

## FCAB UPDATE

*Week of June 3, 2002*

(Last update was May 14, 2002)

### MEETING SCHEDULE

**Stewardship Committee Meeting**  
Thursday, June 13, 2002, 6:30 p.m.

**PEIC – Public Environmental  
 Information Center**

**Fernald Citizens Advisory Board Meeting**  
Saturday, June 15, 2002, 8:30 a.m.

**Crosby Township Senior Center**

### ATTACHMENTS

- 6/15/02 FCAB Meeting Agenda
- 6/13/02 Stewardship Committee Meeting Agenda
- DOE Announcement of Second Phase Management Reassignment
- Radioactive Waste Restriction Act Summary
- DOE Response Letter to Superfund Report Article
- Articles & News Clippings

### NEWS and ANNOUNCEMENTS

All future FCAB will be held at the Crosby Township Senior Center. Stewardship meetings for July, September, October, and November will be held in T01 South in trailer #1.

### FOR FURTHER INFORMATION

Please note that the phone number for The Perspectives Group has changed.

Please contact Doug Sarno or David Bidwell at The Perspectives Group

Phone: 513-648-6478 or 703-837-9269 Fax: 513-648-4141 or 703-837-9662

E-Mail: [djsarno@theperspectivesgroup.com](mailto:djsarno@theperspectivesgroup.com) or [dbidwell@theperspectivesgroup.com](mailto:dbidwell@theperspectivesgroup.com)



# STEWARSHIP COMMITTEE MEETING PEIC

Thursday, June 13, 2002

## DRAFT AGENDA

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- 6:30 p.m.      Opening Remarks and Updates
- 6:45 p.m.      Recent Site Documents
- Revised Master Plan for Public Use
  - Revised Deer Management Plan
  - Final Southern Waste Units Accelerated Natural Resource Restoration Design Plan
- 7:15 p.m.      Records Feasibility Study
- Debrief May 18 Design Charrette
  - Next Steps
- 8:00 p.m.      Adjourn



**FULL BOARD MEETING**  
Crosby Senior Center, 8910 Willey Road

Saturday, June 15, 2002

**DRAFT AGENDA**

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- |                    |   |
|--------------------|---|
| 8:30 a.m.          | Call to Order   |
| 8:30 – 8:45 a.m.   | Chair's Remarks and Ex Officio Announcements                          |
| 8:45 – 9:30 a.m.   | Update on Site Acceleration Activities                                |
| 9:30 – 10:30 a.m.  | Silos Update  |
| 10:30 – 10:45 a.m. | Break   |
| 10:45 – 11:30 a.m. | Budget and Schedule for Long-Term Stewardship and Records Disposition |
| 11:15 – 11:45 a.m. | Results of Design Charrette and Next Steps                            |
| 11:45 – 12:00 p.m. | Public Comment  |
| 12:00 p.m.         | Adjourn   |

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## Department of Energy Announces Second Phase of Management Reassignments

WASHINGTON, DC – As part of its Environmental Management (EM) Program review, the Department of Energy (DOE) today announced the second phase of executive management reassignments. The reassignments are consistent with recommendations from the Top-to-Bottom Review and are designed to strengthen, streamline, and delayer the leadership of the program. A total of 27 senior executives were involved in the first phase of this plan, five executives are involved in this phase.

"Strengthening the leadership will be an ongoing process and I will use developmental opportunities and assignments to ensure we develop executive leadership in EM to deliver more real risk reduction and cleanup. All EM executives will have both field and headquarters expertise," Assistant Secretary of Environmental Management Jessie Roberson said.

The reassignments announced today include:

- Greg Rudy, Manager of the Savannah River Operations Office, will move to the National Nuclear Security Administration in Washington, D.C., pending approval of the Executive Resources Board.
- Charles Hansen, Deputy Manager of the Savannah River Operations Office, will become the Acting Manager of the Savannah River Operations Office.
- Barbara Mazurowski, Manager of the Rocky Flats Field Office, will become the Associate Deputy Assistant Secretary at EM Headquarters in Washington, D.C.
- Eugene Schmitt, Acting Deputy Assistant Secretary for the Office of Policy, Planning, and Budget at EM Headquarters in Washington, D.C., will become the Manager of the Rocky Flats Field Office.
- Roger Butler, Former Director of the Budget Division at the U.S. Department of Agriculture in Washington D.C., will become the Deputy Assistant Secretary for the Office of Policy, Planning, and Budget at EM Headquarters in Washington, D.C., pending approval from the Office of Personnel Management.

### Media Contact:

Dolline Hatchett, 202/586-5806

Joe Davis, 202/586-4940

Release No. PR-02-088

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UTAH VOTER INITIATIVE 2002: RADIOACTIVE WASTE RESTRICTIONS ACT  
SUMMARY

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By Eugene J. Gleason, April 18, 2002

**BACKGROUND:** This act is an initiative drive conducted by a prominent citizens organization in conjunction with the Utah Education Association. Under Utah law, citizens of the State have the ability to initiate legislation by ballot in two ways. First, they can get voter approval of a ballot measure that asks the Legislature to consider a proposal. Second, they can get legislation enacted directly into law without Legislative or Gubernatorial approval. This initiative petition uses the second route.

For this initiative to become law: the organizers must draft legislation; have the specific legislation certified as accurate and constitutional by the Lt. Governor's Office; get the required number of citizen signatures to put the initiative on the ballot; present these signatures for review and approval to the Salt Lake County Clerks' Office by June 1; if the County Clerk approves the signatures, the signatures are sent to the Lt. Governors' Office for review and approval; if the Lt Governor approves, the initiative is placed on the November statewide election ballot; if the initiative passes in November, it becomes law on January 1, 2003.

As of April 18, 2002, the Lt. Governor has certified the language contained in a 57-page bill as constitutional and appropriate and the initiative organizers are circulating the petitions to get the initiative on the ballot. The general thinking is that the initiative will survive all the procedural steps and be put on the ballot for a November vote.

**SUMMARY OF RADIOACTIVE WASTE RESTRICTIONS ACT:**

The Act significantly increases the amount of taxes and fees imposed on operators of low level radioactive waste disposal facilities within Utah, The only licensed radioactive waste disposal facility in Utah is Envirocare. The reprocessing facility operated by International Uranium Corporation appears to be exempt from the taxes because the act eliminates existing taxes on "alternate feed material" and 11e.2 reprocessing.

