



PORTSMOUTH EM SITE SPECIFIC ADVISORY BOARD

•OSU Endeavor Center • 1862 Shyville Road • Piketon, Ohio 45661 • (740) 289-5249 •

Proposed Agenda for the November 5, 2009 Board Meeting

Co-Chairs

Val E. Francis
Richard H. Snyder

Board Members

Shirley Bandy
Gene Brushart
Dr. Edwin G. Charle, Ph.D.
Lindy A. Coleman
Bobby E. Graff
Franklin H. Halstead
Michael J. Lilly
Sharon E. Manson
Stephen E. Martin
Daniel J. Minter
Daniel Moore
Larry A. Parker
Michael E. Payton
Cristy D. Renner
Terri Ann Smith

Deputy Designated Federal Official

Joel Bradburne

DOE Federal Coordinator

Greg Simonton

6:00

Call to Order, Introductions
Welcome New Members
Review of Agenda
Approval of October Minutes & Work Plan Development Retreat Summary

DDFO Comments

Federal Coordinator Comments

Liaison Comments

Presentation

- *How New Members are Selected* by: Catherine Brennan, Designated Federal Officer EM SSAB

Administrative Issues

Subcommittee Restructure & Meeting Schedule
Subcommittee Updates

Public Comments

Final Comments from the Board

Adjourn

Support Services

EHI Consultants, Inc.
1862 Shyville Road
Piketon, OH 45661
Phone 740.289.5249
Fax 740.289.1578



DDFO Presentation November 5, 2009



Joel Bradburne

Deputy Designated Federal Official



American Recovery and Reinvestment Act (ARRA) Update

- Trailers are being sited at various ARRA Project areas.





American Recovery and Reinvestment Act (ARRA) Update

- X-633 Recirculating Cooling Water Complex:
 - ❖ X-633 EE/CA 30-day public comment period ended October 30, 2009.
 - ❖ X-633 being prepared for demolition.



- X-760 Chemical Engineering Building:
 - ❖ Draft EE/CA expected to be out for public comment late Fall 2009.



American Recovery and Reinvestment Act (ARRA) Update

- X-533 Switchyard Complex:
 - ❖ Draft EE/CA out on November 4, 2009 for 30-day public comment - until December 4, 2009.
 - ❖ Deactivated Switchyard in preparation of activities.





American Recovery and Reinvestment Act (ARRA) Update

- X-701B Groundwater Remediation:
 - ❖ Preparing site for activities.
 - ❖ Ohio EPA approved the X-701B Interim Action Work Plan on October 19, 2009.





American Recovery and Reinvestment Act (ARRA) Update

- X-747H Scrap Yard is the location for preparing waste for disposal by rail to *Energy Solutions*.
- Waste disposal by truck shipment is packaged at the project site and transported to Nevada Test Site or *Energy Solutions*.
- Materials for reuse are released to Southern Ohio Diversification Initiative.

4 Excess Rail Cars
Donated to SODI
for Reuse





DOE Material Storage Areas (DMSAs) 11 & 12 in X-326 Building

- Ongoing project to dispose of 324 items of equipment in the X-326 Process Building.
- As of October 30, 2009, 100 items out of 324 items have been disposed of at Nevada Test Site.
- Packaging of remaining items continues towards the scheduled March 31, 2010, completion date.



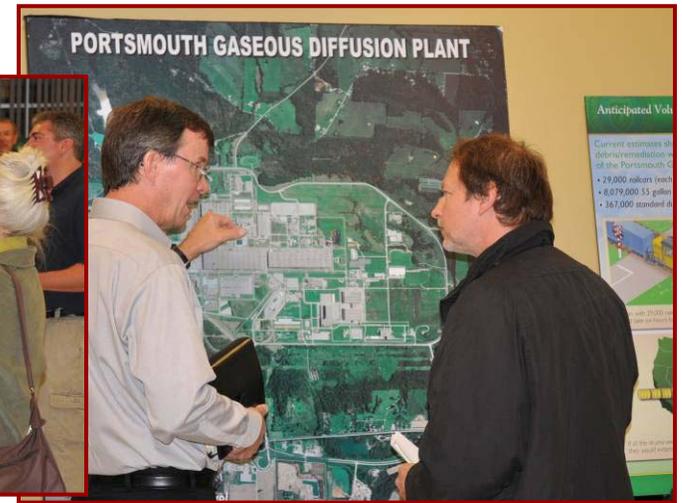


Public Information Sessions

- DOE Public Information Meeting was held on October 27, 2009, at Bristol Village, Waverly.
- Continue Public Outreach:
 - ❖ Future Land Use Decisions.
 - ❖ Examine communication techniques to enhance outreach efforts.
 - ❖ D&D:
 - Future infrastructure planning.
 - Facility D&D sequencing.
 - Waste disposition approach.
 - Recycling.



