Future Land Use Committee

Meeting Summary
February 2, 2009
The Ohio State University Endeavor Center
1862 Shyville Road, Piketon, OH 45661

Members Present: Lee Blackburn, Gene Brushart, Andrew Feight, Val Francis, Steve Martin, Dan Minter, Lorry Swain

Members Absent: Terri Ann Smith and Billy Spencer

Board Attendees: Ed Charle and Larry Parker

Executive Committee: Dick Snyder

DOE Representatives: Dave Kozlowski and Greg Simonton, DOE

DOE-related employee: Sandy Childers, LATA/Parallax

Support Staff: Julie Galloway and Kate Timmons, EHI

Agenda

Snyder suggests that the committee review last meetings summary any questions on that. Someone made a recommendation to put in committee members present. ***Minter*** is that is what is listed on there now? Parker I was at that meeting and on the summary I am not listed. ***Minter*** is it just the members that is on the committee listed. ***Parker*** I am not on this committee but I have attended all the meetings but I don't know if I can do that. ***Francis*** sure you can do that it. ***Parker*** it keeps me informed. ***Swain*** I think he needs to be down as present. ***Snyder*** Larry are you a member of this committee. ***Parker*** when we choose the two committees in the beginning this was not one of them. Snyder that is fine you can attend any meeting that you want. ***Parker*** I attend on coming to the all the committee meetings. ***Galloway*** we can put everybody on the committee and state the ones that are present and the ones that are absent. ***Snyder*** I believe that the problem here is they would like to see the committee members highlighted here and anyone else not on the committee as attendees. ***Parker*** is there any restrictions on how many committees you can be on. ***Swain*** no. ***Snyder*** you can attend any committee meeting but you are specifically on two. ***Parker*** so I have to be careful at which one I am at because I can't vote. ***Swain*** I disagree because at the retreat I raised that question I said how many if we asked to be on one committee because I would like to be on two and I said is there a limit and Bill Murphie said no you can be on all of them. ***Snyder*** I don't think that is Larry's point I think he just wants to attend. ***Parker*** well no I would like to be on. ***Francis*** so

Lorry you are saying anyone that attends can be on SSAB can be on the committee and vote so that what you are saying. ***Swain*** I am saying that we can serve on as many committees that we want not just one or two and we can I guess we can be declare like Larry asks to be on this committee. ***Francis*** what I am saying is if everyone wants to be on four committees which is fine with me should you be able to vote on the committee. ***Swain*** yes. ***Feight*** the separate question is that if you are attending the meeting do you have a vote. ***Snyder*** you can voice your opinion but if you are not on the committee so. ***Feight*** what is the process. ***Francis*** the process of I would like to be on that committee. ***Parker*** so what is my status. ***Francis*** we need to look at the operating procedures. ***Minter*** I think it is great that you know what is going on in the other committees but the purpose of having committees was to have small groups but if everyone is going to come to every committee meeting we might as well have full board meetings. ***Feight*** I am sure everyone is not going to be coming. ***Swain*** some members haven't shown up at all. ***Francis*** we need to clarify that don't you guys think the part about voting. Snyder I will set down and look it up with the administration people and let you know if you can do this. ***Feight*** can Larry act as a member of the committee. ***Snyder*** I don't see why not. ***Charle*** it is not going to hurt it will just enrich the discussion if other people from the other committees are here and can share their views I can't see where it will affect a vote. ***Snyder*** yesterday I attended a committee meeting and I am not a member but I am a member of the executive committee but we will discuss it with the administration. ***Kozlowski*** a committee does have the authority to invite anyone including the members of the public and so if the committee can invite anyone so to me that includes the members of the board. ***Snyder*** I would like to go back and review the operating procedures. ***Minter*** if I may it does make sense to invite anyone but I am not sure if our charter covers on who can vote and who can't, I just think it should known that this is how it works through the whole process. ***Swain*** I remember that question came up Larry Parker asked when we were going over the operating procedures because it said that a committee member could be someone that wasn't on the SSAB and Larry raised that question. ***Minter*** it should be in the by-laws I just think we should look at it before we finalize this. ***Snyder*** we are back to the committee minutes for Jan 7th, has everyone reviewed them. ***Minter*** not in an advance. ***Snyder*** please takes a few minutes and review them as I said last night we need to get these minutes out to the committee members. ***Francis*** I do have a question did anyone ever find out what the Scioto county unemployment rate really was. Swain 19% there is 18 counties in Ohio now that have 10%. ***Minter*** I think Jennifer stated that it is not on the Ohio Department of Statics yet although you had saw it in the paper. ***Feight*** I am satisfied with the revision although the draft I was not happy with and I suggested some revisions but I don't see them in here and it makes me wonder how well I can trust the other summaries in the other committees because the summary of the conversation that we had about the spent nuclear fuel and Greg Simonton's position and the possibility of there being a conflict didn't even tell from the summary and the summary put words in my mouth that I never said I don't know if I even reviewed the draft but let's see it says Feight required about the SONIC/SODI GNEP proposal Feight expressed concerns about Simonton being over the board with the connections of SONIC Feight feels that there is a cover up being taken place, I never said that there was a cover up but I think it is unfortunate that I have to spend my time correctly the minutes or summaries and it makes you wonder about some of these other committees, I just have a concern I don't think we have to be as visual as I just don't feel that I should have to look at these minutes as closely as we have had to do. ***Snyder*** I think that t the minutes are recorded correct