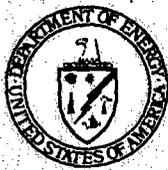
The Act, also, prohibits the licensing and siting or siting of either a Class B or a Class B&C radioactive disposal facility in Utah. The intent is to prohibit expansion of Envirocare's Radioactive Materials License for B & C waste.

The proposed taxes and fees are as follows:

- Increases the Gross Receipts tax to fifteen percent (15%) on all radioactive waste received at Envirocare and eliminates the existing gross receipts tax scheme of 12% on containerized Class A, 10% on processed Class A and 5% on bulk Class A radioactive waste.
- Increases the tax on the receipt of "alternate feed material" and 11e.2 waste from 10cents to \$4.00 per cubic foot.
- Eliminates the application of the "alternative feed material" tax to "reprocessing" facilities.
- Applies the 11e.2 tax to "bulk disposal" rather than "by-product" disposal material.
- Imposes a new tax of \$150 per cubic foot on "containerized" mixed waste including "containerized PCB" disposal.
- Imposes a new \$30 per cubic foot tax on "bulk" mixed waste disposal.
- Imposes a new \$150 per cubic foot tax on "containerized" NORM-NARM disposal.
- Imposes a new \$20 per cubic foot tax on "bulk" NORM-NARM disposal.
- Imposes a new \$4 per cubic foot tax on "bulk Pre-78" disposal.

The Act requires the disposal facility to directly pay all taxes imposed by the Act on a monthly rather than quarterly basis.

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**Department of Energy**

Washington, DC 20585

APR 16 2002

Mr. Stephen Langel  
Inside Washington Publishers  
1225 Jefferson Davis Hwy/ Suite 1400  
Arlington, VA 22202

Dear Mr. Langel:

This letter is in response to the March 4, 2002 Superfund Report article "DOE Plan to shift stewardship to other federal agencies splits agency." The article confuses many of the issues facing the Department of Energy and the federal government in assuring the long-term management of sites following the cleanup. I want to take this opportunity to clarify the Department's policy and to provide some context to this discussion.

The article implies that the Department has unilateral authority to transfer sites and "shift responsibilities" between federal agencies. This is clearly not the case. Any coordinated federal management of post-cleanup long-term care will require the support of the other affected federal agencies, the Congress, and a clear identification of authority and accountability. Although the long-term protection of human health and the environment might be better maintained by federal agencies acting in a coordinated manner, the Department has not put forward any specific proposals. We are, however, continuing to work informally with other interested federal agencies to determine a path forward.

The Department is committed to reducing risk to public health, workers, and the environment on an accelerated basis and is focusing the Environmental Management program on achieving those results. The federal government as a whole takes its cleanup responsibilities seriously as well as its post-cleanup, long-term management (i.e., long-term stewardship) responsibilities. As a nation we should consider any and all options that will result in assured long-term protection of human health and the environment.

Hundreds of sites and potentially millions of acres across the country will require some form of long-term institutional care. Currently, this land is managed by several federal agencies, and many of these agencies (including the Department of Energy) do not have land management as a core mission. The result is a variety



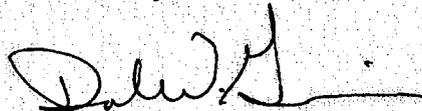
Printed with soy ink on recycled paper

of approaches and requirements that do not provide the consistency (or business certainty) necessary to increase the pace of federal agency cleanup efforts and maximize the re-use, re-development and economic or natural resources of this property. A national approach to long term institutional management is needed to meet the government's goal of cleaning military and Department of Energy sites and transferring land that is no longer needed for national security to the appropriate parties.

Several potential management arrangements exist, and first of a kind approaches and coordinated efforts are being developed and employed today. The Department is working with the Department of the Interior, Fish and Wildlife Service on implementing the Rocky Flats Wildlife Refuge Legislation and the Hanford National Monument designation. DOE partners with the Bureau of Land Management regarding uranium milling and mining site issues, and the Department of Agriculture, U.S. Forest Service at the Savannah River Site. We have worked with the New York State government at our Brookhaven National Laboratory on the management of ecological resources, and we have partnered with local government at the Mound site in Miamisburg, Ohio.

The question therefore is not whether to form partnerships to coordinate long-term land management but rather "what is the best way to do it?" Is the best arrangement a single federal organization or does a coordinated partnership between multiple federal agencies make sense? How do we best involve, and coordinate with, our state, local, and Tribal government partners? Resolving these and other questions requires a thoughtful approach, not misleading statements or uninformed criticism. I look forward to continuing our efforts with federal, state, local and Tribal government partners on this and other issues.

Sincerely,



David Geiser, Director  
Office of Long-Term Stewardship  
Environmental Management

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## DOE PLAN TO SHIFT STEWARDSHIP TO OTHER AGENCIES SPLITS AGENCY

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**Date: March 4, 2002 -**

An Energy Department (DOE) plan to shift its long-term stewardship (LTS) of contaminated sites to other federal agencies has led to a rift between headquarters and the department's field offices, DOE and other sources say.

According to a consultant following the LTS program, DOE is weighing whether to have other federal agencies, including the Army Corps of Engineers (Corps), the Fish and Wildlife Service (FWS) and the Department of Interior's Bureau of Land Management (BLM) take over the LTS program. One private sector source says that the department promoted the idea of eliminating "elements that may not be related to an accelerated cleanup and closure mission" in its recent cleanup program review.

Specifically, DOE is planning on transferring responsibility for Hanford, WA, and Rocky Flats, CO, to the FWS. The site at Weldon Spring, MO, and numerous other former nuclear weapons production and research sites will be handled by the Corps, and uranium mill tailings sites by BLM, the consultant says.

The source adds that a rift has developed within DOE over this proposal, with headquarters supporting the idea and field offices opposing it. The Grand Junction field office, which has authority over stewardship activities, is opposing the move, the source says, because the change would strip the office of its mission. But headquarters is supporting the move, arguing that the field office should be closed down because much of its work can be delegated outside of the department, the source says.

A DOE source says the department is seriously considering this option, adding that the present environmental management (EM) structure should not remain in place to address what would be a significantly smaller program because of all the sites that have reached closure.

But another DOE source says shifting LTS responsibilities to other agencies is just one of many approaches DOE is considering to streamline the program. The department has yet to make any final decisions on the matter, the source says, and "all options are on the table."

DOE has the legal authority to transfer these responsibilities under the Economy Act of 1932, which allows one agency to do work for another, a Corps source says. The source adds that DOE is looking to FWS and others because it wants agencies that will exist for the foreseeable future in order to ensure that these sites continue to be managed properly.

