PORTSMOUTH
SITE SPECIFIC ADVISORY BOARD

Minutes of the April 2, 2009, SSAB Meeting

Location: The Ohio State University South Center's Auditorium in Piketon, Ohio

Site Specific Advisory Board (SSAB) Members Present: Shirley Bandy, Lee Blackburn, Cristy Boggs-Renner, Gene Brushart, Ed Charle, Andrew Feight, Val Francis, Bobby Graff, Dan Minter, Larry Parker, Michael Payton, Terri Ann Smith, Dick Snyder, Lorry Swain

SSAB Members Absent: Frank Halstead, Steve Martin, Sharon Manson and Billy Spencer

Board Liaisons and Related Regulatory Agency Employees: Brian Blair, OEPA; Craig Butler, OEPA; Ken Dewey, OEPA; Maria Galanti, OEPA,

Deputy Designated Federal Official (DDFO): David Kozlowski

Federal Coordinator: Greg Simonton

DOE Contractors: Mike Kopp, ETS; Sandy Childers, LATA/Parallax; Janie Croswait, ETS; Julie Galloway, EHI; Eric Roberts, EHI; Dave Mohr, Fluor; Jeff Pinkerton, LATA/Parallax

Facilitator: Jim King

Public: Vina Colley, David Hodapp, Brian Huber, Brian Huber, David Manuta, Tressie Hall, David Snyder, Joni Fearing, Geoffrey Sea, Brad Sherman, Eric O'Neil and Sherron Coureen.

Co-Chairs
Val Francis
Richard Snyder

Board
Thomas Allen
Shirley Bandy
Lee Blackburn
Gene Brushart
Edwin Charle
Andrew Feight
Bobby Graff
Franklin Halstead
Sharon Manson
Stephen Martin
Thomas Martin
Daniel Minter
Larry Parker
Michael Payton
Cristy Renner
Terri Ann Smith
Billy Spencer
Lornita Swain

Deputy Designated Federal Official
Dave Kozlowski, DOE

Federal Coordinator
Greg Simonton

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Support provided by EHI Consultants

Call to Order:
Snyder calls the meeting to order. ***Swain*** would like to have the tables turned to be able to face the community rather than having board member's backs to them.

Agenda:
King calls for any modifications or proposed changes to the agenda.

- ***Swain*** motions a second public comment session after the administrative part of the meeting. ***Payton*** seconds
  - ***Motion carries***
    - A second public comment session will follow after the administrative part of agenda.
  - ***Swain*** asked that there be a public reading of the letter from F.R.E.S.H. concerning the waste cell at Fernald during the DDFO Comments. ***Blackburn*** seconds. ***King*** any discussions.
  - ***Motion carries***
    - The F.R.E.S.H. letter will be read following the DDFO comments.

March Minutes:
King calls for any modifications or proposed changes to the March Minutes. ***Minter*** when was the last revised draft sent out to the board. ***Roberts*** said the minutes went out last week.

- ***Feight*** motions to approve the March minutes. ***Snyder*** seconds.
  - ***Motion carries***
    - March minutes approved as presented.

