

FERNALD CITIZENS TASK FORCE

A U.S. DEPARTMENT OF ENERGY SITE-SPECIFIC ADVISORY BOARD

Chair:

John S. Applegate

Members:

James Bierer
Marvin Clawson
Lisa Crawford
Pam Dunn
Dr. Constance Fox
Guy Guckenberger
Darryl Huff
Jerry Monahan
Tom B. Rentschler
Robert Tabor
Warren E. Strunk
Thomas Wagner
Dr. Gene Willeke

Alternates:

Russ Beckner
Jackie Embry

Ex Officio:

J. Phillip Hamric
Graham Mitchell
Jim Saric

Minutes from March 11, 1995 Meeting

The Fernald Citizens Task Force met from 8:36 a.m. until 12:40 p.m. on March 11, 1995, at the Joint Information Center, 6025 Dixie Highway, Fairfield, Ohio. The meeting, which was advertised in local newspapers, was open to the public; time was reserved for accepting public comments.

Members Present: John Applegate
Jim Bierer
Marvin Clawson
Lisa Crawford
Pam Dunn
Guy Guckenberger
Phil Hamric, DOE
Darryl Huff
Gene Jablonowski, U.S. EPA
Graham Mitchell, Ohio EPA
Jerry Monahan
Tom Rentschler
Warren Strunk
Bob Tabor
Gene Willeke

Members Absent: Constance Fox
Thomas Wagner

Deputy Designated
Federal Official

Attending: Ken Morgan, DOE Ohio Field Office

Task Force Staff: Doug Sarno, consultant
Suzanne Gray, Battelle
Judy Armstrong
Ruth Triplett
Chris Varner

suggested that the members move into discussion of the two issues of concern for this meeting; 1) the waste disposal rationale of the resolution passed at the February 18 meeting, and 2) the Budget/priorities issue of which Jack Craig, DOE Field Office Director, plans to present an overview of DOE's perspective later in the meeting.

3. Waste Disposition Decision:

Applegate opened the floor to discussion of the detailed resolution document on the waste disposition question, that the Task Force had commissioned him to create at the February 18 Task Force meeting.

Guy Guckenberger wondered if something should be stated in the resolution based on the reality of Mr. Grumbly's comment of the 1/3 budget cut of all programs. He said that the Task Force had taken a realistic stance and was already at the lowest, bottom line position and hadn't proposed anything as a negotiating ploy from which it can safely depart if necessary. Much discussion followed of how to word the Task Force's expectation that budget cuts will NOT affect the recommendation. The addition reads:

DOE budget adjustments in the short or long term will not impact adversely the substance of our recommendation.

The decision was made to put Guckenberger's addition at the end of the considerations and conditions rationale of the resolution.

Ninety minutes of discussion and wordsmithing on the resolution document followed, with word changes that the members felt were necessary to protect the original intent. The Task Force decided to drop the word "resolution" from the recommendation document, for the title to read "RECOMMENDATION FOR AN ON-SITE DISPOSAL FACILITY AT FERNALD".

Phil Hamric brought up the fact that DOE can only commit to so much in the future, since future congress and administrations may change because of the budget cuts. Unless something becomes a law, the Federal Government can use the budget cuts as an excuse not to fulfill a commitment. Applegate suggested to have a subcommittee look into how to make the recommendation as long-lived as possible, to outlive this congress and this administration is an additional issue to this document.

Guckenberger brought up an issue out of order stating that he would like to see the letter that Huff had given to the Task Force members on the meeting break, included in the record.

Huff stated that he wanted to note publicly what his opinion was about the disposal facility and to respond to Willeke's memo. He said that he was told privately that it really wasn't an option to send the waste off-site because of the cost. A discussion followed on what the term "clean-up" means and whether the communities around Fernald really understand what it means.

Lisa Crawford said that FRESH has tried to educate people to the broad definition of "Clean-up".

Guckenberger stated that he thought the Task Force needed to respond to Huff's letter and state that it had considered a full range of clean-up options, including complete clean-up. He wanted the letter included in the meeting minutes. He also suggested that the chair respond to Huff's concerns in a letter.