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The source says that the department has already approached and received generally favorable reactions from the Corps about taking on LTS responsibilities. According to the source, the Corps would be responsible for managing the sites, including monitoring the waste left behind and reporting its findings to DOE. The source says the Corps would anticipate getting additional funding for taking on the work. We "are willing to do that, . . . [and] would like to do that for them," the source says.

A BLM official says, however, that the agency does not want to take over DOE's LTS responsibilities. Responsibility for the uranium mine tailings sites involves oversight and liability issues that are inconsistent with BLM's mission, sources say. Noting the huge costs involved, a BLM source says "that would be a purely custodial responsibility" and "we don't assume liability" for other agency's sites. The source adds that "this is an attempt to offload some liability" and points to DOE's previous attempt to transfer the Naval Oil Shell Reserves sites in Utah and California to BLM.

FWS sources did not return calls for comment. But one critic of the approach questions FWS technical and financial ability to take on LTS responsibilities. FWS is "totally unequipped, [their] budget is laughable, . . . They don't have two thin dimes to rub together," a former DOE official says. A department source agrees that DOE is not sure whether other agencies are ready to take on these sites. We "don't know if they have sufficient expertise or resources," the source says, the proposal "it's too new."

Critics also allege that the department is using this move to claim success for reducing the size and cost of the cleanup program by transferring components of it away. "The way to claim success is to inflate the initial program and gut the scope," the former DOE source says.

DOE has been under fire recently for alleged reductions in its LTS budget for FY03. Critics have alleged that the department zeroed out the budget for the Weldon Spring, MO, site, undermining other states' confidence in DOE's dedication to LTS (*Superfund Report*, Feb. 18, p7).

**Source: Superfund Report via InsideEPA.com**

**Date: March 4, 2002**

**Issue: Vol. 16, No. 5**

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May 14, 2002  
Broadcast News Coverage  
"Uranium Shipments"

Tuesday, May 14, 2002

Cincinnati <u>Time In</u> <u>Length</u> 00:15:26 00:18	5 WLWT <u>Description</u> Final Uranium Shipment. Tomorrow Fernald will complete clean up. Final Uranium shipment to be sent. V; Scenes from Plant.	5:30 PM News
Cincinnati <u>Time In</u> <u>Length</u> 00:17:30 00:25	5 WLWT <u>Description</u> Fernald. Fernald is shipping final uranium shipment. V; Scenes.	6:00 PM News
Cincinnati <u>Time In</u> <u>Length</u> 00:15:44 00:48	9 WCPO <u>Description</u> Milestone V; Fernald. Traller contains the last of the Uranium fuel. Risk factor has been reduced by 70%. I: Dr. Don Paine, Fernald Nuclear comments.	6:00 PM News
Cincinnati <u>Time In</u> <u>Length</u> 00:30:18 00:46	9 WCPO <u>Description</u> V; Fernald,	11:00 PM News
Cincinnati <u>Time In</u> <u>Length</u> 00:07:15 00:22	12 WKRC <u>Description</u> T; Fernald.	12:00 PM News
00:10:16 00:26	TZ; Fernald. Milestone at Fernald. Tomorrow Fernald will ship the last truckload of Uranium from its site.	
Cincinnati <u>Time In</u> <u>Length</u> 00:18:32 00:11	12 WKRC <u>Description</u> TZ; End of Era. Fernald plant to send last shipment of uranium out.	5:00 PM News

Stories Total : 6

Viewership, -Total: 359,000

May 15, 2002

Journal-News

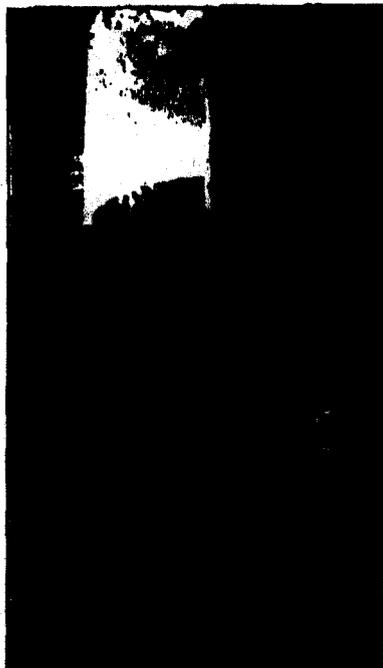
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*"Fernald tour brings back memories"*

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# Fernald tour brings back memories



John Janco/Journal-News

A worker is dwarfed by the waste-transfer tanks Tuesday evening as visitors tour the Fernald site.

## Former workers, residents view cleanup progress

By Kristin McAllister  
kmcallister@coxohio.com  
Journal-News

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ROSS TOWNSHIP

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For some, it was a stroll down memory lane.

For others, the Tuesday evening tour of the 1,050-acre Fernald Environmental Management Project in Ross and Crosby townships was an eye opener to major activity taking place at the Department of Energy site.

Three buses filled with visitors, composed mostly of former workers and their families and area residents and employees, joined site officials for the annual two-hour tour of the Cold War uranium processing plant.

"It's a lot larger of a cleanup than we ever thought it would be," said 78-year-old Vince Walter, an equipment maintenance worker at the site from 1955 to 1962. "It's good to see this."

Larry Tepe, Walter's fellow former co-worker at the site who started work there with him on Jan. 15 back in 1955, chimed in with his friend, but expressed his concern.

"There's big changes, but I still have the feeling it's never going to be cleaned up," said the 79-year old. "It just seems to me that they're just moving it from one place to another, whether it's here, or out West."

"There was a lot of stuff dumped on site. It almost

seems like an impossible job," Tepe said. "But they're doing a good job. And it's kind of nice to come back and see it."

Johnny Reising, DOE associate director of environmental management, invited former site workers on the tour to offer their own commentary.

"I think it's great for a lot of these people to come back and see what we're doing here," he said.

Reising highlighted several key points along the tour, including the aquifer restoration, silos projects, waste pits remediation, structures decontamination and demolition, on-site disposal facility, and the former fly ash pit and southern waste units — an area now certified clean.

"This area had the highest levels of radiological materials

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as far as soils were concerned," he said.

The silos segment of the tour allowed visitors to walk near all four silos, including the notorious K-65 silos 1 and 2. They also had the chance to view four enormous tanks that will be used in the transfer of waste from the silos.

