



# **FULL BOARD MEETING**

## **Crosby Township Senior Center**

**Saturday, May 10, 2003**

## **FINAL MINUTES**

The Fernald Citizens Advisory board met from 8:30 a.m. to 12:00 p.m. on Saturday, May 10, 2003, at the Crosby Township Senior Center.

**Members Present:**

Jim Bierer  
Kathryn Brown  
Marvin Clawson  
Lisa Crawford  
Lou Doll  
Pam Dunn  
Glenn Griffiths, for Steve McCracken  
Gene Jablonowski  
Robert Tabor  
Tom Wagner

**Members Absent:**

French Bell  
Lisa Blair  
Blain Burton  
Sandy Butterfield  
Steve DePoe  
Jane Harper  
Graham Mitchell  
Gene Willeke

**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 for the March and April meetings. The Board agreed to discuss how the absence of Board members is recorded in the minutes at its September retreat.

Jim stated that a SSAB Chairs meeting is planned for September 26-28 in Peducah, Kentucky. In addition, an organizing committee for the next SSAB Workshop will be formed during the next Chairs conference call. The tentative topic for this meeting is the Office of Legacy Management. Members of the FCAB expressed an interest in the Board being involved in the planning for this workshop and possibly acting as the host for it. Jim will pass along the Board's interest during the Chairs call. Jim also explained that the SSAB recommendations on transuranic (TRU) waste, developed at the Carlsbad, New Mexico workshop this past winter, had been signed by the boards from INEEL, Savannah River, Oak Ridge, Northern New Mexico, and the Nevada Test Site.

Jim announced that Steve McCracken has been named as the new Manager of Environmental Management for the Oak Ridge Reservation in Tennessee. Glenn Griffiths has been named as the acting site manager for Fernald. Glenn stated that he was pleased to be back at the Fernald site full time. Gary Stegner will determine if any official action is required to replace Steve with Glenn as an *ex-officio* member of the FCAB.

Glenn explained that an unexpected situation had arisen at the Silos Project during the preceding day. During preparations to move the "beanies" from the Silos 1 and 2 domes, the project team discovered that water had accumulated in the space between the dome and the beanie caps. Recent structural analyses on the domes indicate they could bear a weight of 280,000 pounds; the water was calculated to weigh approximately 50,000 pounds, so dome collapse was not considered a risk. The water, however, was found to contain high levels of lead-210, a byproduct of the decay of radon. Because the water was contaminated, and because the beanies were sealed in 1991, it is believed that the water resulted from condensation through the concrete dome. An existing portal in the dome was used to drain the water back into the silos overnight. Although this water was not anticipated, Glenn reported that safety procedures worked very well and the situation was handled without incident. Glenn promised to provide Lisa Crawford with a fact sheet that explains the situation and how it was addressed.

Doug Sarno reviewed materials that were distributed to the FCAB members prior to the meeting. The packet included the following documents:

- A letter from the FCAB containing comments on the draft Long-Term Stewardship Science and Technology Roadmap. This letter was sent to DOE-Idaho, who produced the report for the Office of Long-Term Stewardship.
- A letter from the FCAB to the Nuclear Regulatory Chairman Diaz urging concurrence with DOE's designation of silos waste as 11e.(2).
- A formal response from DOE Headquarters on the FCAB's recommendations from the feasibility study report, *Telling the Story of Fernald*. This response will be discussed at the Stewardship Committee meeting in June, to determine if any further action by the FCAB is warranted.
- A detailed response to the concerns regarding silos materials samples that were raised by Bob Vogels at the last Silos Project Roundtable.
- An article by Jennifer Hamilton that focuses on Fernald, which was recently published in the journal *Risk Analysis*.
- A recently approved DOE policy on public participation. Doug will send an electronic copy of this policy to Pam Dunn.

Doug announced that Sandra Waisley's office at DOE Headquarters are collecting SSAB success stories and have developed a template for providing this information. The Board briefly discussed the importance of communicating the positive side of SSAB activities and of having Board members participate in evaluations of the SSAB program.