Public Comment:
King states that there has been concern that we are not providing significant time for all the community members so I have to be more stringent on the four minute comment period so I don't have to interrupt someone please make sure your comments stay within that allowed time if your comment is longer than the allowed time please submit your comments to the board. I am going to sit down and I will stand up at three minutes so you know when to close your comments.
Geoffrey Sea, SONG and SHIPP: I would like to raise a new issue that hasn't been discussed by the SSAB yet there was an herbicide that DOE used between the years 2001-2004 called Garlon 4 to clear a path for security vehicles to go around the entire perimeter plant site. Garlon 4 is a very potent herbicide. It is the successor to Agent Orange made by the same company, DOW Chemical. It comes with prohibitions against using it in agricultural areas which would include the entire perimeter plant area. Its use was improper. It should have never been used. Land owners who owned property on perimeter road were not notified that it was being used and this vehicle path is right on the fence line so it did spill over and kill plants, trees, grasses. Adjoining the land it was also used on known archeological sites along the fence line including the one that is on my property on the southwest corner of the plant site. I asked Bill Murphie about this in 2004 in December he promised to give me full information about it and I heard nothing from him for about 3 months and then got a call from two representatives from the plant who gave me some good honest information on the phone on how it had been used and I asked them to put that in writing. They said they will do so and I have heard nothing from them I got back a few times with DOE and asked them for this information; to please send it to me and I received nothing from DOE. I met with Mr. Kozlowski and Melda Rafferty who is in charge of environmental issues for the site in December on another issue. I ask them for the information and Mr. Kozlowski promised me the information. You promised it to me for condition for DOE doing testing on my property for contamination for the southern TCE plume X-749 plume. They wanted to do that testing in January and I presumed that from Mr. Kozlowski's statements they were going to get me that Garlon4 information that I requested by the meeting in January. For more than 4 years ago, DOE promised to get me the information. Nothing came from DOE on the Garlon 4; I heard nothing from Melda Rafferty until March. In March Mrs. Rafferty called me to get permission to go on my property to do testing there was no prevision of this information about Garlon4 I got a one page letter from Mr. Kozlowski that did nothing more than to tell me yes we did use Garlon 4. Iit took them four years to provide a one page letter saying "we did use Garlon4". None of the information stated how much, why they used it, whether they would stop, etc. I got a request to file a freedom of information act for the remainder of the information I'm still waiting for the information and that is where it lies. I think there is great concern from the property owners around the plant site I think I was hoping they would be

forthcoming with the data. They are not being forthcoming I demand DOE to release this information and why they used this potent herbicide. Thank you.
David Manuta, Manuta Chemical Consultants Inc: Very briefly I have some comments on what Mr. Sea has just spoke about. The issue really goes to credibility of finding out what this stuff is and what I plan to do is to get safety data sheet and get people like me to test the concentration I will go ahead and post this to my website so everyone can see this. This is the first time I have heard about this I will do anything I can to take care of this. In the future I spoke to Mr. Snyder about educating the group as necessary. Thank you.
Brian Huber, Pike County Resident: My wife and I are land owners here in Pike County I have been hearing a lot of talk about the 340 acres that is supposed to be transferred to SODI. I would just like to say that I really don't think it is a good idea to transfer the land. I think it would be better to keep it with the reservation right now I would also like to state that it would make a wonderful wildlife area or national area. It would be great addition to Piketon to have a nice area that could be used. I also want to say I am very happy that the SSAB has been established. I am very proud of some decisions that have been made. Thank you.

DDFO Comments:
Kozlowski presented the board with a presentation entitled: *Portsmouth Work Activities Under American Recovery and Reinvestment Act of 2009.* The update included the following information:

- American Recovery and Reinvestment Act Projects
- Project 1: D&D of the X-633 Recirculating Cooling Water Tower Complex
- Project 2: D&D of the X-533 Switchyard Complex
- Project 3: D&D of the X-760 Chemical Engineering Building
- Project 4: D&D of the X-701B Groundwater Plume Source Removal
- Project 5: D&D Disposition of Large Low-Enriched Uranium (LEU) Cylinders
- Project 6: D&D Repackaging and Disposition of Excess Uranium Materials

A copy of the above-stated presentation can be viewed on the SSAB website at www.ports-ssab.org.

Question/Comment:	***Response:***
Feight: You mentioned in your discussion on Project 5: Disposition of Large Low-Enriched Uranium (LEU) Cylinders that uranium hexafluoride is in there. Is there also contamination? Is there anything other than Tech 99	***Kozlowski***: Yes at this time it is different, Tech 99 contamination was successfully treated in a number of our cylinders. There is tech 99 in this material.
Charle: Are you sending these waste products to Nevada? The wall street journal stated that the white house decreased the capacity the headline read Secretary Stephen Chu opposed storage waste in Nevada and is no longer an option. This is irrelevant to all of our waste. How should the public review this acceleration of cleanup with the activities here? Do you see the end results being obtained sooner? do you see a better job, should the public be delighted and what are the new challenges?	***Kozlowski:*** Yes primarily for disposal. There may be some items we will dispose of at Energy Solutions at the waste facility. This was never intended to go to Yucca Mountain because this is low level waste. Yes. I don't want to speak for the public, the evidence will show its self I believe with these actions of the projects we implemented a positive outcome. This is a step in the right direction and the groundwater plume is a very positive step, but we do understand there are other projects.
Brushart: How is that shipped or transported? Is this trucked out? Clarification of the money there was an article that stated the cleanup expected to be 50 years, is this pertaining to the entire project?	***Kozlowski:*** We ship cylinders. We package that in a truck and we have other kinds of containers for shipments. We use intermodal for some of this waste to ship out larger quantities so there is a variety of ways to ship the different products. The Nevada test site is trucked out and Energy Solutions is railed out. It is not taking the place of any cleanup project and the action we are envisioning for these specific projects .What we are projecting is bringing in our project schedule by approximately one year. It doesn't reflect the accelerated schedule.