Portsmouth Site Specific Advisory Board





Other Public Involvement

- On October 7, 2009, SODI and Pike County Commissioners toured the site and ARRA projects.
- On October 14, 2009, DOE provided a site tour of ARRA Projects to the Ohio Historic Preservation Office and National Historic Preservation Act Consulting Parties.
- SSAB Applications were due by October 16, 2009.



Portsmouth Site Specific Advisory Board

- October 30, 2009, was recognized as the National Day of Remembrance for Cold War Workers.



National Day of Remembrance for Cold War Workers

November 2009



Information Resources

- U.S. Department of Energy:
www.energy.gov
- U.S. Department of Energy's Portsmouth/Paducah Project Office:
www.pppo.energy.gov
- DOE's Consolidated Business Center:
www.emcbc.doe.gov
- LATA/Parallax Portsmouth:
www.lpports.com
- PORTS Site Specific Advisory Board:
www.ports-ssab.org
- Theta/Pro2Serve Management Company:
www.tpmcllc.com



U.S. DEPARTMENT OF
ENERGY

How new members are selected....and WHY

Cate Brennan
DFO EM SSAB

Nov. 5, 2009

Portsmouth SSAB Meeting
Piketon, Ohio



EM Environmental Management
safety ♦ performance ♦ cleanup ♦ closure



U.S. DEPARTMENT OF
ENERGY

A Ports SSAB member is a member of

- ◇ the Environmental Management Site-Specific Advisory Board (EM SSAB)
- ◇ one of ~ 900 federal advisory committees (FAC)
- ◇ one of ~ 45,000 FAC members



Federal Advisory Committee Act

Public Law 92-463, effective January 5, 1973. Requires the establishment of a Committee Management Secretariat to provide Government-wide oversight of advisory committees. In addition, the Act establishes a framework covering the creation, management, operation, and termination of all advisory committees reporting to the Executive Branch.



Federal Advisory Committee Act was designed to fulfill two basic purposes:

➤ **To Enhance Public Accountability of Advisory Committees.**

To control the undue influence of special interests by balancing committee membership, and to ensure that public access to committee deliberations is maximized.

➤ **To Reduce Wasteful Expenditures on Advisory Committees.**

To improve the overall management of committee activities by establishing a set of management controls. These controls were designed to, among other objectives:

- Monitor Federal advisory committee costs;
- Identify and eliminate unproductive and/or unnecessary committees; and
- Provide for an annual report of committee activities and accomplishments to the Congress.



Executive Order 12838

Effective February 10, 1993. Directs the Heads of all Departments and agencies to reduce the number of advisory committees "not required by statute" by one-third. Requires that the establishment of all new discretionary advisory committees be approved by the Director of the Office of Management and Budget (OMB), consistent with identified needs relating to national security, health or safety, or similar national interests.

Vice Presidential Memorandum, dated June 28, 1994

Expands the President's policy of controlling the number of Federal advisory committees by requiring Departments and agencies to: (a) work with the Congress to eliminate unneeded committees mandated by statute; (b) generally not support proposals to create new committees through legislation; and (c) reduce committee costs by at least five percent.



Federal Advisory Committee Act

- ◇ Open Government Law (FOIA, SunSA)
- ◇ Ensures public input on gov't decisions
- ◇ Prevents domination by special interests
- ◇ Provide for open discussions of policy



Four sources of authority for establishing an advisory committee:

- **“(a) Required by statute.** By law where the Congress establishes an advisory committee, or specifically directs the President or an agency to establish it (*non-discretionary*);
- **(b) Presidential authority.** By Executive order of the President or other Presidential directive (*non-discretionary*);
- **(c) Authorized by statute.** By law where the Congress authorizes, but does not direct the President or an agency to establish it (*discretionary*); or
- **(d) Agency authority.** By an agency under general authority in title 5 of the United States Code or under other general agency-authorizing statutes (*discretionary*).”



