



## **PORTSMOUTH EM SITE SPECIFIC ADVISORY BOARD**

Minutes of the March 4, 2010, SSAB Meeting • 6:00 p.m.

**Location:** The Ohio State University Endeavor Center, Room 160, in Piketon, Ohio

**Site Specific Advisory Board (SSAB) Members Present:** Shirley Bandy, Gene Brushart, Ed Charle, Lindy Coleman, Val Francis, Frank Halstead, Michael Lilly, Sharon Manson, Steve Martin, Dan Minter, Daniel Moore, Larry Parker, Michael Payton, Cristy Renner, Terri Ann Smith, and Richard Snyder

**SSAB Members Absent:** Bobby Graff

**Board Liaisons and Related Regulatory Agency Employees:** Brian Blair, Craig Butler, and Maria Galanti, Ohio Environmental Protection Agency (Ohio EPA); Michael Rubadue, Ohio Dept of Health; David Snyder, Ohio Historic Preservation Office

**U.S. Department of Energy (DOE) and Contractors:** Joel Bradburne, Bill Murphie, Melda Rafferty, Greg Simonton, Kristi Wiehle, and Cid Voth, DOE; Julie Galloway, EHI; Julie Loerch, Paul Mohr and RD Schoz, Fluor; Sandy Childers and Bill Franz, LATA/Parallax (LPP); Janie Crosswait and Kevin Ironside, Restoration Services, Inc. (RSI)

**Facilitator:** Eric Roberts, EHI

**Public:** Vina Colley, PRESS/NNWI; Mark Johnson, Tri-State Building Trades; David Manuta, Manuta Chemical Consulting Inc; Geoffrey Sea, SONG

**Call to Order:**

*Francis* called the meeting to order and introductions of the Board.

*Roberts* explained that the new binders would be the one binder the Board uses throughout the 2010 year and that EHI staff will give the Board bi-monthly packets to put in them each meeting.

**Agenda:**

*Francis* called for any modifications or proposed changes to the Agenda.

*Roberts* stated that after meeting with the Executive Subcommittee the following items need to be added to the agenda:

Discussion of proposed Meeting Ground Rules

- Public comment before the vote on any recommendation
- Board review of the Top 3 issues, Major Board Accomplishment and Activity that will be presented at EM SSAB Chairs Meeting in Oak Ridge.
  - *Halstead* motioned to accept the Agenda as amended, *Motion seconded*.
    - *Motion carried, Agenda approved*

**Meeting Ground Rules:**

*Roberts* reviewed the Meeting Ground Rules.

- Start and End Our Meetings on Time
  - Adhere to the Agenda
- Everyone is Encouraged to Participate
- Strive to Accomplish Stated Objectives
- No One Person will Dominate Discussion
- No One will Interrupt Anyone Else
- There will be No Side Conversations
  - *Payton* motioned to accept the Meeting Ground Rules, *Motion seconded*.
    - *Motion carried, Meeting Ground Rules approved*

**November Minutes:**

*Roberts* called for any modifications or proposed changes to the November Minutes.

- *Halstead* motioned to approve the November Minutes as presented, *Motion seconded*.
  - *Motion carried, Minutes approved*

**DDFO Comments:**

*Bradburne* presentation:

The update included the following information:

- Agenda
- ARRA Projects Update
- X-533 Switchyard Demolition
- X-701B Groundwater TCE Source Removal
- X-633 Cooling Tower Complex D&D
- Disposition of Surplus Uranium Materials
- X-760 Chemical Engineering Building D&D
- Other EM Base Program Activities
- FY 2009 Waste Disposition
- Procurement Status
- Forthcoming SSAB Discussions
- Upcoming Events
- Funding for Portsmouth Cleanup
- FY 2010 Funding Breakout

A copy of the above-stated presentation can be viewed on the SSAB website at [www.ports-ssab.org/1003DDFOPres.pdf](http://www.ports-ssab.org/1003DDFOPres.pdf)