Swain: I would like to Thank everyone that worked on this, especially the DOE staff, Ohio EPA, Senator Sherrod Brown's office and his staff David Hodapp for getting us this money and putting together a project so we could qualify for the funding. Thanks again to Sherrod Brown's staff person David Hodapp for always being here and paying attention.	
Graff: This is great for D&D I just wanted to thank DOE. But what about the RFP for D&D is this going to affect it? I have sat in meetings with Union officials that say they are going to keep an eye on the stimulus funds.	***Kozlowski:*** Two of the stimulus projects we have identified for work here were included in the Draft RFP and it does effect the proposal directly. But it has been incorporated for revisions when we drafted the proposal. We did envision these buildings that will be coming back to DOE for the duration of the D&D contract. The RFP does anticipate getting more buildings over time and yes it will have an impact on the D&D.
Snyder: This whole stimulus was supposed to be shovel ready? Is it more or less shovel ready and ready to go? Over the duration of the contract when will you get your 118 million dollars that is supposed to be coming? The X-533 is not affected?	***Kozlowski:*** The RFP is supposed to be a shovel ready project, but I want to be clear that the projects that were identified for the demolition. For D&D project we went through an evaluation process analysis of each of those buildings we also have to have consultation for them with the OHPO on these activities. The remediation we will be working with the EPA developing work plans to remediate those sites. It falls under the EE/CA process. Shovel ready does indicate it does have to be in the field within the 180 days of real work we do have opportunities and we have some additional efforts to prep these buildings. We have to get them ready for demolition so we will be doing some tests. The X-533 is not affected and there is no further action at this time.
Blackburn: Does DOE have control of these buildings? We have made 3 recommendations to DOE, one was for accelerated clean up can you give us a timeframe that we will receive a response from DOE?	***Kozlowski:*** No DOE doesn't control X-760 building, X-633 complex nor the X-533, we expect to have that formal transition letter signed in the June timeframe. We just did a request for the X-766 building and USEC has indentified that they are in need for this building. We will be tracking the performance of all the stimulus projects on our status reports. Headquarters will be posting our project status on the website and we will be briefing the committees and the full board of all these activities. We will have to get back to you on the specific date on Rec 0903. We are working on the response.
Minter: This has been an ongoing process, beginning in December I do appreciate how quickly it has happened. There were other projects available within the 233 million dollars of a shovel ready project that have been identified. Not all were funded. But we are very appreciative of what we got and of Senator Sherrod Brown's office they have been working on this along with many others. There are other projects that can be funded that didn't so we need to start thinking about which ones would behoove us. We need to keep the motivation going. 118 million dollars reduces it by one year. If you got more would it reduce it more and what would the estimate be? If 118 million was continued what would your estimate be	***Kozlowski:*** We have looked at the accelerated projects. We can project with the proper funding we could be complete within 15 years with the proper decisions in place. $118 million is not going to reduce it by 50% alone.

as far as accelerating the site? You need funding. $118million isn't going to reduce it by 50%? This is a benefit to have this funding. The unemployment rate for Pike County and poverty rate reaching over 50%. There is a second factor: the addition jobs in addition to cleanup. There is trained a workforce 80% will be eligible to retire in 2010 and in 2015 the majority of the rest of the folks will be eligible to retire. These projects will help create and obtain jobs. I applaud the individuals involved in putting this together this is very important for our region	
Francis: In this legislation who is protecting our tax dollars? Do you regulate it yourself? I am grateful for the 701B plume being in this very aggressive approach, this is tremendous factor that this plume is going to be taken care of.	***Kozlowski:*** There are several layers of oversight DOE has to provide what their plans are with the site pertaining to this work scope. Our contract has to certify our systems are ready and capable of tracking the performance of the work scope. We have a series of certifications under contract to track this specific process. EM headquarters is going to provide overview of these funds and provide this on their website. ONB externally reviews these projects.
Blair: In terms of timeframe for D&D one reason you saw that 40 plus year because of budget concerns and DOE trying to put forth a budget to work with. If you have more money you can do more D&D but it can't be done in 10 years it just wouldn't be feasible. OEPA thinks this can be done in less than 40 years if the budget allows it.	

