE safety reports. Glenn stated that although the site has a good record compared to other industries, DOE is not satisfied. He discussed measures being taken at the site to improve the safety awareness of new employees. The FCAB members reviewed the safety information distributed by Glenn and asked for additional information, including a comparison of Fernald to other closure sites in the DOE Complex. Lou Doll stated that he had reviewed safety statistics for the site and believes there have been more injuries recently because there are more people working at the site and performing difficult tasks. Doug promised to include copies of the information provided by Glenn and Jamie in the next mailing.

Jamie thanked Graham Mitchell for hosting the annual tour for Congressional staff members. Graham stated that he received positive feedback on the tour, which was attended by representatives of Senators DeWine and Voinovich's offices, as well as the Governor's office. Jamie noted that Assistant Energy Secretary, Bob Card, also toured the site in early August and was very enthusiastic about progress being made at the site.

Sue Verkamp of the Fernald Community Health Effects Committee (F-CHEC) provided a brief presentation and showed a short video. The mission of F-CHEC is to continue past efforts to study the health of people who worked at and lived near the Fernald facility and increase awareness of health effects. Currently, F-CHEC is partnering with the University of Cincinnati to study the use of cisterns by residents who lived within five miles of the site after 1958. A survey of these residents is being conducted; anyone interested in filling out a survey should contact Sue Walpole. The survey should be completed by December, 2003, with a report of findings anticipated in 2004. Jim asked Sue to return to a future FCAB meeting to report on the survey findings. Doug offered to post information regarding F-CHEC and its project on the FCAB Web site.

The FCAB discussed at-length the newspaper articles and editorials that had appeared in the Cincinnati Enquirer on the two preceding days. FCAB members and ex-officio members stated that the articles were misleading and had not included full information on the issues they addressed. FCAB members stated that the site should confront the paper regarding these articles, because the community is concerned about the potential impacts of sensational journalism. Gary Stegner and Jeff Wagner stated that they had spoken to the editor and the new reporter who had written the articles and invited them to the site for an orientation.

Gene Jablonowski reported that the U.S. EPA had conditionally approved the ROD Amendment for Silo 3 and the ESD for Silos 1 and 2. In response to a question by Pam Dunn, Johnny Reising stated that DOE would submit an outline of an Institutional Control Plan to EPA in November. FCAB members asked to review a draft of the outline, before it is submitted to EPA.

Discussion and Approval of FCAB Letters

The FCAB discussed two draft letters and approved them for distribution.

The first letter was a follow up to the Natural Resource Damages Roundtable, held by the FCAB in May 2003. The letter outlined outstanding issues and presented values that should guide settlement of the NRD lawsuit. Gary Stegner agreed to supply the group with a more accurate estimate of savings from not having to backfill areas of the site that have been excavated. The group approved the letter, with this revision. The letter will be sent to the Natural Resource Trustees and copied to the judge overseeing the NRD lawsuit, the DOE Office of Legacy Management, other DOE leadership, SSAB Chairs, and the Ohio Congressional delegation.

The second letter expanded on FCAB concerns regarding records management and the availability of user-friendly information following site closure. The letter was drafted in response to Jessie Roberson's April response to recommendations in the FCAB report, *Telling the Story of Fernald*. Doug summarized FCAB concerns that a lack of outreach to residents in the area will result in misunderstandings about the site and calls for further remediation. FCAB members offered some editorial changes and asked that the letter reiterate recommendations that DOE provide information resources beyond what is required by federal law. The Board approved the letter with these changes. It will be

sent to Jessie Roberson and copied to the Office of Legacy Management, other DOE leadership, SSAB Chairs, and the Ohio Congressional delegation.

Steps to Achieve Post-Closure Education Goals

Doug reviewed discussions that occurred at the August 13th Stewardship Committee meeting. At that meeting, Gary Stegner presented different options for making site records accessible to community members, ranging from building an on-site education facility to shelving select records in a nearby library. At the Stewardship Committee meeting, community members reiterated their positions that the site must become an asset to the community, that local citizens will be the only continuous presence at the site, and that continued education is required to maintain community awareness of the site. Doug stated that achievement of these goals does not necessarily require the construction of the proposed multi-use education facility (MUEF), but there must be some structure or organization in place to conduct outreach and manage education resources. Doug stated that an individual or organization must emerge from the community to serve as a champion for these issues. He added that any new organization must be in place by September 2004, if these goals are to be realized before site closure. He stated that much of the upcoming FCAB retreat would focus on these issues.

Bob Tabor suggested that the FCAB should develop a resource that would graphically explain the difference between records management and the availability of information. Others supported the need to better communicate the benefits of telling the story of the site.

Steve DePoe reported that the Stewardship Committee discussed two roles that should be assumed by the FCAB over the next year. First, the Board should develop more concrete recommendations regarding information needs. Second, the Board should act as a "midwife" to a new organization focused on post-closure outreach and education. This could mean pulling together individuals and groups to gauge their interest and explain community needs. Doug stated that he and David Bidwell would draft a strategic plan to address these issues.

Upcoming SSAB Chairs Meeting

Doug announced the next SSAB Chairs Meeting would be hosted by the Paducah site, with a tour on Thursday, September 25 and the meeting held on Friday, September 26th, and Saturday, September 27th. Doug explained that DOE Headquarters designed the agenda for this meeting. The Board briefly discussed concerns that the focus of Headquarters agenda is apparently to have the SSABs justify the value of their work. Board members stated that past Chairs meetings have been valuable opportunities to share ideas and learn about issues facing the entire DOE Complex.

Lisa Crawford, Pam Dunn, and Bob Tabor, will represent the FCAB at this upcoming Chairs meeting. Sue Walpole will coordinate travel arrangements for the group.

Doug noted that several members of the Paducah SSAB resigned earlier in the week. He will provide any follow-up information to the FCAB and inform the Board if these resignations will impact the Chairs meeting.

Risk-Based End State Policy and Implementation Plan

The Board briefly reviewed the recently released Risk-Based End State policy and the draft implementation plan. Lisa Crawford stated that the policy does not provide adequate guidance to DOE to involve the public in making decisions regarding end states. Glenn stated that the Fernald site would be required to produce two documents to satisfy the requirements of this new policy. The first is a vision document, which should be relatively simple to produce because an end-state vision has already been established for the Fernald site. The second document would provide a map for how the site would achieve that vision. Glenn is awaiting guidance from DOE-Ohio regarding these documents. FCAB members asked U.S. EPA and Ohio EPA to remain firm on requirements agreed to in the existing Federal Facilities Agreement for Fernald.

The meeting adjourned at 9:20 p.m.

Upcoming Meetings

The Annual Retreat for the FCAB will be held on Saturday, September 13 at the Fitton Center in Hamilton, beginning at 8:30 a.m. Breakfast will be available at 8:00.

All FCAB members are invited to attend a 10th Anniversary celebration at the Fitton Center on the evening of September 12. Each member may bring one guest. Invitations are being mailed directly to the members.

The Stewardship Committee will hold a regular meeting on Thursday, September 11, 2003, in T-214, from 6:30 to 8:00 p.m.

James Bierer
Fernald Citizens Advisory Board Chairman

Date

Gary Stegner
Deputy Designated Federal Official

Date