<b>Question/Comment:</b>	<b>Answer:</b>
<b>Francis</b> asked what is being done with the soil from the X-701B site once it is mixed.	<b>Bradburne</b> stated that the soil is treated and put back in place. There is a chemical reaction with the contaminant and the reaction continues over time.
<b>Charle</b> asked if DOE intends to neutralize the entire X-701B plume this way. What will the purpose be once the soil is neutralized and will it be useable?	<b>Bradburne</b> stated this was a new approach and DOE's plan is to finish the entire plume this same way. The ARRA money will cover a portion of this activity. Physically, the soil will not look any different. As far as future use, there will always be a restriction zone associated with this site. <b>Galanti</b> stated that right now the plan is to remediate about half the source area. When that is completed, a portion of the plume will be capped. The cap will be completed in the next 2-3 years. This approach was very successful compared to any other remedial technology that has been put in place at the plume site. In terms of future use for the land area itself, the ground water will most likely be contaminated for some time.
<b>Bandy</b> asked what it means to "cap" a site.	<b>Galanti</b> stated that the site would be covered with manmade material as well as clay and then covered with vegetation to protect any future worker or resident in the area from encountering contaminants.
<b>Charle</b> stated there has always been a lot of concern voiced about the plume. Does the action taken now with the plume remove that concern?	<b>Galanti</b> stated that it should reduce it significantly. Ohio EPA's goal is to reduce the levels of contamination.
<b>Francis</b> asked if the success for the plume is the fact that TCE is not in groundwater but only in the earth (the weathered shale).	<b>Galanti</b> stated that TCE is a DNAPL (dense nonaqueous phase liquids) that sinks and gets in the weathered shale. No matter what technology is utilized, the TCE would not release from that shale. With this technology, we have been able to expose the shale and apply oxidant to treat the TCE.
<b>Snyder</b> asked if the cleanup standard is 5 parts per billion.	<b>Galanti</b> stated yes and that Ohio EPA's objective for groundwater on site is to remediate to the residential, potable groundwater standard.
<b>Brushart</b> asked what the difference is between industrial and nuclear cleanup standards.	<b>Roberts</b> stated there would be a presentation in the near future that will explain the differences between the cleanup standards.

**CERCLA:**

**Ironside** presentation:

- Introduction/Purpose
- Portsmouth Regulatory Structure
- What Decision Must be Made at the Portsmouth Site?
- PORTS CERCLA Approach
- What is CERCLA?
- Who is Responsible for CERCLA?
- Where is the CERCLA Process Being Implemented at Portsmouth?
- Why is the CERCLA Process Being Implemented at Portsmouth?
- What is DOE doing to Expedite the Cleanup of the Portsmouth Site?
- Where is Portsmouth Currently in the CERCLA Process?
- CERCLA Process
- What the Law Requires in Making Cleanup Decisions
- How Does the Community Participate?
- What is DOE Doing to Expedite the Cleanup of the Portsmouth Site?

- Where has DOE done this before?
- CERCLA Public Participation
- References

A copy of the above-stated presentation can be viewed on the SSAB website at [www.ports-ssab.org/1003CERCLAPres.pdf](http://www.ports-ssab.org/1003CERCLAPres.pdf)

<b>Question/Comment:</b> <i>Charle</i> stated that if we are at the beginning of the CERCLA process then the things you are talking about have been in process for years.	<b>Answer:</b> <i>Ironside</i> stated that the CERCLA process is in the early stages. The steps the Board has been taking have been leading to this point in the process. The decision to move forward and award the contract is recent.
<i>Smith</i> asked how DOE could clean up or say it is cleaning up the site and plumes when part of the plant still has an ongoing nuclear project that is contaminating the environment and affecting our health.	<i>Ironside</i> stated that the CERCLA process is only being used to make decisions with the gaseous diffusion plant and DOE has rules in place that address protection of human health and the environment.

#### **Federal Coordinator Comments:**

*Simonton* gave an update on the upcoming meetings:

- Future Land Use Subcommittee will meet on Tuesday, March 9 at 4:30 p.m.
- Decontamination & Decommissioning (D&D) Subcommittee will meet Tuesday, March 23 at 4:30 p.m. This meeting will be open to the public and be considered a workshop with a presentation from Bill Murphie, Manager of the Portsmouth/ Paducah Project Office.