Kozlowski presented the board with a presentation entitled: *A Summary Overview: Historic Preservation Activities at PORTS.* The update included the following information:

- Early Plant Construction
- National Historic Preservation Act
- Section 106 and 110 Processes
- Timeline of Actions
- Archaeological Surveys
- Sites for Upcoming Phase II Study at 340-Acre Tract
- Architectural Survey of PORTS
- Under the National Historic Preservation Act (NHPA)
- Recent Additional Actions
- Next Steps
- Addition Resource Information

A copy of the above-stated presentation can be viewed on the SSAB website at www.ports-ssab.org.

Question/Comment:	***Response:***
Blackburn: Will you provide us with these letters to the tribes? Why is there a gap of 10 to 11 years in the programmatic agreement?	***Kozlowski:*** Yes. The last draft was submitted was in 1998 DOE failed to follow up on it to finalize it. We plan to re-submit the Programmatic Agreement and work with the OHPO and get the agreement in place.
Swain: Will you define the process for indentifying the consulting parties? Will this process be transparent?	***Kozlowski:*** The process of the consulting parties is that people that express interest in becoming consulting parties can be identified. The upcoming work shop will go into

	greater detail of this progress. We are hoping for a May or June timeframe for this workshop depending on the availability of the tribal parties that are interested. I can't comment to that because of the personal information that is provided. We are restricted on giving out certain information, for example we was not allowed to release anybody's name that applied to be on the board until they were officially on.
Brushart: How far back do you go to be considering historic?	***Kozlowski:*** My understanding it is 1600-1700.
Feight: 1. Looking at the timeline of the action what is the difference between the Programmatic Agreement and the Cultural Resource Management Plan or has there ever been a Cultural Resource Management Plan for the site? 2. Do you have to have a Programmatic Agreement in place to have a Cultural Resource Management Plan? The creation of the Cultural Resource Management Plan is what the consulting on or is it the creation of the Programmatic Agreement on the 340-acres? 3. How can you issue an Environmental Assessment on the 340-acres without of the Cultural Resource Management Plan? Has the Environmental Assessment Plan been finalized for the 340-acres? On the timeline on the correspondence between DOE and OHPO in 1993 and 1994 was that in regards to the sanitary landfill X-737. Is that part of the 340-acre was that a correspondence in 1993 that is referenced here? There is a landfill on the X-737 site that is prior to 93-94? Phase I Archaeological Study was that for centrifuge why was it reinstated in 2002?	***Kozlowski:*** 1. We drafted one and once we have the Programmatic Agreement finalized we will be able to work on the Cultural Resource Management Plan and finalize that also. 2. No, the agreement just plans out the process and implements the requirements. What they are consulting on is the availability of the draft items. The OHPO are a consultant on those. In addition, We provide any actions on those findings for example demolitions back in 2006 and 2007 they did some consulting on that project. Yes, we have to include the consideration by the OHPO. On the Cultural Resource Management Plan. I would like to answer that at the next board meeting. I would like to get Dr. Snyder to review the projects. 3. I would like to clarify that the landfill is not part of the 340-acres. I can't speak to that I will have to look into that. I think part of the revitalization on that will refocus on that and someone in our office will focus on that survey. We have the documents and other documents that we can rely on and some photographs from the earliest date of 1952, just to show some of the figuration of the site. We have hired subject matter experts to assist us in these surveys. We don't have any reason to doubt the results of that report because we have collected a lot of data. I am saying I can't say exactly why it wasn't included in the survey. All I can say is in general how some evaluations can be conducted. We can go into greater detail during our workshop and have good clear discussions on this. We can request a review on that and we can engage further at our workshop.

