



PORTSMOUTH EM SITE SPECIFIC ADVISORY BOARD

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

Proposed Agenda for the March 4, 2010 Board Meeting

Co-Chairs

Val E. Francis
Richard H. Snyder

Board Members

Shirley A. Bandy
L. 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
R. 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
Review of Agenda
Meeting Ground Rules
Approval of November Minutes

DDFO Comments

--15 minutes

CERCLA Presentation

By: Kevin Ironside

--20 minutes

Federal Coordinator Comments

-- 5 minutes

Liaison Comments

--10 minutes

Administrative Issues

--20 minutes

- Subcommittee Updates
- Rec 10-01 End Use Study for the Portsmouth Gaseous Diffusion Plant
- Top 3 Issues, One Accomplishment and Major Board Activity

Public Comments

--15 minutes

Final Comments from the Board

--10 minutes

Adjourn

Support Services

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



The CERCLA Process

Department of Energy
Portsmouth Site Specific Advisory Board Meeting

March 4, 2010

EM *Environmental Management*

safety ❖ *performance* ❖ *cleanup* ❖ *closure*



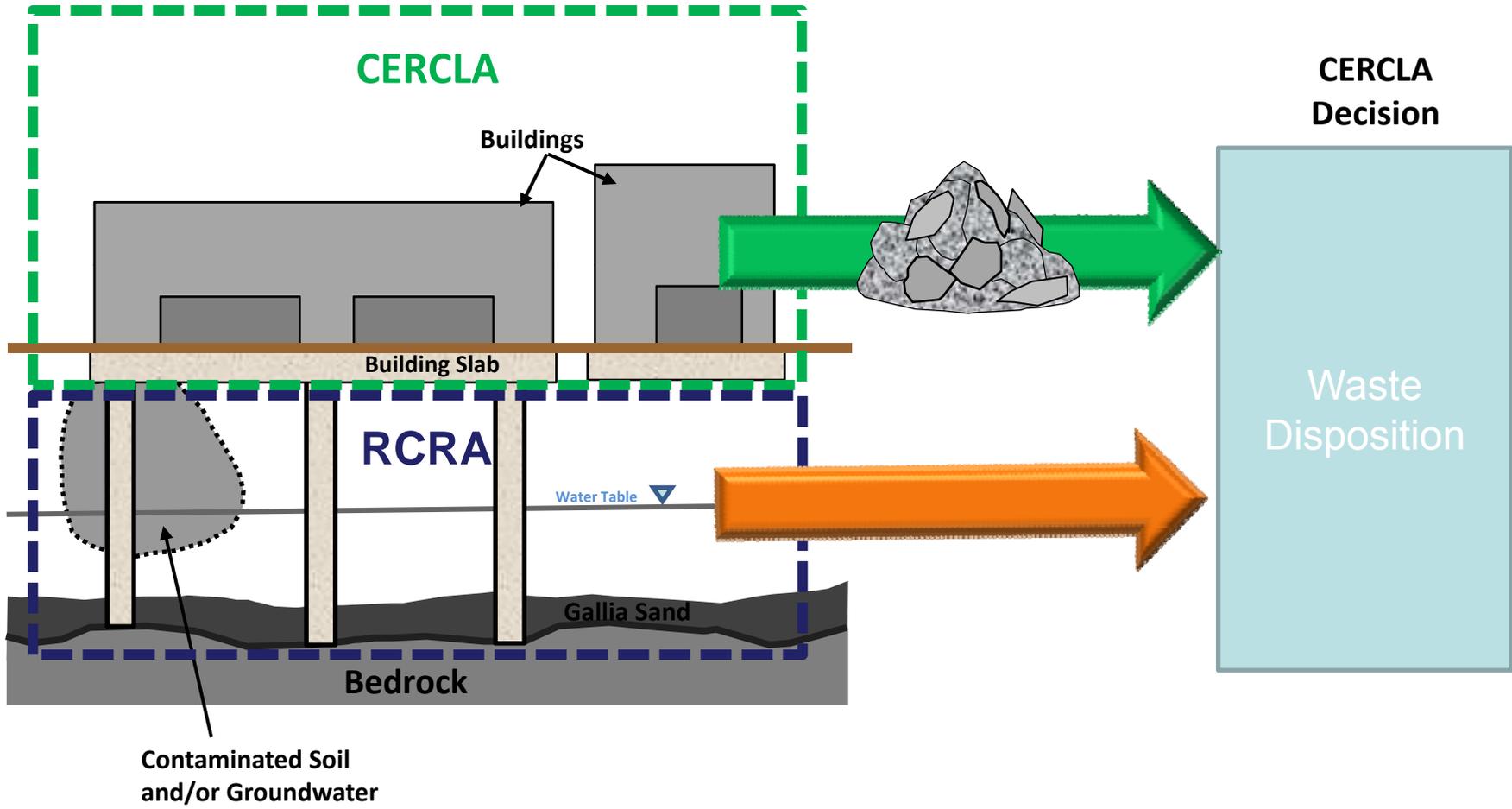
Introduction / Purpose

- Explain the cleanup decisions that will be made at the PORTS site
- Explain how CERCLA will be used to make cleanup decisions
- Provide information to gain a preliminary understanding of the CERCLA process
- Discuss where and how the public stakeholders participate in this process