FACA Major Requirements

- **Agencies must design uniform administrative guidance and management reports and controls**
- **Committees must be chartered (renewal 2 years)**
- **Meetings must be open to the public (w/exceptions) and allow public comment**
- **Detailed meeting minutes must be kept**
- **Committees will be terminated when**
 - Stated objectives accomplished
 - Their work has become obsolete
 - Cost of operations is excessive in relation to benefits to Federal Government



FACA Major Requirements

Advisory committee memberships are to be fairly balanced in terms of the points of view represented and the functions to be performed.



FACA

41 CFR § 102-3

**Advisory Committee
Management Manual
(DOE M 515.1-1)**

**EM Site-Specific Advisory Board
Charter (2006)**

**EM Site-Specific Advisory Board Guidance
And SOPP**

Site By-laws and SOPP



GSA Code of Federal Regulations **CFR 41 § 102-3**

Fairly balanced membership. The agency plan to attain balanced membership ...will consider a cross-section of those directly affected, interested and qualified, as appropriate to the nature and functions of the advisory committee.



FACA

41 CFR § 102-3

**Advisory Committee
Management Manual
(DOE M 515.1-1)**

**EM Site-Specific Advisory Board
Charter (2006)**

**EM Site-Specific Advisory Board Guidance
And SOPP**

Site By-laws and SOPP



DOE Advisory Committee Management Manual

- Selections and appointment by Secretary and designees
- Individuals selected based on potential contributions to committee
- Members serve without compensation
- Membership must represent a fair balance of interests



DOE Manual and EM SSAB Guidance

- **Affected people**
- **Statistics from the U.S. Census Bureau**
- **A range of interests, determined by identification with local and Tribal governments, community organizations, other organizations around specific interests**



Other Membership Guidance

- ◇ **Key communities [NRC, 2008, p. 194]**
- ◇ **GAO Report on FACA: Issues Related to the Independence and Balance of Advisory Committees (2004): Members should not be appointed as members purely on the basis of their expertise**



Key Points for Balanced Membership

- Points of view for the function to be performed
- Numerical parity of holders of various points of view not required
- Separate from considerations of race, gender, geographic regions, etc.
- No individual or group has the right to be on a committee



Selection Process

- Site Recruitment through meetings, newspapers and other media, word-of-mouth, special events
- Sometimes input from board or independent group
- Nominations forwarded to DOE-EM HQ
- Reviewed by EM-42, Committee Management Ofc., Executive Secretariat, General Counsel, Assistant Sec'y
- Appointment letters sent



Local site board member responsibilities

- To attend regular meetings and receive training;
- To review and comment on EM and other documents within their purview that come before the Board, and submit timely recommendations to EM;
- To work collaboratively and respectfully with other Board members and liaisons in the best interests of both the Board and the public;
- To serve on at least one Committee or Task Force during any given six month period as appointed by the Chair; and
- To abide by the terms and conditions of the EM SSAB Charter and these operating procedures



Local site board member responsibilities

Declare any potential conflict of interest.

Representative members are not subject to the Federal conflict of interest statutes and regulations. BUT DOE requires that members be recused from working on matters before the advisory committee in which they have a direct financial interest. Members cannot use their position on the Board for their private gain or for the private gain of others and cannot accept gifts given because of a member's position on the board. Employees of contractors do not have an inherent or inevitable conflict of interest that prohibits them from serving on the Board.



DOE-EM Responsibilities

- Recommendations of advisory committees should be the result of independent judgment. [FACA § 5(b)(3); 41 CFR § 102-3.105(g)]
- Advisory committees must be adequately funded by the appropriate agency. [41 CFR § 102-3.95(a)]
- Advisory committee members may be subject to ethics and conflict-of-interest statutes, regulations and other rules. [41 CFR § 102-3.105(h); Appendix A-IV. to Subpart C; and (OGE) 5 CFR § 2634.903, .904]
- Agencies should practice openness and seek to be as inclusive as possible. [41 CFR § 102-3.95(d)]
- Agencies should continually seek feedback from advisory committee members regarding effectiveness of advisory committee's activities; and should regularly communicate to members how their advice has affected Agency programs and decision-making. [41 CFR § 102-3.95(e)]



Committees chartered under FACA exist solely for the purpose of providing advice to the government agency or agencies specified in their charters.