The K-65 silos contain 8,890 cubic yards of low-level radioactive waste dating back to the time of the Manhattan Project. Silo 3 contains about 5,088 cubic yards of residue from Fernald production, while a fourth silo is empty.

Reising said 13 restoration projects are either under way or planned on site to return indigenous plant life and wildlife to area. After cleanup,

restoration will account for more than 800 acres of the site.

Gesturing to a wide-open area where Plant 6 once stood, Reising said cleanup has been significant.

"The whole northeastern portion of the site has been cleared, as far as the buildings are concerned," he said. "We're somewhere around 35-plus percent of completion. ... A lot of us are pretty proud of what we're doing here."

The tour over, Tepe stood with his back to the site. Gesturing over his right shoulder with his thumb and a nod, he referred to the rear of the site.

"All the buildings I worked in were laying back there in a pile," he said. "That's really something."

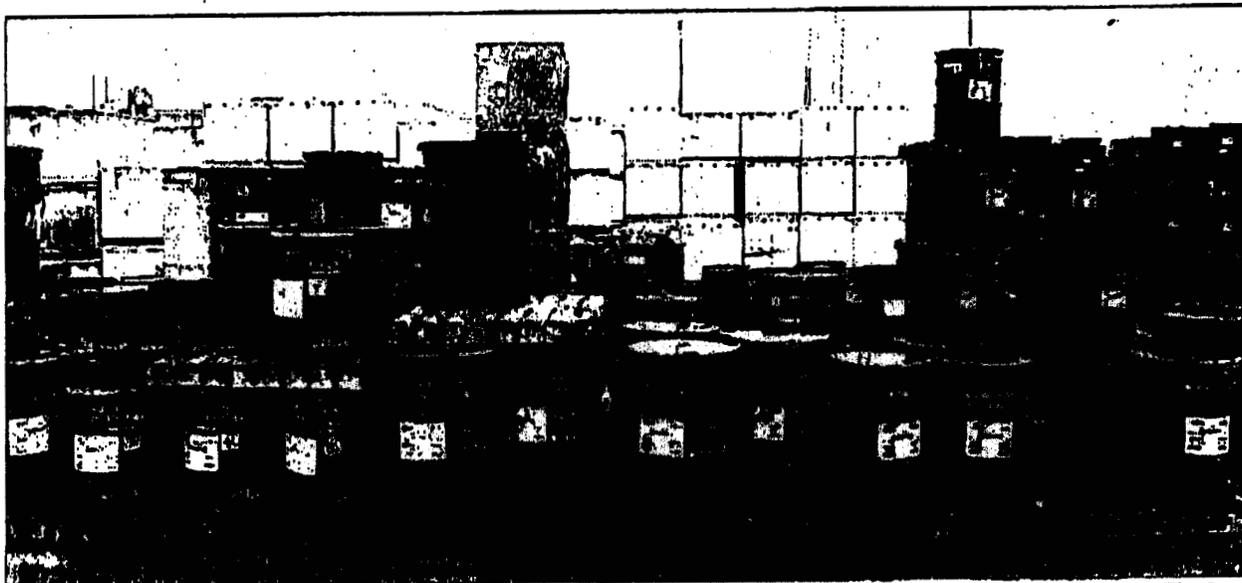
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May 15, 2002

Cincinnati Post

Page 12A

*"Cleaning up Fernald"***CLEANING UP FERNALD**

JIM OSBORN/The Post

**Last of uranium product being shipped out today**

The last truckload of uranium product is leaving Fernald today as Fluor Fernald works to complete cleanup of the former nuclear materials processing facility by the end of 2006.

About 31 million pounds of uranium-contaminated material remained onsite after the facility was shut down in 1989.

Barrels of nuclear waste, above, await shipment to Nevada.

A radon detection tower, right, stands as a reminder of some of the environmental fears surrounding the site, as guests toured the site Tuesday. They looked at a container, below, that had been used for shipping waste.

Containers of reusable nuclear materials, bottom left, which will be shipped to a Department of Energy plant in Piketon, were sitting on the pad of what had been the former Plant 1 on Tuesday. Plants 2 and 3, bottom right, provide a life-sized history lesson at the facility.

Fernald produced about 5 million pounds of pure uranium for weapons over four decades during the Cold War. In 1999, Fernald began shipping reusable nuclear material to the DOE plant in Piketon. Other material was shipped to other DOE sites, the Defense Department and users in the private sector.

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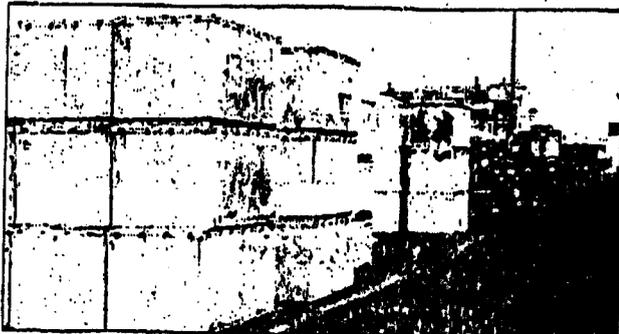
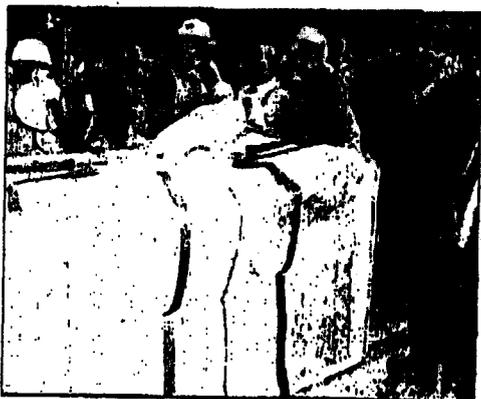
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Cincinnati Post

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*"Cleaning up Fernald"*



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May 16, 2002  
The Cincinnati Enquirer  
Front Page - A14

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"Milestone reached in Fernald cleanup"

# Milestone reached in Fernald cleanup

## Last of usable uranium shipped

By Steve Kemme  
*The Cincinnati Enquirer*

**CROSBY TOWNSHIP -** To the cheers of about 200 onlookers, the last truckload of usable uranium pulled out of Fernald Wednesday, marking the end of a major stage in the cleanup of the former uranium-processing plant.

As Bob Seger's "Roll On" was played over loudspeakers at a special ceremony, Robert Sizemore climbed into his truck, which bore a "radioactive" emblem, and drove away.