me if I am wrong, you take them down as you hear them. ***Timmons*** we have straightened out technological difficulties for the recording but we take notes throughout the meetings and I pass them on to have Julie and Eric look over them and then Dick and Val then they will go on to the committees. ***Galloway*** do you want them like the board meeting minutes but the board meetings are actually video so you can do word for word. ***Feight*** I don't want word for word I just want some accuracy on the first draft. ***Francis*** did anyone else send it major changes. ***Swain*** yes and Kate incorporate them so these that you just passed out have the revisions, Kate tell us again is there an audio recording. ***Timmons*** I seem to be getting on now but we are in the process of getting a backup system. ***Feight*** is there a recording from this meeting. ***Timmons*** no we were not successful in getting the computer to work. ***Feight*** so maybe that explains. ***Timmons*** that is way I forward these things so you guys have picked up on something that maybe I have missed. ***Snyder*** we will look into it with our administrative people. **Swain** perhaps maybe if we did not meet in the same week as our board meeting but a week earlier that would help because you would have more time and the staff wouldn't be so rushed. ***Snyder*** it would be nice to be able to discuss in prior committee meetings in the week before I think Val mentioned it in another meeting that we should meet every 6 weeks instead of every 4 weeks. ***Francis*** I suggested that but they didn't want to. ***Snyder*** I know they didn't want to but maybe we can change the dates. ***Feight*** I think what we can do is to meet in 3 weeks from now because it will be a week before our full board meeting. ***Minter*** it is pretty tough because of the full board and the committee meetings it is just tough getting all those minutes out. ***Swain*** having 4 or 5 meetings in a week is an over kill. ***Feight*** so are we saying we are going to meet the 24th of February for our next meeting. ***Minter*** just seeing the minutes for the first time apparently I don't say that much in meetings but that is good, the minutes state that Simonton was no longer employed by SONIC or SODI I don't know if that is a clarification but I don't think Simonton was ever employed by SONIC this is not fully accurate because he was never employed by SONIC but he is no longer an employee of SODI.

- ***Feight*** I make a motion that we have our committee meeting on Tuesday February 24th and then 3 weeks later will be our next meeting the week prior to the board meeting. ***Blackburn*** seconds
    - ***Motion passed***

Snyder are these minutes approved.

- ***Feight*** I make a motion to approve the summary. ***Blackburn*** seconds
    - ***Motion passed***

Election of Committee Chair

Snyder next item on the agenda is election of the subcommittee chair. Swain at the other committee meetings it was decided that a volunteer of the committee would present to the full board of the summary and we would rotate that task do we have a volunteer. Snyder I thought that this was the next item on the agenda elect a committee chair. ***Feight*** if you are a chair you will present to the full board, is it a written report. ***Snyder*** whatever you decide to do but we can rotate so we have different people representing to the full board. ***Feight*** I believe that our operating procedures states that we have an executive committee, it consists of our co-chairs and the chairs of the committees but if we are having rotating chairs of the subcommittee this might be a problem for the membership of the full board. ***Minter*** if we didn't pick a chair we pick just a reporter and that will