U.S. DEPARTMENT OF
ENERGY



Cate Alexander Brennan

Designated Federal Officer
Environmental Management Site Specific Advisory
Board

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Washington, DC 20585

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E-mail: catherine.brennan@em.doe.gov

EM SSAB Home page:

<http://www.em.doe.gov/Pages/ssab.aspx>



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Draft Fiscal Year 2010 Work Plan Development Retreat Summary

Location: The Shawnee Resort and Conference Center, West Portsmouth, Ohio 45663

Site Specific Advisory Board (SSAB) Members Present: Shirley Bandy, Cristy Boggs-Renner, Gene Brushart, Ed Charle, Val Francis, Bobby Graff, Frank Halstead, Sharon Manson, Steve Martin, Dan Minter, Larry Parker, Michael Payton, and Richard Snyder

U.S. Department of Energy (DOE) and Contractors: Joel Bradburne, Cate Brennan, Dave Kozlowski, Bill Murphie, and Greg Simonton, DOE; Ed Holmes, Julie Galloway, Brandy Moore, and Eric Roberts, EHI; Yvette Cantrell and Janie Croswait, RSI; Sandy Childers, LPP

Friday, October 2, 2009:

The Board members and DOE representatives met for the Fiscal Year 2010 Work Plan Development Retreat to discuss Board structure. The following Board members Dick Snyder, Cristy Renner, and Larry Parker briefed the Board on the EM SSAB Chairs Meeting in Idaho Falls. Eric Roberts stated the next Chairs Meeting will be held in Oak Ridge, Tennessee on April 27-29, 2010; a larger number of Board members would be able to attend since the location is closer. The fall meeting will take place September 14-16, 2010, and be held in New Mexico.

Joel Bradburne presented a Site Specific Advisory Board Work Plan Development Presentation:

A copy of presentation is available online at www.ports-ssab.org

- Plant History
- Environmental Legacy
- DOE Mission
- Current Initiatives
- Definitions
- FY 09 SSAB Subcommittee Initiatives
- FY 10 Near Term Projects – Ongoing
- Long Term Projects

Saturday, October 3, 2009:

The Board worked through work plans that would help them reorganize and become more successful. The Board agreed to redefine the Subcommittees into three productive groups. The Board will meet on the first Thursday of every other month. The Subcommittees will meet on the second Tuesday of every month. These changes will help make better use of federal resources, align Board activity with DOE, and allow timely input on critical long-term discussions.

Cate Brennan presented a Work Plan Development Presentation:

A copy of presentation is available online at www.ports-ssab.org

- What Makes an Advisory Committee Successful?
- EM Site-Specific Advisory Board – Objective
- EM Site-Specific Advisory Board – Scope
- Advisory vs. Oversight Committees
- Work Plan Process – 9 Steps

Bill Murphie presented a Stakeholder End State Vision Project Presentation:

A copy of presentation is available online at www.ports-ssab.org

- Future Use at Portsmouth?
- Guiding Principles for End State Development
- Goals of Public Involvement
- Involving All Stakeholders An Example
- Trigger Scenario Development

- Public Participation
- CAsewise Visual Evaluation (CAVE)
- What to Expect in the Coming Months
- Expected SSAB Involvement

Scott Miller, Steve Rice, and Stephanie Howe from the Voinovich School of Leadership and Public Affairs presented a Consensus Building Presentation:

A copy of presentation is available online at www.ports-ssab.org

- Introduction to Consensus Building
- Waterbed Brainteaser – What’s the Problem?
 - What’s the problem?
 - Problem-solving pitfalls
 - Problem analysis approach
 - 9-step process
- Problem Analysis and Problem Solving through a highly structured consensus building approach
- “The Portsmouth SSAB is successful if” – Exercise
- Applicability of the Consensus Building Model to the work of the SSAB

New Subcommittees:

Decontamination & Decommissioning (D&D) Subcommittee:

With topics on Waste Disposition and Recycling

- *Larry Parker (Subcommittee Chair)*
- Gene Brushart
- Ed Charle
- Bobby Graff
- Steve Martin
- Terri Ann Smith

Future Land Use Subcommittee:

Focus on Reuse Incentives, Re-industrialization, and Technology Development

- *Sharon Manson (Subcommittee Chair)*
- Shirley Bandy
- Frank Halstead
- Dan Minter
- Michael Payton
- Cristy Renner

Information Distribution Subcommittee (Will meet as needed)

Focus on Speakers Bureau, Community Outreach, and Newsletters

- *Cristy Renner (Subcommittee Chair)*
- Shirley Bandy
- Sharon Manson
- Larry Parker

Executive Subcommittee (*Will meet as needed*)

- Val Francis
- Sharon Manson
- Larry Parker
- Cristy Renner
- Dick Snyder

Anticipated Calendar of Events:**Meetings 2009:**

November 5th Board Meeting Endeavor Center Room 160-6:00 p.m.

November 10th Subcommittee Meeting Endeavor Center Room 160

- D&D 4:30 p.m.
- FLU 6:30 p.m.

December-NO MEETINGS**Meetings 2010:**

January 7th Board Meeting OSU Auditorium-6:00p.m.

January 12th Subcommittee Meeting

- D&D 4:30 p.m.
- FLU 6:30 p.m.

February 9th Subcommittee Meeting Endeavor Center Room 160

- D&D 4:30 p.m.
- FLU 6:30 p.m.

March 4th Board Meeting OSU Auditorium-6:00 p.m.

March 9th Subcommittee Meeting Endeavor Center Room 165

- D&D 4:30 p.m.
- FLU 6:30 p.m.

April 13th Subcommittee Meeting Endeavor Center Room 160

- D&D 4:30 p.m.
- FLU 6:30 p.m.

April 27-29th EM SSAB Chairs Meeting – Oak Ridge, Tennessee

May 6th Board Meeting OSU Auditorium- 6:00 p.m.

May 11th Subcommittee Meeting Endeavor Center Room 160

- D&D 4:30 p.m.
- FLU 6:30 p.m.

June 8th Subcommittee Meeting Endeavor Center Room 160

- D&D 4:30 p.m.
- FLU 6:30 p.m.

July 1st Board Meeting OSU Auditorium-6:00 p.m.

July 13th Subcommittee Meeting Endeavor Center Room 160

- D&D 4:30 p.m.
- FLU 6:30 p.m.

August 10th Subcommittee Meeting Endeavor Center Room 160

- D&D 4:30 p.m.
 - FLU 6:30 p.m.
 - September 2nd Board Meeting OSU Auditorium-6:00 p.m.
 - September 14th Subcommittee Meeting Endeavor Center Room 160
 - D&D 4:30 p.m.
 - FLU 6:30 p.m.
 - September 14-16th EM SSAB Chairs Meeting – Santa Fe, New Mexico
 - October 12th Subcommittee Meeting Endeavor Center Room 160
 - D&D 4:30 p.m.
 - FLU 6:30 p.m.
 - November 4th Board Meeting OSU Auditorium-6:00 p.m.
 - November 9th Subcommittee Meeting Endeavor Center Room 160
 - D&D 4:30 p.m.
 - FLU 6:30 p.m.
- December-NO MEETINGS***

Support Services

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Committee Rosters – Updated 11/4/09

Decontamination & Decommissioning (D&D) Committee

Gene Brushart	Ed Charle	Lindy Coleman	Bobby Graff
Daniel Moore	<i>Larry Parker (Chair)</i>	Steve Martin	Terri Ann Smith

Future Land Use Committee

Shirley Bandy	Frank Halstead	Michael Lilly	Dan Minter
<i>Sharon Manson (Chair)</i>	Michael Payton	Cristy Renner	

Information Distribution Committee

Shirley Bandy	Sharon Manson
Larry Parker	<i>Cristy Renner (Chair)</i>

Ad/hoc Committee

Val Francis	Larry Parker	Dick Snyder
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Executive Committee

Val Francis	Sharon Manson	Larry Parker
Cristy Renner	Dick Snyder	

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