He took 1,000 pounds of uranium in steel drums that

were enclosed in metal boxes to the U.S. Department of Energy's Portsmouth Gaseous Diffusion Plant in Piketon, Ohio.

Over the past three years, Fluor Fernald, which was hired by the DOE to clean up the site, has shipped 9.1 million pounds of uranium to Portsmouth, where it will remain in interim storage.

"We no longer have any uranium product material on site," said Dr. Don Paine, project director of nuclear materials disposition.

From 1952 to 1989, the Fernald plant contributed to the nation's defense program by producing 500 million pounds of uranium metal

See FERNALD, Page A14



The Cincinnati Enquirer  
GLENN HARTONG

A placard on the last truckload of uranium product leaving Fernald Wednesday warns of its contents.

**Go! Online**  
Keyword: Fernald

For more about Fernald, visit  
[Cincinnati.Com](http://Cincinnati.Com).

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May 16, 2002

The Cincinnati Enquirer

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*"Milestone reached in Fernald cleanup"*

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# Fernald: Reaches milestone

From Page A1

products that were used at other federal sites for the production of nuclear weapons.

When the plant shut down in 1989, there was 31 million pounds of usable uranium on the 1,050-acre site in Crosby Township.

Fernald shipped 16.7 million pounds to other DOE sites and to private companies that purchased it, 5.2 million pounds to waste disposition sites and 9.1 million pounds to the Portsmouth plant.

The first of 760 truckloads was sent to Portsmouth on June 2, 1999. No accidents or injuries occurred on the Fernald site or en route to Portsmouth, said Steve McCracken, DOE site manager.

"This is a tremendous step forward in completing our cleanup mission," he said.

Almost all of those attending Wednesday's ceremony were Fernald and DOE employees. Most Crosby Township residents who were invited could not attend because of work, Fernald spokesman Jeff Wagner said.

Lisa Crawford, president of Fernald Residents for Environmental Safety and Health (FRESH), which has been monitoring the cleanup, said she's pleased that the last of the usable uranium is off the site.

"It's another milestone that's been met," said Ms. Crawford,

## Chronology of Fernald uranium-processing plant

■ **1950:** Fernald, a rural village in northwestern Hamilton County, is considered as one of three sites for a new U.S. uranium-processing plant to support the defense program.

■ **1951:** Atomic Energy Commission breaks ground for the plant on 1,050 acres near the village.

■ **1952:** Limited production begins. National Lead of Ohio runs the plant.

■ **1984:** Neighbors form Fernald Residents for Environmental Safety and Health (FRESH) and begin to monitor the plant.

■ **1984:** FRESH files class-action suit against the government.

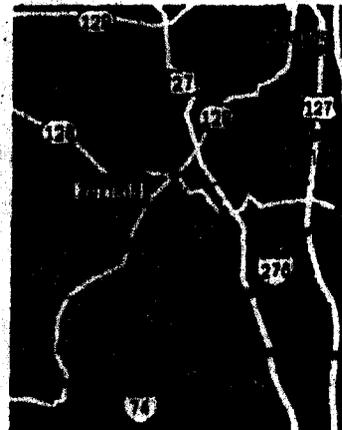
■ **1985:** National Lead leaves. Westinghouse named chief operator.

■ **1988:** The U.S. Department of Energy admits in a report that contamination at the Fernald uranium-processing plant is a health threat.

■ **1989:** Government settles out of court with residents, awarding \$73 million.

■ **1989:** Production ends at Fernald plant. Government starts to clean up the site.

■ **1992:** A Fluor subsidiary, Fluor



Daniel, starts managing the cleanup of the facility.

■ **2001:** For the plant's 50th anniversary, cleanup contractor Fluor Fernald announces new forests and wetlands developing on the property.

■ **May 2002:** Fernald ships out the last of the 31 million pounds of usable uranium that remained at the site when production ended 13 years ago.

who was unable to attend Wednesday's ceremony. "There have been very few problems or issues with it. Let's just keep moving in the right direction."

The entire cleanup of the site is scheduled to be completed by the end of 2006.

Remaining cleanup work in-

cludes processing the waste in silos, demolishing buildings, excavating contaminated soil and extracting and treating contaminated ground water.

E-mail [skemme@enquirer.com](mailto:skemme@enquirer.com)

May 16, 2002

Lawrenceburg Register

Page 3A

*"Last of uranium leaves Fernald"*

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# Last of uranium leaves Fernald

STAFF REPORT

What once represented Fernald's role in supporting the nation's defense program during the Cold War is now gone from the site.

Fluor Fernald, near Harrison, shipped the last truckload of uranium products off site Wednesday, May 15. It is a critical step in achieving site closure by the end of 2006, said Gary Stenger, Department of Energy spokesman.

Over the nearly four decades of the Cold War, Fernald produced approximately 500 million pounds of pure uranium metal products for the nation's atomic weapons program, he said.

The Atomic Energy Commission, and later the DOE, used the uranium fuel elements for nuclear reactors located at the Hanford site, Washington, and the Savannah River site, South Carolina, he said.

When Fernald ceased operations in 1989, due to declining demands for uranium products coupled with increasing environmental concerns, about 31 million pounds of uranium product remained on site, said Stenger.

Since that time, a key component of Fernald's cleanup program has been the removal of all nuclear material to reduce the site's radiological requirements and expedite the decontamination and demolition of buildings.

Fernald crews have removed stockpiled nuclear material from buildings, cleaned out production lines and equipment where material was trapped after operations were shut down, consolidated and repackaged the material to meet Department of Transportation shipping requirements, and sampled and analyzed the material for quality control, said Stenger.

DOE's main challenge was to find government or private sector customers for the nuclear product. If a viable market for the material could not be found, DOE would have to reclassify the material as a waste product, a more costly and time consuming disposition option, he said.

In 1999, Fernald began shipments of reusable nuclear material product to the DOE Portsmouth Gaseous Diffusion Plant, Piketon, Ohio.

Over a three-year period, Fernald transferred 9.1 million pounds of depleted, normal and enriched uranium to Portsmouth, where it will remain in interim storage under the purview of the DOE Oak Ridge Operations Office Uranium Management Group, said Stenger.

The uranium also was shipped to other DOE sites, the Department of Defense and the private sector, he added.

"Removing the uranium product stockpile reduces landlord and surveillance costs associated with storing and managing the material and is a major step for site closure. We can now redirect resources to our cleanup projects and continue to accelerate building demolition and soil excavation," said DOE-Fernald Site Director Steve McCracken.