4. The Cultural Resource Management Plan was never started and I believe Phase I requested it. I read some of the discussions that recently resurfaced. It established whether or not there was a mound located within the perimeter and this report was available. The Phase I archeological survey didn't mention this mound. How trustworthy is the Phase I that was done in 97'? Can we rely on it today? Are you suggesting that this data wasn't in the Phase I Survey because the organization making it didn't consider it a mound? I know there was a lot of studying done for Route 32 they did find various historical sites around the Route 32 corridor so there are historical studies for Pike County. It does seem that there is a lot of advisory throughout this process. I would like some clarification on our role, but not as a draft form	4. We can request that you give a recommendation on the Culture Resource Management. We would like to have the revised draft first go to those listed as an official consultant before we release for public comment. These participants are committed to working with us as well we are with them and our goal is to finalize these efforts next year.
Smith: This Cultural Resource Management Plan, what are the powers of the decision making of the consulting parties or do they have any? Who makes the final decisions? So DOE does? This adds to the whole process. DOE people hired the DOE managers and they have no education on archeological situations but they are making the decision on it.	***Kozlowski:*** What is the context or what is the driver behind this act trying to define to those sites that have had some historic significance across the country and indentifies some level of preservation. The consultant is there to provide comments on those projects and suggest different considerations or draw other factors or features on those sites. Consultants dong have decisional authority, their comments could affect the outcome. The lead federal agency on a federal site is responsible for the site and make sure the OHPO is implemented. DOE has to consider the impacts on their decision we make and then we have to take action. Whatever recommendation we make will allow the advisory counsel for the historical preservation which is an external body to comment on that. Historic preservation is a very big successor to our country.
Charle: Given the long troubled history of this site, it is true it seems to me at this point looking forward we have every reason to want to fulfill the requirements of these regulations. We want to lean over backwards to do what we can to full strict legal requirements but also the spirit. Do you agree?	***Kozlowski:*** Yes we agree we want the spirit of the law.
Minter: Is there a process for the demolition of the buildings what is expected or what was expected?	***Kozlowski:*** I would like to address that action item at the workshop.

King presented the board with a letter from F.R.E.S.H concerning the Fernald waste cell.
A copy of the above-stated reading can be viewed on the SSAB website at www.ports-ssab.org

Federal Coordinator Comments:

Simonton I would like to remind everyone about the committee meetings: April 7th Environmental Restoration 4:30 and Future Land Use 5:30, April 9th Waste Disposition 4:30 and D&D 5:30.

Question/Comment:	***Response:***
Feight at the executive committee meeting we discussed that there are two openings for the board. We discussed that we would have a public notice for applications.	***Kozlowski*** Two board members resigned so we have two openings and we will send out notices for individuals that previously submitted an application.

Liaison Comments:
Dewey In the stimulus projects there is a great deal of work going into these projects from OPEA and DOE. This is very positive for the environment and the community.

Question/Comment:	***Response:***
Charle has this created any new job opportunities?	***Dewey*** Not for the OPEA.
Minter The estimated job creation is 120 positions.	

Presentations:
There were no presentations made at this meeting.

Administrative Issues:
Committee Updates:
The executive committee will give an update at the next board meeting.
Motions: Second Reading of the amendment to the Operating Procedures: Section V. Board Structure

Question/Comment:	***Response:***
Feight At the executive committee meeting we discussed this and we need to table the proposed changes and forward it to the Ad/hoc committee. My understanding is the vote will take place a month later to provide time for others to consider the changes. When we develop our tasks for the Ad/hoc committee, we considered Mr. Minter's changes and that committee is currently looking at this revision. They will report back to the executive committee.	***King*** To be validated it has to be submitted. An absentee vote has to be submitted to the co-chairs by noon on the day prior to the date of the regular board meeting. You may want to defer your vote to give everyone a chance to do an absentee vote on this.
Minter this needs to be acted on since it has already been voted on by a majority vote. This was already a recommended change to the operating procedures and I am not sure who was the sponsor but my changes were acted on and passed. The second issue was being sent to the Ad/hoc committee to be dealt with at the next board meeting. There were 18 members here to vote on this change. It was read several times during that meeting. We had it on the board and it was read over and over. This was the first time I saw it and I don't think you	***King*** The operating procedures state that when you amend them, a board member needs to sponsor that amendment.