rotate for the time being and an essence give the minutes of the meetings and maybe a small brief overview. ***Swain*** I believe it would be better if we rotate giving the summary to the whole board is that allows us to get to know each other and get other people to come to the meetings and some talk more than others, I think this is the value of rotating a reporter I am not saying that we should not elect a chair but I think we should rotate a chair. ***Feight*** there is no reason why we shouldn't be able to separate the two, my understanding that if we do a verbal report is so the public will know what is going on in our subcommittee meetings and the members would get a written report. ***Francis*** so if the public wants a copy of our minutes they can have them that's my understanding, I am not saying we make binders and hand them out at the door but if the public wants to know. ***Feight*** I think it is important to communicate with the public so that is why we should have a verbal report. ***Minter*** I was made a reporter from the D&D committee and I would assume based on what was discussed basically discuss what was discussed. ***Feight*** I think to facilitate information to the public is important. ***Minter*** I was made a reporter from the D&D I would assume based on what was discussed provide a written copy of the minutes basically state that the committee meet had discussion maybe read over the agenda pretty generic but if you want to do blow by blow then we might as well come to this meeting video tape it but that is what I thought a reporter would do is provide the minute formally even though and then maybe go over the agenda and then confirm that we meet two times and start the discussion about but that is D&D I didn't think it would be over but there are so members from the board that didn't attend that is what was desired so. ***Snyder*** this committee is coming closer to appointing a chair the last two committee meetings they still wanted to have the rotating reporter nothing has been mentioned of a chair but I think we do need a chair. ***Charle*** just think though if someone did a report on how we spent our first 25 minutes here today it would not even have gotten to the substance and this is just one of the subcommittees why not pass out the minutes to everyone and then have the opportunity to ask questions if there is no questions because you have four different committees. ***Snyder*** you mean from the board. ***Charle*** no I mean from the public too they can ask questions at that point in time and if there are no questions. ***Minter*** as the D&D reporter I thought I was to talk about the agenda. ***Feight*** we can say it has to be a 2 minute report. ***Francis*** the public can make comments but they can't but ask question I don't have a problem publishing anything. ***Brushart*** what would the reporter report that wouldn't be in the minutes its already there. ***Francis*** in fairness like the situation Andrew shared with us tonight for example Gene is the chairman tonight and the minutes only go to him and Gene's reculec is well this is what I remember and Andrew's says this isn't what I said at all so how do we. ***Feight*** the subcommittee chairman would review them before it went out to the committee. ***Swain*** everyone would see the draft before the final came out there is value of someone standing up and giving a report because it is a way of communicating to the people that are not on the committee. ***Feight*** but keep it at 2 minutes.

- ***Feight*** motion is to rotate a reporter and keep the report at 2 minutes. ***Blackburn*** seconded it.
    - ***Motion passed***

Snyder Andrew will be the reporter for this committee as far as a chairman. ***Minters carry*** it to the next meeting, keep it on the agenda. ***Snyder*** next item on the agenda is Top issues and Accomplishments this is for Val and me to report to the EM we have to give them 3 issues and 1 accomplishment and that is taken in consideration. Minter issues 4

and 5 was discussed in great detail from the board and the community involvement and building the trust back but I thought the accelerated cleanup was universal but I am not sure where the historical issue became a priority I just don't recall the full board doing that, in the last meeting they thought it wasn't a high priority but they did think it should be a number 3 at least the discussion at the D&D committee. ***Feight*** are you talking about #5. ***Minter*** yes we have heard it from one member of the public but I am not sure that we have heard it from the board archeological being a focus. ***Blackburn*** I actually thought it was an issue because of the archaeological and historical part of location we have heard talk about it, where are the sites, if we store stuff on the site we should know where these historical sites are we don't want to dig them up. ***Feight*** I would actually include it on the top issues it is pretty broad there is some pretty historical issues involving the buildings themselves there might stuff that goes beyond what is buried in the ground. ***Synder*** Ohio Historical State offices are going to give us a presentation about historical artifacts that involves the site. ***Feight*** we had a tour but there is some small buildings that might be a value of historic there is some possibilities there. ***Kozlowski*** what we can do is share what we did at Fernauld the conversion warehouse we turned it into a museum that was a part of the final cleanup we worked with the Ohio Historical Preservation there also took pictures so you always have the pictures for historical show the progression through historical. ***Feight*** do you have any idea if there is any photographs of Portsmouth site that would be a historical value. ***Kozlowski*** of course there is, we submitted the archeological survey to the state office we will brief you on that and there are two other reports that we have done we can brief you on that and were they found homestead they haven't found prehistoric but homesteads. ***Feight*** when they constructed it was there not archeological items. ***Kozlowski*** we are constructing the record of that but at the turn of the century there was reports that any previous like native American remains in this area was destroyed they couldn't find anything after 1902 from what I understand from the report, but we can walk through that it looks like it was pre-disturbed land before they even started construction of the plant back in the 1950s but we are also pulling the aerial survey maps just to see what it looks like those will be very useful too we will look back as far as we can. ***Feight*** I would just say that #5 issue is broad enough. ***Brushart*** there is a lot of historical things that were taken off the site, like the church a crossed the road here it as taken from the plant and moved over across the road, which plant was completed first. ***Kozlowski*** Paducah. Swain Sandy mentioned that there is going to be a presentation to the Waste Disposition committee there will be a member from the Ohio Historical Preservation Office will be invited to the meeting, could we have a forum like we did for the D&D and everyone can come. ***Kozlowski*** we can easily set that up and that way everyone on the board can come and the public will be available, we are looking to invite people from the archaeological group that helped with the reports they have done work all of over the state so we will be able to handle those discussion and we will invite a member from the preservation office. ***Minter*** we have touched on this issue a lot does it make sense that we form another committee just for that issue here we are almost finished with the future land use meeting time and D&D was the same and in waste disposition this topic was discussed does it make sense to have another committee that way we can talk about the waste, D&D, and talk about future land use, this can be a historic committee we have four committees and we haven't even gotten to their discussion yet so does it make sense to have another committee, it may have to go to the full board. ***Feight*** I am wondering why we are going over these issues in every committee. ***Minter*** because I think it is a recommendation from each committee to the