**Project Updates**

Dennis Carr provided the FCAB with an update on current projects. First, he explained that the scope of the recently renegotiated Fluor Fernald closure contract has been expanded to include removal of nearly all facilities at the site by December, 2006. Because the time needed to complete the aquifer restoration is unknown, Fluor Fernald will be required to leave the most cost-effective infrastructure in place at the time of site closure. This could be the existing Advanced Waste Water Treatment facility or a temporary packaging station; Fluor Fernald is currently analyzing options and will determine the preferred path in the next few months. Natural resource restoration projects have also been added to the scope of the contract. Management of site records produced prior to 1989 has been removed from the scope of the contract. These records will now be managed by DOE, but there is currently no plan in place for how this will be handled. Dennis also explained the fee structure in the revised contract. The maximum fee for Fluor Fernald would be for completion of the site in March, 2006, with a decrease in total fee for each additional month that the site is not completed. The minimum fee would be reached in July, 2008. Fluor Fernald has established a target fee of \$215 million, which would require site completion by December, 2006. To help it meet its goals, Fluor Fernald will have more authority on contracting issues. FCAB members briefly discussed the need for DOE to plan early for the transition of site management from Fluor Fernald to the long-term stewards for the site.

Dennis also discussed workforce issues. He promised to provide the FCAB with an overview of the Fluor Fernald organization at the June Board meeting. Dennis stated that a workforce reduction of approximately 200 site employees—salaried and nonsalaried—would occur in July. Many of these reductions are planned for the waste management project, since it is coming to an end. Dennis explained that contract negotiations between the union and Fluor Fernald are ongoing, and that a federal mediator is now involved.

Dennis announced that the eighty-third unit train has been shipped by the Waste Pits project. Twenty-five new train cars are on order, which will bring the total number of cars at the site to 215. Dennis also announced that a citizen recently reported that a lid was ajar on an empty train car returning from Envirocare. Until this issue is resolved, members of the Fluor Fernald staff will inspect trains as they leave Envirocare. Lisa Crawford requested a summary of this incident and how Fluor Fernald has addressed it.

The Decontamination and Demolition Project is pushing its schedule for Plants 2, 3, and 8, in order to complete demolition of the buildings by September, 2003. The Boiler Plant has been shut down and is under preparation for demolition. Dennis stated that all "hard-shell" buildings should be vacated by the end of July, 2003.

Dennis explained that the Waste Management Project is still blending some waste with the waste pits material. The contents of each box are checked to ensure their acceptability for blending. He stated that one more shipment of materials would be sent to the TSCA Incinerator in Oak Ridge before the end of May. Fewer than 4,000 containers remain on site, and Dennis stated that they would almost all be off site by the end of September 2003.

The Soils project got a great start for the construction season, but rain has slowed down progress. Dennis stated that goals for this year should still be achieved. The liner for Cell 6 and cap for Cell 2 will be in place.

Dennis stated that the Aquifers Project is still meeting discharge limits for uranium, but has continued to struggle with water chemistry. Water in the waste pits is being treated to reduce PH levels before it sent to the AWWT.

### **Silos Project Update**

Ray Carradi provided the FCAB with an update on the Silos Project. Ray reported that final designs have been completed and contracts are being put in place for construction of the facilities. He stated that Readiness Teams are preparing checklists, Health and Safety are developing the needed analyses, and training of new staff has begun.

Ray explained that analysis of the first "hot test" at the Silos 1 and 2 Radon Control System has been completed. A second round of tests began on April 25. The system will run continuously throughout this summer's construction activities. Ray reported that the system has continued to successfully reduce radon levels in the headspaces of the silos.

Pilings that will support bridges over the silos have been installed in the beams around Silos 1 and 2. The steel bridges will be constructed near the silos and lifted into place. Ray explained that the "beanies" discussed earlier in the meeting are being removed to allow installation of these bridges.

Ray stated that removal of materials from Silos 1 and 2 is scheduled to begin in June, 2004. Construction of the Silos 1 and 2 treatment facility is moving forward, including installation of concrete shield walls and rail work. Container designs are being pursued that would allow shipment by rail and truck. Mockups of the fill room equipment will be tested in Oak Ridge during July.

Ray explained that the foundation for the Silo 3 packaging facility is in place and shielding walls are being constructed. As the result of a demonstration, the design of pneumatic wand that will remove materials from Silo 3 was simplified dramatically. Silo 4 was used to demonstrate how the Silo 3 wall would be reinforced and cut open. Ray also announced that the supplier of the bags and Silo 3 packaging system has agreed to build a mockup of the system and test it with surrogates.

Ray announced that bi-weekly conference calls with members of the Critical Analysis Team (CAT) are ongoing. He also noted that Bob Roal of the CAT would attend the May 13 public hearing for the revised Silo 3 proposed plan.