The Nuclear Materials Disposition Program is the second major program Fluor Fernald has completed as part of Fernald's accelerated cleanup plan, said Stenger.

DOE and Fluor Fernald are on schedule to complete cleanup of the 1,050-acre Fernald site by the end of 2006.

May 28, 2002  
 The Energy Daily  
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"DOE Points To Portsmouth For Central Uranium Storage"

## DOE Points To Portsmouth For Central Uranium Storage

The Energy Department, saying it needed to cut costs and improve safety management, said last week it wanted to consolidate storage of some 14,215 metric tons of "potentially reusable" uranium materials at its closed Portsmouth uranium enrichment complex in Ohio.

In a draft environmental assessment issued Thursday, DOE said its "preferred alternative" was to centralize storage at Portsmouth because the site already had a substantial uranium management mission due to its ongoing receipt of uranium materials from the department's Fernald site in Ohio and Hanford plant in Washington.

The department also said Portsmouth, which has the largest uranium

storage inventory of any DOE site at 4,393 metric tons, had available storage space equipped with nuclear safety alarms and personnel knowledgeable about uranium operations.

The comprehensive management plan would cover low-enriched uranium, normal uranium and depleted uranium now stored by the department at 158 sites around the country, though most of the material is at a handful of sites.

The program does not cover large amounts of uranium residues that are not readily suitable for conversion to reactor fuel or other commercial uses.

DOE noted that it was barred from selling some uranium under various

international agreements in order to prevent further depressing prices in the already glutted uranium market. However, it said it would be contemplating sales once those agreements expired, starting in 2008.

The department said transporting uranium to a centralized storage location would entail minimal risks to the public and the environment from accidents or leaks.

Other DOE sites with substantial uranium stockpiles are the Savannah River Site in South Carolina, with 2,995 metric tons; the Idaho National Engineering and Environmental Laboratory, with 1,521 metric tons; the Oak Ridge, Tenn., site, with 1,445 metric tons; and Hanford, with 1,325 metric tons.

DOE also said there was a cumulative total of 560 metric tons at 79 universities and 600 metric tons from foreign sources at three U.S. ports.

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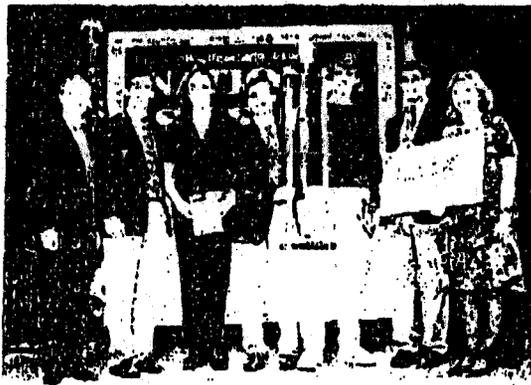
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*"Virginia team wins National Science Bowl"*

## Virginia team wins National Science Bowl®

Sixty-four student teams from 41 states, the District of Columbia, and the U.S. Virgin Islands competed for top honors at the 12th annual Department of Energy (DOE) National Science Bowl®, May 3-6, at the National 4-H Conference Center in Chevy Chase, Md. The teams were the winners of regional science bowl tournaments held earlier this year at DOE sites, other Federal agencies, and educational institutions. More than 12,000 high school students from 1,800 schools participated in the regional competitions.

On May 4, the students attended Saturday Science Bowl seminars. Dr. William Phillips, a Nobel laureate, was the plenary speaker. The teams then selected from a variety of seminar speakers, including Dr. Natalie Roe of the Department's Lawrence Berkeley National Laboratory; Dr. Steven Woodruff of DOE's National Energy Technology Laboratory-Morgantown; Dr. Judith Young, University of Massachusetts-Amherst;



*The team from Thomas Jefferson High School for Science and Technology displays its first place trophy. From the left are Under Secretary Robert Card; students Steven Slvek, Kay Aull, Jeffrey Cohen, Gregory Prieo, and Gary Slvek; and coach Sharon Baker.*

Dr. Carole Baldwin, National Museum of Natural History; and Mr. Magnet (Paul Thomas), MIT.

Tournament action began at noon May 5 and concluded with the awards ceremony around noon the next day. After an intense two-day competition of round-robin matches and double-elimination rounds, the student team from Thomas Jefferson High School for Science and Technology,

Alexandria, Va., took top honors. The school's regional sponsor was the Department's Thomas Jefferson National Accelerator Facility. Under Secretary of Energy Robert Card presented the first-place trophy to the team. In addition, the team will attend the two-week International Youth Science Forum in London, England.

Secretary of Energy Spencer Abraham congratulated the winners and praised all the student competitors. "I believe in encouraging talented, scientific minds to develop their skills with the goal of one day leading our nation's research activities," Secretary Abraham said. "I know you will add to the fu-

ture success of our scientific endeavors and will enhance our country's ability to maintain a position of leadership in math and science."

Placing second was Boulder High School in Colorado, sponsored by the Rocky Mountain Region of the Department's Western Area Power Administration. The third place winner was Mission San Jose High School, Fremont, Calif., sponsored by DOE's Sandia National Laboratories, California. Sycamore High School, Cincinnati, Ohio, came in fourth; Fluor Pernald sponsored the team. Placing fifth was Hanford High School, Richland, Wash., sponsored by the Department's Richland Operations Office.

The second, third, and fourth place winning teams each will attend a one-week science research trip to a DOE facility in New York, South Carolina, or Wyoming. Texas Instruments provided TI-83 silver edition calculators to each student on the top five teams and computer-based laboratories to the top three schools. Each coach of the top five teams received a Personal Data Assistant from IBM. The top 18 teams each received \$1,000 for their school's science department.

More information about the National Science Bowl is available at <http://www.sclcd.science.doe.gov>. ♦

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*"Site-Specific Advisory Boards tour Fernald"*

## Site-Specific Advisory Boards tour Fernald

The Fernald Citizens Advisory Board hosted the biannual meeting of the Department of Energy's (DOE) Environmental Management Site-Specific Advisory Board Chairs, April 11-13, 2002. The meetings are held to discuss complex-wide issues and to share information pertinent to the advisory boards' missions. Meeting topics included the DOE Top-to-Bottom Review, the Fiscal Year 2003 budget, and long-term stewardship issues.