full board. ***Snyder*** I think as the committees mature they can come up with their own issues and accomplishments.

- ***Minter*** I would like to make a motion to get them in the top issue and accomplishments same order that the other committees. ***Snyder*** seconded it.
    - ***Motion passed***

1. **Top Issues and Accomplishments**
    - The committee discussed the accomplishments from the compiled lists e-mailed to the board office. From this list, the committee prioritized the following five items:
        1. Accelerated clean-up, groundwater clean-up and maximizing opportunities for job creation.
        2. Establishing community trust in the SSAB.
        3. Determine if there are significant historical issues for PORTS that must be addressed.
        4. Investigate all ramifications for the transfer of the 340-acre tract to Southern Ohio Diversification Initiative.
        5. Educate the Board on the complexities of the Piketon Site.

    - The accomplishments were determined to be the following:
        1. The election of co-chairs and the establishment of four functioning committees and an operational board since its establishment in 2008.
        2. Bringing together a varied group of individuals to serve on the board and attempting to find common ground.

Swain I was assigned to draft a recommendation I will make a suggestion there are three paragraphs of background. ***Feight*** the recommendation is The Portsmouth EM SSAB recommends that the future use of the Piketon site never include the interim storage of spent nuclear fuel (High-Level Radioactive Waste). ***Swain*** I would just add the report from DOE which was made in this past December if the law changed in 2009 we need to get on it, the DOE told congress that in order for us to have a storage you have to change the nuclear policy act the law and here is what parts need to be change and do it quickly. ***Charle*** does this recommendation go to the full committee or the full board, why isn't this raised at the full board meeting. ***Swain*** it has to come from a committee. ***Minter*** in the discussion this committee the topic of spent nuclear fuel has come up just as it has in the past but I want to include that no one wanted to storage that didn't create jobs and other things were mentioned and however I made comments to this they were so very sudile I can't recall the changes they were very minor but they didn't get incorporated I did change emails. ***Feight*** my understanding this is a standard format, you have a background section and have a discussion section and then have a recommendation. ***Swain*** my perspective on the background I categorized this background for reason and justification, I would encourage everyone to read the full report. ***Minter*** again this is because of the GNEP discussion and I think that the argument is separate but integral to in all those discussion and I suggest that just look at the letters of support that each one said don't bring spent nuclear fuel here to just for storage but truly a facility built that is going to recycle, reprocess whatever word you want to use uranium but obviously you would have to have feedstock but there was no support from anyone or any organizations involved with any expiration looking at GNEP that said yeah just bring it here, you have