Applegate stated that Huff's memorandum, together with Willeke's letter and Applegate's response would be included in the minutes.

Willeke stated that he had written the letter as the maker of the motion for the chair to write the rationale for the resolution to recommend an on-site disposal facility.

Monahan stated that the term "clean-up" is misleading and Applegate suggested using "remediation" instead.

A resident from Ross in the audience, Mr. Richard Garrett, asked to speak. He is a local resident and an employee at the FEMP. He said he had been working on a scenario that could get the site cleaned in 5 - 8 years but was not at liberty to discuss the matter. He suggested contacting our congressmen because the "window of opportunity" is out there now.

5. Budget Discussion:

Jack Craig gave a presentation on the Fernald Area Office Budget. If the budget was unconstrained, cleanup would take about 10 years. However, current budget estimates suggest that it will take on the order of 23 - 25 years for cleanup. For FY94 and FY95, the figures are

- Follow last Amended Consent Agreement
- Safe shutdown

Sarno allowed each member to use 3 votes to create the group's top 3 priorities. After the vote, the top priorities were (1) following the Amended Consent Agreement (2) Safe Shutdown (3) Reduce biggest risks first.

Jack Craig brought up that in order for the Task Force to have a say in the selection of FEMP cleanup priorities, its recommendation to DOE must be received by at least April 3, earlier, if possible.

Time ran out for the members to continue the discussion so a special meeting will be held March 28 at 5:00 p.m. at a location to be determined, to come to a consensus on a cleanup priorities recommendation.

The grazing issues discussion was deferred until the April 8 meeting.

7. Announcements:

Lisa Crawford announced a conference on April 1 & 2 at which Arjun Makajani is involved and urged members to make reservations if interested. She also recommended the Task Force be sent the publication, *DOE - This Month*. Gary Stegner said that this will be done.

8. Opportunity for Public Participation:

There were no additional comments; public input was received during the discussion about the waste disposal facility issues and the DOE budget presentation for the Fernald site.

9. Materials Distributed at Meeting and Entered into Minutes (Attached):

- Fernald Citizens Task Force 1995 Tool Box
- Jack Craig's DOE budget presentation
- ATSDR milk study memo and document
- Don Beck's memo to SSAB steering committee
- Steve Depoe's memo to the Task Force updating CERE activities

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Alternates:

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Ex Officio:

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Minutes from March 28, 1995 Meeting

The Fernald Citizens Task Force met from 5:06 p.m. until 6:24 p.m. on March 28, 1995, at the Ross Fire House, 2565 Cincinnati-Brookville Road, Ross, Ohio. The meeting, which was advertised in local newspapers, was open to the public; time was reserved for accepting public comments.

Members Present: John Applegate
Marvin Clawson
Lisa Crawford
Pam Dunn
Constance Fox
Phil Hamric, DOE
Darryl Huff
Gene Jablonowski, U.S. EPA
Tom Rentschler
Tom Schneider, Ohio EPA (for Graham Mitchell, OEPA)
Warren Strunk
Bob Tabor
Gene Willeke

Members Absent: James Bierer
Guy Guckenberger
Jerry Monahan
Thomas Wagner

Deputy Designated
Federal Official

Attending: Gary Stegner, DOE Fernald Area Office for Ken
Morgan, DOE Ohio Field Office

Task Force Staff: Doug Sarno, consultant
Judy Armstrong
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Investigation/Feasibility Study (RI/FS) documents. He said that the Amended Consent Agreement doesn't set due dates, but does establish process and sequencing. Applegate asked him to explain the system after the Record of Decision (ROD) is issued. Jablonowski explained the RI/FS document submittal process, and added that the Remedial Action (RA) documents should have costs and timelines included. He stated that the costs and timelines are somewhat covered in the RODs before the Remedial Design/Remedial Action (RD/RA) documents. He said the RAs and workplans associated with these documents establish firm dates which the U.S. EPA fully expects DOE to abide by.