#### **Liaison Comments:**

##### **Ohio Environmental Protection Agency (Ohio EPA):**

*Galanti* stated that DOE has comments from Ohio EPA on the X-533 Action Memo, the X-533 Removal Action Work Plan and the X-533 Soil Sampling Plan. She also encouraged everyone to read the X-760 EE/CA and provide comments. Ohio EPA's comments on the X-760 EE/CA will go to DOE before March 16, 2010. Ohio EPA really values the Boards input. It is time to start working together to make decisions on what is a final disposition for these facilities.

##### **Ohio Department of Health:**

*Rubadue* stated that the Department of Health would be working with Ohio EPA and DOE on the review of the EE/CA documents.

#### **Administrative Issues:**

##### **Decontamination & Decommissioning (D&D) Subcommittee:**

*Parker* stated the D&D Subcommittee met in January but not in February, due to the weather. Some administrative matters that were discussed in the January meeting included accepting the Meeting Ground Rules and Mission Statement. The subcommittee is concerned about the volume of waste that has and is going to be generated. The subcommittee thanked DOE for providing the pie chart that showed progress in 2009. We appreciate that we get immediate responses to our questions. The subcommittee is looking forward to the Recycling Workshop on March 23, 2010. *Next Meeting Tuesday, March 23, 2010, at 4:30 p.m.*

##### **Future Land Use Subcommittee:**

*Manson* stated that the Future Land Use Subcommittee met in January and voted to accept the Meeting Ground Rules. The subcommittee also discussed the language on the Energy Parks Initiative Recommendation. Mr. Parker will provide the members a copy of his Energy Park Initiative's Report from the trip to Oak Ridge. The subcommittee discussed the historical legacy and cleanup that they want for the Portsmouth Site. *Next Meeting Tuesday, March 9, 2010, at 4:30 p.m.*

**Recommendation 10-01 End Use Study for the Portsmouth Gaseous Diffusion Plant:**

**Manson** stated that the Future Land Use Subcommittee does recommend that the study be approved by the SSAB Board because this will prove to the community how serious the Board is on community input.

- **Parker** moved to accept Recommendation 10-01 End Use Study, **Motion seconded.**

**Roberts** asked for discussion from the Board on the recommendation.

<b>Question/Comment:</b>	<b>Answer:</b>
<b>Smith</b> asked what departments from the Ohio University would be used for this study.	<b>Roberts</b> stated that the recommendation calls for an Ohio based institution of higher learning. <b>Bradburne</b> stated that the Voinovich Group is being looked at to do the study.

**Roberts** asked if there was any further discussion from the Board. The floor will now be open for a public comment session each community member will have one minute to address any concerns about Recommendation 10-01.

**Public Comments on Recommendation 10-01:**

**Geoffrey Sea, SONG**, asked the Board not to pass this recommendation, stating that it is not the right time. Sea claimed the community is confused, why waste money doing a study now? Tell the community that the process is just starting and have them come to the meetings to get educated. The community needs real proposals based on facts and not mythology that has been spread in our local newspapers.

**Vina Colley, P.R.E.S.S.**, stated that the community is not being involved in this process. If you really want to listen to the community, you would withdraw from this Board because the members do not represent the victims.

**Roberts** stated to pass a recommendation the Operating Procedures calls for a 2/3 vote or 14 “yes” votes:

- **Motion carried (needed 2/3 vote – 15 yes, 1 no, 0 abstained and 1 not present), Recommendation 10-01 approved**

**EM SSAB Oak Ridge Chairs Meeting:**

**Roberts** stated that there would be a group of members traveling to the EM SSAB Chairs Meeting in Oak Ridge, Tennessee. The Board will have an opportunity to share with Assistant Secretary Inez Triay its concerns and issues that they would like to see the Department of Energy address. The Executive Subcommittee has narrowed it down to the following general topics:

**Top 3 Issues:**

- SSAB involvement with the community, developing a broader future plan for the site, which grows economic development opportunities and advances overall reindustrialization for the Piketon Site.
- Evaluating the 3700-acre site to determine what portion can be released for industrial use immediately and how much more can be donated for industrialization use for the next 20 years.
- Recycling D&D materials and a pathway for industrialization.