should be able to stack the meetings when a certain recommendation needs to be voted on. I am not against a further discussion to come to a consensus we just need a balanced approach.	
Swain The committees recommended to have an Ad/hoc committee appointed that would address membership issues. Before we could vote on that Dan made a motion to amend the operating procedures. We had a reading and the vote all in the same meeting so it was a violation of our operating procedures. The proposal our committees were asking the ad-hoc committee to consider said that 2 non-board members could serve on a committee if invited on a committee and approved by DDFO and voted on by the full board. The operating procedures that were given to us by DOE are the ones that say "Non-board members can serve on a committee and have the right to vote but can't hold leadership". We are trying to get clarity, so Larry Parker wrote the proposed amendment clarifying that board members could serve on as many committees as they chose, if they were approved. This was all discussed in the various committees and it was agreed that all the committees would propose that an Ad/hoc committee be set up to deal with these membership questions.	
Parker I wonder f what we did last time was illegal according to page 11 of the operating procedures that the original part was submitted to the committees for an Ad/hoc committee to be developed.	
Blackburn I would have to agree with Mr. Parker. Under policy, the board may consider and take action on the amendment to the operating procedure at the meeting following the introductions of the first amendment. The amendment was brought up to us last month so it should have been deferred until this month to be voted on. Any committee members inviting a non-board person with special expertise but they have to submit that request to the committee.	
Charle 2/3 majority requirement. It takes a vote of 12 people.	
Roberts you still have to deal with the second reading so either vote on it or choose to table it.	
Payton It seems like we are having two discussions going on at once. Please correct me if I am wrong. First of all it sounds like we started out trying to vote on the idea of voting and now the argument is a discussion into the thing Dan brought up and frankly we are not going anywhere, I think we need to debate this one at a time.	

- ***Blackburn*** makes a motion to defer this discussion to until we figure out what we are doing. ***Charle*** seconds.
- ***Feight*** I would like to amend Lee's motion to table the revision so the Ad/hoc committee can take this and review the revisions. ***Swain*** seconds.
    - ***Motions carries***
        - The Motion of the Second Reading of the amendment to the Operating Procedures: Section V. Board Structure is deferred to the Ad/hoc committee

Question/Comment:	***Response:***
Minter What is important is not to have voting rights, but to obtain a certain recommendation I don't oppose of waiting.	
Feight I would like to ask the board to focus on the language that was proposed that a board member may attend as many committee meetings as desired that means a board member may serve on as many committees and have voting rights on all. If we have someone that has the time and expertise we should allow them to vote. I do have a concern that we are restricting it to only 2 community people allowed I think the committees should be allowed to invite whomever. Every committee would have to invite on how many or whomever to the meeting plus it has to be approved by the Department so there is not going to be any stacking in these meetings.	
Graff If you have more than 2 people are they allowed to vote? So if I bring 600 union members to vote they can?	***Feight*** They can't vote. They would have to be invited and approved by DOE to be able to serve on it and voted on by the full board for a non board member to serve on a committee.

Operating Procedures:

- ***Minter*** motions to let the Ad/hoc committee look at these changes. ***Renner*** seconds.
    - ***Motion carries***
        - Ad/hoc committee will address the changes in the operating procedures.

Public Comment:

Vina Colley, President of P.R.E.S.S, I want to thank Sherrod Brown's office on helping get us the money for cleanup. For several years I have been fighting to get us money and I am sure this isn't going to be enough money to help clean this site up. I hope I get a national response about getting 2 experts coming to this site. To get those samples trust those for the accelerated clean up. I commend Mrs. Crawford even though her site has 547 gallon of nuclear waste from that cell and at his time I was asking the EPA about getting something like this saying we already have these landfills here that are leaking. They are going to stay here and now my concern is. Any of this money going to these landfill were the contamination is leaking and the other thing is the 340-acre not only has plutonium, technetium and mercury? Are we going to lean this up before we turn it over to the community reuse organization? This is on the east side of the plant it isn't supposed to have any contamination I got a call from a community resident today. She is concerned that her land that butts up to the 340-acres having the same contamination. Her children have asthma and I was telling her about the 340-acres. She says well my property butts up to that and she also informed me she has never been invited to any meetings that you have had about the plant. The only thing she has ever received is a notice that they are going to do drilling. So when are we going to notify the real community that butts up to the plant. I hope at the next meeting I get a national response about the 2 experts.