Tom Schneider, Ohio EPA, added that the dates in these documents become enforceable against DOE when the documents are accepted and approved by the EPAs. Darryl Huff asked if the RODs can be changed? Jablonowski responded that RODs can be amended by the regulators, DOE, and the public. Schneider stated that Ohio EPA agrees with the position of U.S. EPA that the Amended Consent Agreement dictates the site progress.

Doug Sarno explained the ten year unconstrained timeline for cleanup and funding, pointing out the shortfalls in the funding on the chart he created. (Chart is attached to the minutes.) Craig stated that Quality Assurance is not in any particular department, and the breakdown on the chart can be somewhat misleading. Lisa Crawford questioned why the cost didn't drop in later years? Craig said it should, but that Mike Yates, FERMC0, can explain this better. Yates and Sarno will meet later for an explanation.

Sarno stated that there are items that can be cut that won't affect the cleanup, according to the regulators, so efficiency will or should prevent cleanup timelines from being affected. He suggested that Fernald should be managed like a private sector site.

Pam Dunn asked how much of the costs on the chart were for processes and DOE orders left over from the Cold War? Craig responded that he couldn't think of any, but would get back to her.

Gene Willeke said that he had some comments regarding last month's chart. He said legacy waste costs and the organization of the OUs are a concern to him. He felt that the Task Force should identify landlord costs and discuss how those can be reduced.

Applegate stated that there are a number of costs not addressed by the Amended Consent Agreement, like the cost of staying in compliance

Marvin Clawson asked if Superfund was just more bureaucracy? A discussion followed about the process of Superfund. It was observed that the rules inhibit progress somewhat, but they're not going away. The National Priorities List will stick around, RCRA overlaps with CERCLA and DOE orders, and the delays continue in DOE-HQ approving documents. Dunn stated that Superfund is the driving force that makes DOE clean up Fernald.

Applegate asked if there were any other general overhead type costs that the Task Force could look at cutting, such as Legacy Wastes and Thorium? Schneider said that the Task Force should be careful how it defines Legacy Wastes. He said that not all RCRA waste is Legacy Wastes and that it won't be off the site by 1996. Dunn suggested that DOE lawyers should be asked to find out where the overlap is regarding compliance with the different environmental laws.

Applegate suggested general working efficiencies as another item of concern. A discussion followed on how Fernald could work smarter. The work force restructuring was mentioned and the voluntary reduction in force. Craig stated that the reduction in staff will continue over time. Crawford said that it was important that the work force actually does drop in numbers. Applegate agreed and asked for specific numbers. Jablonowski stated that maybe the figures on how many people are needed to do specific work could be added to the RODs and RAs.

Lisa Crawford asked if a workshop could be given on the ten year plan that had been hand out previously by Gary Stegner, DOE-FN. She would like the \$3 billion savings explained thoroughly. Rentschler asked if DOE's future plans and costs could be explained in simple terms. Craig said that DOE was preparing something presently.

3. Opportunity for Public Participation:

Applegate asked for public comments. Don Thiem, Ross Township Trustee, directed a question to Ohio EPA which Tom Schneider answered.

No further comments were made at this time.

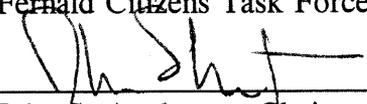
6. Next Meeting:

The next meeting of the full Task Force is the regularly scheduled monthly meeting on April 8, 1995, at 8:30 a.m., at the Joint Information Center in Fairfield, Ohio.

The meeting adjourned at 6:24 p.m.

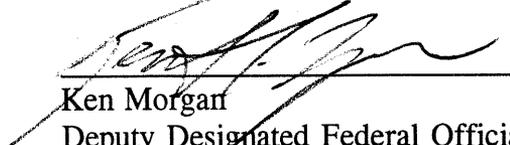
Approved May 6, 1995

I certify that these minutes are an accurate account of the March 28, 1995, meeting of the Fernald Citizens Task Force.



John S. Applegate, Chair,
Fernald Citizens Task Force

5/18/95
Date



Ken Morgan
Deputy Designated Federal Official

5/19/95
Date