Dennis discussed the status of the 11e.(2) designation for the silos wastes. He reviewed the issue for the group, reminding them that Fluor Fernald was seeking concurrence from the Nuclear Regulatory Commission (NRC) on DOE's designation of the waste as 11e.(2). This designation would allow Fluor Fernald to ship the wastes by rail to a private disposal facility (e.g., Envirocare). Dennis explained that DOE is wary of becoming involved in this issue, due to legal concerns. Dennis explained that Fluor Fernald is now working with legislators to have the 11e.(2) definition clarified through the Water and Soils appropriation bill. That would eliminate the dispute regarding the designation for the silos waste. He promised to update the FCAB regarding this issue and his meetings with Congressional staff.

**Budget Issues**

Pete Greenwalt spoke to the FCAB regarding the Fiscal Year 2004 budget request for the site. The FY04 budget request for Fernald submitted to Congress by DOE was for \$323.4 million. Johnny Reising stated that the number of PBSs for the site have been reduced from eight to five and reviewed a chart of the new budget structure.

Pete explained that Headquarters sets the amount of money budgeted to support the FCAB and state regulators. FCAB members asked to see detailed budget information for the FCAB, support for the Ohio Environmental Protection Agency, and Public Affairs. Jim Bierer and Doug Sarno suggested that this information, as well as a FY05 budget projection for the FCAB, should be a topic of discussion at the FCAB retreat in September.

Doug explained that the FCAB budget for FY04 would be approximately \$252 thousand, as compared to \$270 thousand in FY03. This amount would allow the FCAB to continue its current meeting schedule. He also explained that given the anticipated reduction in national SSAB activities, the travel funds remaining from the past budget year should meet the needs of the FCAB. He stated that reductions in the budget for the FCAB were not as bad as he had feared. Doug recommended that the Board not send the letter it had drafted regarding its budget needs. Jim Bierer suggested that as the full FCAB meetings become even more focused on long-term stewardship, the number of Stewardship Committee meetings could be reduced in order to save money.

**Natural Resource Damages Claim Roundtable**

Doug announced that the May 8 roundtable discussion on the Natural Resource Damages Claim was successful in defining the issues that need to be resolved. However, there is no clear process in place to resolve these issues. Doug reported that DOE Headquarters has not yet established a policy regarding settlement of these claims and is concerned that Fernald will become an important precedent for the Complex.

There were three main categories of issues identified at the roundtable:

- What is point at which the DOE responsibility for ecological restoration projects end? What are long-term requirements that need to be fulfilled? Who would pay for it?
- A settlement must provide compensation for the contamination of groundwater. How much compensation is appropriate, what would it be used for, and how would those funds be managed?
- What role do “public-use amenities”—i.e., trails, overlooks, and an education facility—play in settlement of the claim? Would the settlement contribute to 1) building these facilities and 2) maintaining them?

The Board briefly discussed the importance of having a trust that would fund the management of natural restoration projects and educational resources at the site, since they are not covered by CERCLA requirements. The next Stewardship Committee meeting will focus on what aspects of the community vision for the Future of Fernald need to be supported monetarily by settlement of the Natural Resource Damages claim. The results of that meeting will be used to craft a recommendation to all of the Natural Resource Trustees.

**Public Comment**

Jim Bierer asked if any members of the public would like to make a comment. No one from the public offered comments.

**Upcoming Meetings**

Doug reminded the group that a public hearing for the revised proposed plan for Silo 3 would be held at the Crosby Senior Township Center on Tuesday, May 13. He noted that the FCAB would not submit comments on the plan, since the plan reflects earlier input provided by the FCAB.

The next full Board meeting will be held on Thursday, June 12. 6:30 p.m. to 9:00 p.m. The Stewardship Committee meeting will be held on Wednesday, June 11.

Doug reminded the group that the July FCAB meeting is also scheduled for a weekday evening—Wednesday, July 9. The Stewardship Committee meeting will be held on July 8. As usual, there will be no August meetings. The FCAB retreat is scheduled for Saturday, September 13. The FCAB will celebrate its first ten years on the preceding Friday evening, September 12.

The meeting was adjourned at 12:00 p.m.

I certify that these minutes are an accurate account of the May 10, 2003 meeting of the Fernald Citizens Advisory Board.

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James Bierer Date  
Fernald Citizens Advisory Board Chairman

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Gary Stegner Date  
Deputy Designated Federal Official