Joanie Feering, Community Member, I live in Portsmouth and I also would like to thank Senator Brown's office for all the great work on the D&D funding. I am concerned as well about putting waste onsite and I

know there are some new faces here. My dad worked at the plant. It has affected my entire life and my families still to this date. I did apply to be on this board and was turned down. I don't have all the information and I do apologize to any board member I may have offended that last time I was here. There is a lot of misinformation and confusing information that goes around at these meetings and it makes it very frustrating. If you read the book "A hundred miles from home" it talks about this whole region and the nuclear sites. It does say that waste was left at Fernald. I am concerned that this maybe coming based on the comments that have been made at these meetings. I was talking to a board member on the phone as far as I know every disposition is different. Also, I want to point out that we don't want to move this waste elsewhere. I am talking about the legacy waste now because we don't want to expose other people. Yes it does need to be converted to the gas powder form. This is not the issue; this is not only a national issue it is global issue that waste was created during the cold war. Piketon is a very small region although now it is connected to a bunch of greater regions we are a part of the Eastern Time zone, there is no other site or storage containers being built out west in the dessert area I don't want this to be anywhere if we could magically make this disappear, but we can't. This burden shouldn't be placed on local residents and the workers that work there, 60% of which come from the Portsmouth area. I have to say again, that from everything I have looked at from this board nobody lives in Portsmouth, Wheelersburg, South Shore and West Portsmouth isn't part of Portsmouth. Portsmouth proper has a different need and I would like to see that changed. I would like to thank everyone. I know this is tough work. The only thing I can think we can do is pray but if we could at least start an alternative approach for energy at Piketon it could be an example what was pronounced by Senator Brown in his campaign to make this region I don't know where we are at; it doesn't seem to be happening.

David Hodapp, Community Liaison for Senator Sherrod Brown's Office, I just wanted to start off saying the Senate is endorsing under the most deliberate body in the world and I would say tonight you guys might have given them a run for their money. And if there is ever a debate, Dan I want you on my team. Senator Brown doesn't really like me to say anything during these meetings because it is really the opportunity for the community to talk. He doesn't like us to interrupt but tonight is a different occasion. He did ask me to connect the dots that in January there was a letter sent to the President requesting to increase funding for D&D projects Senator Brown was a signatory on that. I think $118 million coming to Portsmouth is not a small amount considering the grand amount of work that needs to be done. It is a first step; Senator Brown realizes it is a first step. We are committed to the accelerated process and we will commit to work for that. Thank you.

Geoffrey Sea, SONG, I believe it was Abraham Lincoln that once said "It wasn't what we don't know that bothers me it's what we know that is for sure that isn't so." On that indication I am going to run through some things on the presentation of the historic site. Mr. Kozlowski is confused about many things and we want to make sure that the SSAB has the correct legal information about how historical preservation process works. We have been talking for 4 years. My organization, Sargents Preservation includes some historic owners in the area. We worked with the archaeologist, even the one that Mr. Kozlowski uses work with Indian tribes and preservation groups we have been talking to OHPO and the federal historic agency offices in DOE which is in Washington and who is in charge of this and who actually has legal responsibility to the agency. People have different opinions of this process than Mr. Kozlowski. First of all Mr. Kozlowski is very confused about it being intended to be internal sited documents to be used by the agency. Section 106 reviews are being improperly done at this site because OHPO has told DOE consistently you are doing them on each individual project, each demolition, each building and that is not what section 106 review is supposed to do. They are supposed to be a natural federal act. We have repeatedly asked you to state on the record whether you have done or are going or intend to do section 106 reviews for the 4 major federal actions at Piketon those are ACP, Plume remediation, D&D and the proposed transfer of the 340-acre. They have not even tried 106 reviews. It is important because consultanting parties don't know if they have an interest unless you define section 106 review processes. So you got to get that part right and we demand that answer. I will submit the others in written form to the board.

Additional Comments:
No additional comments at this time.

Minter motions to adjourn. ***Francis*** seconds.

- ***Motion carries***
  - Meeting adjourn

Next Meeting May 7th at 6:00