



FULL BOARD MEETING T-214

Tuesday, April 6, 2004

DRAFT MINUTES

The Fernald Citizens Advisory Board met from 8:30 p.m. to 10:00 p.m. on Tuesday, April 6, 2004, in T-214 at the Fernald Closure Project site. This FCAB meeting was preceded by a two-hour tour of Silos Project Area.

Members Present:

French Bell
Jim Bierer
Kathryn Brown
Sandy Butterfield
Lisa Crawford
Marvin Clawson
Robert Tabor
Gene Jablonowski
Graham Mitchell
Bill Taylor

Members Absent:

Steve Depoe
Pam Dunn
Gary Storer
Gene Willeke

Designated Federal Official:

Gary Stegner

The Perspectives Group Staff:

Douglas Sarno
David Bidwell

Fluor Fernald Staff:

Sue Walpole

Approximately 20 spectators also attended the meeting, including members of the public and representatives from the Department of Energy and Fluor Fernald.

Follow-up from Silos Tour

Jim Bierer called the meeting to order. Doug Sarno suggested that the group use the beginning of the meeting to ask any questions or discuss unresolved issues from the tour of the Silos Project Area.

John North (Fluor) introduced four representatives from the Nevada Test Site, who were visiting Fernald to review Silo 3 operations. John reported that these representatives would report back to NTS managers and stakeholders.

Lisa Crawford asked for a clarification on two issues: “safe harbor” and segmentation. Dennis Carr (Fluor) explained that “safe harbor” is a DOE-approved approach for documenting safety analyses. Under a safe harbor approach, OSHA and nuclear safety documentation can be provided in a single plan. Dennis explained that segmentation is a hazard categorization approach that allows DOE to address hazards associated with the Silos Project remediation activities separately from the hazards associated with the Silo structures themselves. Tulanda Brown (Fluor) explained that these two approaches would create more useable safety documentation and would not reduce the rigor of analyses conducted. Lisa asked that Fluor provide additional information on these issues.

Todd Martin provided a brief update on Critical Analysis Team (CAT) activities. Todd reported that the CAT had just completed a walk-through review of the Silo 3 facilities and started a review of the Advanced Waste Retrieval (AWR) facility for Silos 1 and 2. In June, the CAT will conduct a review of the Silos 1 and 2 treatment facility. Todd explained that these reviews are to identify any “showstoppers,” meaning that some aspect of the facility will not work or is unsafe. Todd stated that the CAT also uses these reviews to identify potential problems or worker safety hazards. He stated that there were no showstoppers for the Silo 3 facilities. However, he added that there were a number of things that had to go just right, or they could snowball into a major problem. Jim Bierer thanked the CAT for providing its reports to the FCAB. Doug reported that although Gene Willeke was unable to attend the meeting, he had emailed a message asking that the FCAB encourage Fluor to pay close attention to the CAT’s concerns. The FCAB asked Fluor and DOE to provide the Board with a copy of any written responses to the issues identified in CAT reports.

Todd also asked that the FCAB provide feedback by June on how the CAT should be involved in the Silos Projects during the operations phase. Todd suggested an example that the FCAB might want the CAT’s input if any major problems arise with the project. Doug asked Todd to provide the FCAB with a short write-up to describe the status of the CAT’s work and what input it needs from the FCAB regarding its future involvement in the project.

General Announcements and Ex-Officio Comments

The FCAB approved the minutes from its February meeting.

Jim Bierer reported that he had participated in a March 24th SSAB Chairs conference call. One topic of conversation was the post-closure role of SSABs. Jim reported that the FCAB might be asked to transmit a transition plan to Legacy Management, specifying its intended role during the transition of the site and after closure. Jim also noted that topics for future SSAB workshops were discussed and asked the Board members for suggestions. Lisa suggested transportation as a topic, because a lot has changed in the DOE Complex since the last workshop on transportation. She also

suggested that it could be helpful to have a general overview of the Complex, the status of each site, and post-closure plans for the sites. Graham Mitchell suggested that a workshop could be used to promote and further define the concept of Community-Based Stewardship.

Jim reported that Gary Stegner is working on a post-closure public involvement strategy for the site, which would be a topic of discussion at the May 11th FCAB meeting.

Jim announced that the FCAB must submit materials for the SSAB Chairs meeting to be held on April 21-22 in Washington, DC. Doug explained that each site was asked to identify up to three key issues. Recent activity would suggest that the FCAB's key issues are 1) planning for stewardship, 2) the Silos Projects, and 3) groundwater remediation. FCAB members clarified that implementation of the proposed changes to the groundwater strategy were a key issue. Doug also explained that each site was asked to submit general and site-specific concerns regarding Risk-Based End States (RBES). Doug noted that the FCAB's letter to Jessie Roberson had already described the Board's key concerns and would be a good source for developing materials for the Chairs meeting. Doug stated that he would complete these materials and provide them to Lisa Crawford and Katie Brown, who will represent the FCAB at the Chairs meeting.