At right, a tour of the Department's Fernald Environmental Management Project began the meeting of chairs from nine advisory boards. Johnny Reising, DOE associate director for the Fernald cleanup, highlighted the site's remediation efforts. Those who had visited Fernald in the past were impressed with the amount of completed remediation work and the open spaces left after removal of six of the 10 major production plants in the former processing area. The advisory board chairs especially were interested in Fernald's On-Site Disposal Facility. Reising noted that DOE and Fluor Fernald are on target to complete cleanup and site closure by 2006. ♦



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*"DOE seeks cleanup contractor"*

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**DOE seeks cleanup contractor**

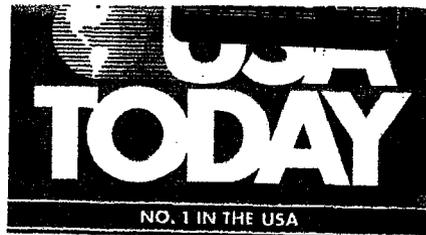
May 23 — The Energy Department will seek contract offers to manage the cleanup of its former Mound Site in Miamisburg, Ohio, about July 29, officials announced in FedBizOpps. DOE anticipates offering a cost-plus-incentive-fee contract worth \$95 million a year to clean up the former defense facility, now known as the Miamisburg Environmental Management Project, by Sept. 30, 2006. BWX Technologies, the current contractor at MEMP, has indicated it plans to submit a bid to remain at the site. A spokesman for Fluor Corp., which manages a cleanup at DOE's Fernald Environmental Management Project in Ohio, said his company probably would consider making a bid on the MEMP contract, too. The new MEMP contract (DE-RP24-03OH200152) would take effect Jan. 1. Contact Derrick Franklin, (937) 865-5548; [derrick.franklin@ohio.doe.gov](mailto:derrick.franklin@ohio.doe.gov).

US MARCH INTO EAST MIDDLE

Jersey holds off  
Pittsburgh, wins 4-1.  
Next: Boston  
Red Sox puts dagger  
in Yankees, 8C  
Lakers in  
final, 9C



James O'Neal after win by Magic



Parents to be: Aniston and Schwimmer.

Bringing up baby

Birth on *Friends* tonight will be a ratings blessing. But then what? How 10 other baffled shows fared ■ 10D

Colorado sends San Jose home. NHL, 6C

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## Newsline

News Money Sports Life

Bin Laden was told al-Qaeda wanted to hijack U.S. jets  
Warnings given; suicide attacks not mentioned. FBI memo shadowed Sept. 11 attacks. 3A.

### What has 4 musicals, 3 patents, 1 book and a Pulitzer nomination?

This year's All-USA High School Academic Team. Meet USA TODAY's winners ■ 1, 6-7D



Illinois Violinist Emily Riehl is a math whiz, too.

By Anne Thompson

# Secure often means secret

## Post-9/11, government stingy with information

By Laura Parker, Kevin Johnson and Toni Locy  
USA TODAY

WASHINGTON — When United Nations analyst Ian Thomas contacted the National Archives in March to get some 30-year-old maps of Africa to plan a relief mission, he was told the government no longer makes them public.

When John Coe, an environmentalist, tried to connect to an online database where the Environmental Protection Agency lists chemical plants that violate pollution laws, he was denied access.

And when civil rights lawyer Kate Martin asked for a copy of a court order that has kept secret the names of some of the hundreds of foreigners jailed since Sept. 11, the Justice Department told her the order itself was secret.

"They say, 'There's a secrecy order barring us from telling you this. But the language of the secrecy order is secret, so you'll just have to take our word for it,'" she says.

In the eight months since the terrorist attacks Sept. 11, the Bush administration has moved more quickly than any administration since World War II to make government activities, documents and other information secret, liberals and conservatives say.

Hundreds of thousands of public documents have been removed from government Web sites. Other public information has been edited, and access to some materials has been made more difficult. Some government materials yanked from the Internet, such as EPA reports on the consequences of industrial accidents at chemical plants, may be viewed only in government reading rooms. Visitors must have an appointment and have to be accompanied by a



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Continued from 1A

closure, officials typically released all information that did not involve issues such as national security, trade secrets or personal privacy. But after the deadliest attack on U.S. soil, the notion of what could compromise "national security" was expanded.

At first, no one much objected. Protecting maps and descriptions of nuclear power plants, hydroelectric dams, pipeline routes and chemical supplies seemed justified, for national security. Withholding details about airlines' and

## Cover story

airports' security violations also seemed to make sense.

At a time when critics of the White House were wary of appearing unpatriotic, Congress was mostly silent as the Bush administration clamped down on other government information whose links to security were less clear.

The climate has changed. A growing number of critics, including several federal judges, say the administration's secrecy effort is beginning to look more like opportunism than enhanced security.

"There is more commitment to secrecy than in any administration in the post-World War II period," says Morton Halperin, who served in the Johnson, Nixon and Clinton administrations and is a senior fellow on the Council on Foreign Relations. "We've never had hundreds of people arrested for long periods of time without knowing who they are, why they're being held, where they are and what the charges are against them. Even during the Japanese internment, there was no effort to keep secret who was being detained."

Conservatives who normally support Bush policies also are beginning to fret about restrictions on material that has been public.

"If the public paid for it, the public has a right to see it," says Mark Tappscott, director of the Heritage Foundation's Center for Media and Public Policy, a conservative think tank. "Otherwise, you will have manipulation to conceal the truth. Government does that. It doesn't make any difference whether it's a Democratic government or a Republican government."

Bush administration officials counter that since Sept. 11, the government's main mission has been to prevent terrorism. They say their moves are aimed at that.

"I cannot and will not divulge information ... that will damage



Artist's rendering: Zaccarias Moussaoui stands before U.S. District Judge Leonie Brinkema last month in Alexandria, Va.

## Freedom of information, except:

The Freedom of Information Act gives the public a legal right to government information, with nine exceptions. Passed by Congress in 1966, the law was strengthened in 1974 after the Watergate scandal.

The exceptions to disclosure:

- ▶ Properly classified national security information
- ▶ Federal agency rules governing personnel practices
- ▶ Information exempted under law by Congress, such as classified nuclear weapons data or intelligence sources and methods
- ▶ Trade secrets or commercial and financial information
- ▶ Internal agency deliberative documents, such as deliberations on whether to add certain animals to the Endangered Species Act
- ▶ Information related to personal privacy
- ▶ Law enforcement investigation records
- ▶ Financial institution records
- ▶ Oil well data, including geological maps of wells

Source: Federation of American Scientists

the national security of the United States, the safety of its citizens or our efforts to ensure the same in an ongoing investigation," Ashcroft told a Senate panel in December. "Each action taken by the Department of Justice ... is carefully drawn to target a narrow class of individuals: terrorists. Our legal powers are targeted at terrorists. Our investigation is focused on terrorists. Our prevention strategy targets the terrorist threat."