those qualified letters of support so I do want to stress that again because that was part of what got to this discussion that I don't know anyone that said spent nuclear fuel storage was a great idea, it was connected to a 20 billion dollar facility being built and operated was only the level of qualified support. ***Feight*** this recommendation has nothing to do with GNEP. ***Minter*** I would agree I said it came out of those discussions. ***Feight*** there was a report from congress and a report that has been submitted by Civilians of radioactive waste. ***Minter*** but if you go back to the minutes it is after the grilling of Greg and the others. ***Feight*** can I clarify what I think you are saying your concern is that this recommendation does not allow for the construction of some facility in the near future that would bring spent nuclear fuel here to be reprocessed. ***Minter*** I can state that again in the documentation from this committee in the discussion of GNEP you brought up the records and separate but integral to and you had SODI here and all the discussion that took place came up and discussed storage, but I say that I don't know of anyone that proposed of that as a standalone initiative thus recommended that we come up with some type of recommendation to the board about the potential none use of the facility if you look at the minutes I also stated that we should state the things that we want to see not things that we don't want to see. ***Feight*** I agree I think we need to develop a future land use recommendation that is about something to do with but this is a pressing issue and so this is a separate recommendation and this is going to require a lot of discussion for us to recommend that. ***Swain*** the only connection to GNEP is congress said go look for the interim side at the existing sites that offered in GNEP that was in 2008. ***Minter*** so this was after the fact that the programmed looked like it was not moving forward. ***Synder*** so what do you want to do this. ***Minter*** I make a suggestion to the recommendation that I made changes and it was not put it I think it just got lost because I have a new email. ***Feight*** I personally don't want to leave the door open to bring high level radioactive waste here. ***Minter*** if you read what I suggested The Portsmouth EM SSAB recommends that the future use of the Piketon site not to include the interim storage of spent nuclear fuel (High-Level Radioactive Waste) it is just a little different then what is listed. ***Feight*** it seems that you are trying to create a loop hole. ***Minter*** I am not trying. ***Feight*** maybe there is a future project. ***Blackburn*** there is a motion on the floor and I would suggest that you get your suggestions to the full board. ***Minter*** I did that and this is a discussion on the motion and it is relevant to what the discussion. ***Francis*** we don't have to accept the motion. ***Brushart*** I really think we should suggest that we don't want something instead of suggesting that we want something. ***Charle*** I can't see how this committee can say this is something that we never ever don't want spent nuclear if you ask everyone in the world if they wanted this stuff no one would raise their hand it exist and it is going to end up some place it seems like you are playing a game that if it's the person that don't want it is the person that don't raise their hand first or second down the line it seems like the way to deal with it is to wait and see how things evolve what other alternative uses are proposed what kind of package they are proposed in and then decide and I am not a member of this committee. ***Minter*** I would like to go back and part of the development and research of the GNEP study was a study with that in mind and if that ever happens it is done in other countries it may or may not have been done well in the definability why people wanted to explore an option looking at the technology and process that would deal with the significant challenge was all it was done is to qualify with the fact you have to build it first it has to be real and it has built before you bring anything and that's always has been the case period not separate but integral to it was always the case so it was my recommendation to avoid this process to rest if there is a way to do that and

based on those discussion again I do think that it is remiss to say interim storage is it interim storage if you process it you get down into those qualifications that's the whole issue if there is something down the road that would include a 20 billion dollar project that did work that was safe and I don't know if that exists but if it does, does this preclude that and it doesn't because the community can still accept this in other forums and other processes of what this committee has said or it may or may not either way. ***Swain*** no the language for interim storage has nothing to do with supply for reprocessing the term interim storage is sitting there waiting for a repository for yucca mountain to open and yucca mountain may never open and I don't think any of us want that. ***Francis*** does this spell itself out in the report. ***Swain*** yes yucca mountain. ***Feight*** from what I understand the way it is worded never include spent nuclear fuel you are saying that it doesn't mean we couldn't have a processing facility here and enough of reprocess being brought here but it would still be aloud anyways and I want to point out that the GNEP meeting the SODI/SONIC/ePIFNI used interim storage not reprocessed storage in their proposal and so there is confusion about that what is the language interim or reprocessed I think the language here the motion on the floor is appropriate I hope it never comes here. ***Swain*** this is specifically about interim spent nuclear storage. ***Minter*** just the opposite when the RFP came out the study or whatever you want to call it, it said there shall be no interim storage it said very clearly and if you look at the letters of qualified support it was clearly to no interim only feedstock and only after you build it, after funding and I try to reword I thought I made that clear that it would not be used for interim storage however if there was some other process that would use could use it could be a evaluated I am not suggesting it I just wanted to change it a little to say the recommendation of the future use not to include the Piketon site for sole interim storage I think that was the comments that I made. ***Swain*** don't think about SODI there is no connection. ***Feight*** in my report that I said I would keep to 2 minutes how do I present this. ***Snyder*** just read the recommendation and then we will have a discussion. ***Kozlowski*** The agendas have to be sent in a head of time like 15 days they have to be approved.

- ***Blackburn*** I propose a motion that we go through with the written recommendation. ***Feight*** I will second it.

Concerns/Issues

- A historic preservation presentation was requested to be held in the same format as the Draft Decontamination and Decommissioning Request for Proposal briefing.
- There are concerns with how much time is being spent on historic preservation issues and not future land use issues. The board may want to consider forming a committee that deals with the historic preservation issues.

Action Items:

1. The committee requests a historic preservation presentation.

Next meeting: Tuesday, February 24, 2009 at 4:00 p.m.