**Major Board Accomplishment:**

- Increase in funding from 2009 – 2010 for the DOE site.

**Major Board Activity:**

- Large number of members from the Board that have toured other sites.

**Roberts** asked if there was any further discussion from the Board. The Executive Subcommittee with help from the staff will rework and put the information in the correct format that is required for the EM SSAB Chairs Meeting. A copy will also be sent to the Board before it is sent to DOE head quarters.

<b>Question/Comment:</b>	<b>Answer:</b>
<b>Minter</b> stated he would like to ask that when relaying the Major Board Accomplishment to state that it took a lot of combined effort from local and regional leadership such as Senator Brown and his staff.	
<b>Manson</b> stated to specify that the Board worked together as partners with our Congressional Representatives to get the funding.	
<b>Smith</b> asked if the Board is getting funding for tours.	<b>Roberts</b> clarified that the Board is listing a major accomplishment for the EM SSAB Chairs Meeting and that the accomplishment is DOE is getting a larger amount of money over the next year.

**Public Comment:**

**Vina Colley, P.R.E.S.S.**, stated she would like to ask Senator Brown’s office to find out why the Board does not know the site doubled the scoring for the superfund site. She stated her concerns as to why Ohio EPA does not mention all the other stuff that is in the TCE, the fractions in the bedrock, or how much is going in to the drinking water in the Teays River Valley. She also stated her concerns of why the Board is not being informed about the site and would like to know when the public can get answers to some of their questions.

**David Manuta, Manuta Chemical Consultants Inc.**, stated he has been on travel during the last several times the Board has met. The TCE discussion was very interesting I would like to get together with the Ohio EPA or anyone else that would like to discuss this.

**Geoffrey Sea, SONG**, stated he was very heartened by Kevin Ironside’s presentation. This is the first time someone has laid out very clearly for this community a legal process for determining the future use and activities at the site. DOE has also done a good job about going back to the drawing board and realizing the agency was out of compliance. Now the agency is trying to come into compliance, which is a great process. In order for that to happen, you have to take seriously that we are at the very beginning of the process. The decisions about future site work will be made down the road. For this to work in a way that will produce jobs for the community, we have to do it legally according to the process. That means going back to the beginning and involving the community from the very beginning. The Board needs to reflect on what type of role they want to play in the decision-making on future use of the site.

**Mark Johnson, Tri-State Building Trades**, stated that he is a representative for the Tri-state Union Construction Council. He would like to ask the Board to think about how to maximize the number of jobs that can be created. The Tri-State Building and Construction Trades Council request that Recommendation 09-01 be modified. His group would like to continue doing the construction work at the plant site, he submitted a copy of their recommendation, and encouraged the Board to approve it.

**Final Comments from the Board:**

**Roberts** asked for any further comments from the Board.

**Brushart** stated that much has been said tonight about the importance of public participation. The question is how to get the public involved? What the Board is looking for is to get as much of the community involved as possible and hopes the Voinovich Group with their strategy can help get the community involved.

**Minter** stated he wants to stress the idea for the Board to have a plan and consider what the future processes will be but not excluding or including any options. Having a plan does seem to help from time to time.

**Bandy** stated that she agrees and that the Board knows this is a start of a long process. She would like to see us have a display with the nine criteria of the CERCLA process. This would be good tool that can keep the Board on track to go through criteria and operate under the law and this will hopefully build some public trust.

**Halstead** stated that he would like to thank Maria Galanti for her diligence for reviewing the information and was very impressed that she looks at the finer details.

**Halstead** motioned to adjourn the meeting, **Motion seconded.**

- **Motion carried, Meeting adjourned**

**Next Meeting Thursday, May 6, 2010, at 6:00 p.m.**