Officials have suggested that the disclosure guidelines to be announced by Ashcroft will give agencies a uniform standard for releasing information. But observers say it appears that the rules also might tell agencies to more nar-

rowly interpret the Freedom of Information Act (FOIA), the 1966 law often used by the media and others to gain access to records.

That view seems to be supported by a March 19 memo from White House chief of staff Andy Card that outlined precautions on protecting information about weapons of mass destruction. The memo urged agencies to more aggressively guard "sensitive but unclassified" information.

"We seem to be shifting to the public's need to know instead of the public's right to know," says Gary Bass, executive director of OMB Watch, a group here that monitors government spending and takes its name from the Office

of Management and Budget.

Bass says one of his researchers has not been allowed an appointment at the OMB's reading room for more than a month.

"The executive branch is creating opportunities to have a new class of information exempt from public disclosure," he says.

Under U.S. law, the administration's moves can be checked by the courts and Congress. Lawsuits challenging the administration's refusal to disclose certain information are beginning to stack up. And on Capitol Hill, lawmakers are grumbling about secrecy.

Rep. John Conyers, D-Mich., and Sen. Russ Feingold, D-Wis., have asked the General Accounting Office to investigate the Justice Department's treatment of detainees in the terrorism probe.

Other lawmakers are frustrated that the department has gone to court to try to keep the new Homeland Security office and its director, Tom Ridge, exempt from the FOIA.

"We must rebalance the need to protect our nation with the need to protect our Constitution," says Rep. Jane Harman, D-Calif., ranking member on the House Intelligence Subcommittee on Terrorism and Homeland Security.

## States eye restrictions

For many Americans, the crack-down on information is becoming apparent because state governments are following the Bush administration's lead. Lawmakers in 18 states are examining or have passed plans to give local officials more power to shield information:

▶ In Arkansas, residents soon might not be able to find out how close their homes are to facilities that store hazardous materials. Information about where and when truck convoys might carry radioactive waste through communities also would be withheld under a measure that will be taken up by the Legislature in January.

▶ Oklahoma Gov. Frank Keating has created a security panel whose activities are not subject to open meetings and open records laws.

▶ In Connecticut, officials have floated a plan that would give state agency directors the authority to withhold information they believe "may result in a safety risk."

▶ In Iowa, architectural drawings for schools, public utilities, airports and some local government buildings are being classified. The plan flew through the Legislature after lawmakers learned that the county clerk in Burlington had received an unusual request for aeri-

al photographs of a site that includes an Army munitions plant.

"All of our initial discussions were dominated by questions about, 'How far do we go?'" says David Miller, chief of staff at Iowa's Emergency Management Division. "If we went too far, we knew we would be criticized, and rightfully so. It's a difficult balance."

Meanwhile, the U.S. Conference of Mayors this week asked the U.S. Senate to back a plan that would allow cities to hide studies that show the vulnerabilities of water systems. The mayors said the studies "would be very valuable to domestic or international terrorists."

## Crises have led to secrecy

The U.S. government often has embraced secrecy during crises.

After World War II, concerns about the Soviet bloc and its military buildup led the U.S. government to classify enormous amounts of information. That continued during the U.S. involvement in Vietnam, until some of the government's secrecy efforts during the 1960s were exposed as attempts to cover up domestic spying by the CIA.

Peter Swire, a law professor at Ohio State University who served as a counsel on privacy in the Clinton administration, says that historically, the U.S. government has eased off demands for secrecy when two things have occurred:

"One is the reduced perception of threat. Things get better. The war ends," he says. "The second is proven abuses caused by secrecy. So far, the Bush administration has been effective. We hope we won't need congressional hearings to show how tragically wrong this instinct for secrecy has been."

Analysts say the Bush administration's push for secrecy stands out in part because it follows a decade in which the Clinton White House used improving technology to make government more accessible to Americans.

Ten years ago, there were no government Web sites providing information to the public; the current complaints are a reaction to a pulling back from a time of unprecedented openness.

Steven Aftergood, a researcher at the Federation of American Scientists, acknowledges as much.

"I'm not claiming the sky is falling," he says. "What is worrisome is the growth of official secrecy in many cases that are not justified by an identifiable threat."

The Justice Department's efforts to keep its terrorism probe secret have drawn the most criticism.

Ashcroft has refused to identify hundreds of foreigners who have been rounded up since Sept. 11. Authorities have not said why they have been detained or where they have been held. Ashcroft has closed the hearings for those held on immigration charges.

Last week, Ashcroft ordered county jails, where most of the foreigners have been held, not to release the prisoners' names. He also refuses to clarify inconsistent government estimates on how many foreigners have been released.

In October, the Justice Department said it had detained more than 1,100 people in the terrorism probe. About 100 of those were charged with criminal offenses.

Only one detainee, Zaccarias Moussaoui, has been charged with being involved in the al-Qaeda conspiracy that carried out the attacks on Sept. 11. He is awaiting trial in Virginia on charges that could result in the death penalty.

At least 718 foreigners have been jailed for immigration violations during the terrorism probe. Many of the violations are minor such as overstaying a visa.

Other foreigners have been held as material witnesses, meaning that authorities believe they could be useful in the probe. Justice officials have not released their name and have not identified even the grand juries that might call them material witnesses to testify.

Some federal judges say the secrecy has gone too far.

Last month, U.S. District Judge Nancy Edmunds in Detroit ruled that an immigration hearing for one detainee could not be closed.

"Openness is necessary for the public to maintain confidence in the value and soundness of a government's actions, as secrecy only breeds suspicion," Edmunds said, rejecting the government's request that the hearings be closed for national security reasons.

In New York, U.S. District Judge Shira Scheindlin found that authorities had overreached by jailing material witnesses without charging them.

"If the government has probable cause to believe a person has committed a crime, it may arrest them," Scheindlin wrote. "But since 1789, no Congress has granted the government authority to imprison an innocent person in order to guarantee that he will testify before a grand jury conducting criminal investigation."

The Justice Department has indicated that it will carry on its fight for secrecy. It has appealed the Detroit decision and is considering an appeal in New York.