Jim presented a framed photograph to Tom Wagner, who retired from the Board earlier in the year. Tom thanked the group and stated that the time he served on the FCAB was a meaningful part of his life.

Bill Taylor announced that representatives from Legacy Management would be visiting the Fernald site again in April. He also announced that Bob Card resigned as Undersecretary of DOE, and the president of Fluor, Ron Hanson, retired.

Graham Mitchell announced that the Portsmouth facility had reached an agreement to accept the transport of DUF-6 cylinders from the Oak Ridge Reservation. Graham stated that the Portsmouth facility gives Ohio a chance to provide a service to the DOE Complex and create some balance to the state's export of DOE waste. Graham also reported that DOE and the State of Ohio had met to discuss the settlement of the Natural Resources Damages lawsuit. Graham stated that he has urged Bob Warther (DOE-Ohio) to involve the FCAB in defining the parameters of the settlement. The parties must appear before the judge in July. Doug reported that the hearing before the judge is open to the public, and some members of the Stewardship Committee had expressed an interest in attending it. The Board expressed concern that a settlement would be reached without community input. Gary Stegner stated that he had reviewed the FCAB's report, *Telling the Story of Fernald*, with the DOE attorney who is managing the NRD case.

French Bell reported that the ASTDR continues with its reorganization into the Centers for Disease Control. Carol Connell (ATSDR) announced that ASTDR is currently answering peer review comments on the Fernald health assessment. She stated that she did not know the exact review process that the report must undergo, but she expects the report will be released to the public in this calendar year. French promised to provide the FCAB with a presentation when the report is released.

Jeff Wagner (Fluor) reported that demolition of the Pilot Plant had been delayed by the weather but should be completed by mid-April. The Pilot Plant will be the last production building to come down at the site. Johnny Reising (DOE) noted that soil excavation has

been completed in a couple sections of the production area and the certification process for those areas has begun.

Doug reported that Gene Willeke asked the FCAB to consider responding to Jessie Roberson's comments at the Waste Management '04 Symposium. In her comments, Jessie promoted the RBES policy and stated that DOE sites had not used a risk-based approach in the past. The Board decided to resend its December 3, 2003 RBES letter to Jessie, to which she has not yet responded, and reiterate the fact that the Fernald cleanup used a risk-based decision process. Doug also noted that Jessie had recently sent a letter to Bob Warther, delaying the completion of the RBES process. Johnny Reising stated that Fernald intended to submit its final RBES document to Headquarters soon, regardless of the change in deadlines.

Doug distributed a fact sheet to the group, which described the new groundwater treatment strategy being pursued by the site—a scaled-down version of the current AWWT. The group agreed that this was the same approach, in principal, as the strategy on which it provided comments and that no additional input was warranted.

Stewardship Issues

Doug reported on follow-up tasks from the April 5 Stewardship Committee meeting. Doug briefly reviewed a matrix of community goals for stewardship and the means available to achieve those goals. He noted that because DOE has shifted its stewardship approach to long-term surveillance and maintenance, and there has been no progress in reaching a settlement of the NRD lawsuit, the Stewardship Committee believes that the community vision for the future of the Fernald site would be best served by a coalition of local interests. The Stewardship Committee would like to convene a summit of local stakeholders to gauge their interests in the future of the Fernald site. Doug provided the Board with a draft invitation for a summit, which would be held on May 10, in place of the regular Stewardship Committee meeting. Board members suggested that the summit be co-sponsored by the FCAB, Fernald Living History, FRESH, and F-CHEC. The Board endorsed the summit concept and approved the draft invitation.

Doug reported that the Stewardship Committee also discussed the potential use of existing trailers as an interim on-site facility for education, access to records, and the storage of photographs and artifacts. Doug provided the Board with a draft letter that expresses interest in the new complex of doublewide trailers used by DOE and Fluor management but asks for additional information. Graham stated that this could benefit the long-term viability of an education facility at the site, because it would allow the community to develop more permanent facilities while the ecological restoration projects mature. The Board approved the letter.

Public Comment

Sue Walpole announced that Fluor Fernald would have a booth at the April 17th Earth Day celebration at Sawyer Point in Cincinnati.

Edwa Yocum suggested that the FCAB send a copy of the *Telling the Story of Fernald* report to the judge overseeing the NRD lawsuit. This would allow the judge to better understand community interests and the work that has been completed by the community.

Edwa also announced that Fernald Community Health Effects Committee (F-CHEC) is reaching out to participants in the Fernald Medical Monitoring Program for its survey of cistern use in the Fernald area.

The meeting adjourned at 10:00 p.m.

Next Meetings

The FCAB will meet in Trailer 214 on Tuesday, May 11, 2004, from 6:00 p.m. to 9:00 p.m. The Stewardship Committee will hold its summit of local interests on May 10, 2004, from 6:30 p.m. to 8:30 p.m.

James Bierer
Fernald Citizens Advisory Board Chairman

Date

Gary Stegner
Deputy Designated Federal Official

Date