PORTSMOUTH REGULATORY STRUCTURE





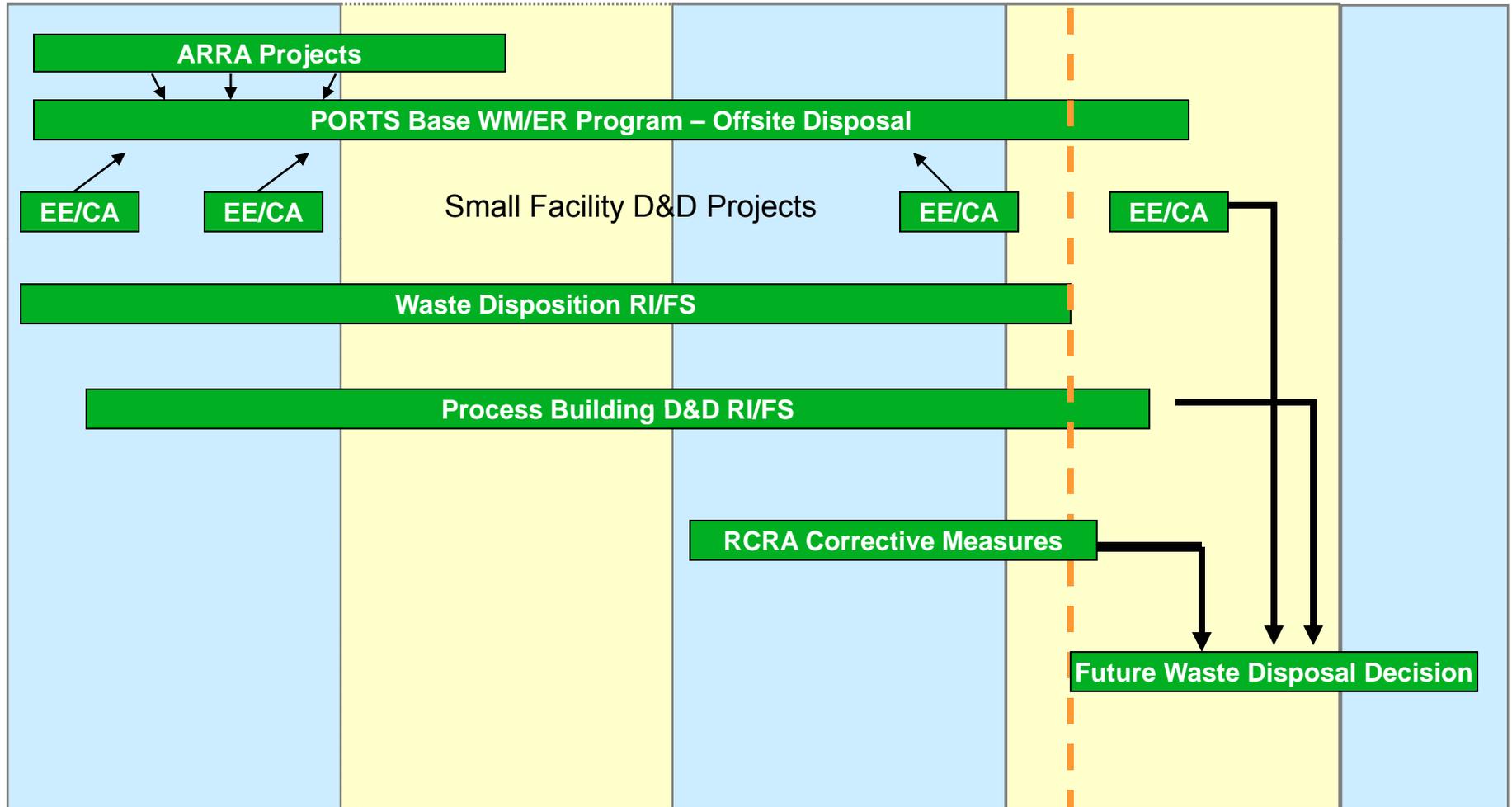
What Decisions Must be Made at the Portsmouth Site?

- The Uranium enrichment facilities at Portsmouth are currently scheduled for decontamination and demolition (D&D)
- These facilities contain contaminated materials (chemical and radiological) based on process knowledge and characterization sampling
- Decisions must be made pertaining to:
 - (1) Whether or not to demolish the buildings, and
 - (2) If demolished, how to dispose of the waste
- DOE plans to follow the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) based on past experience for similar actions at other DOE sites





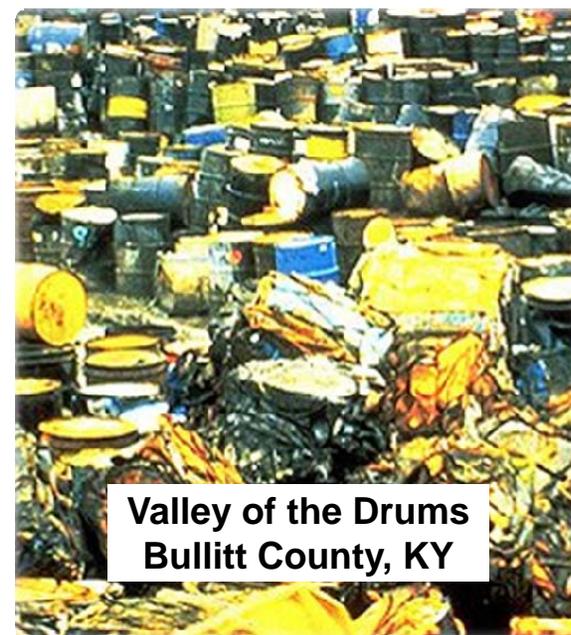
PORTS CERCLA Approach





What is CERCLA?

- **C**omprehensive **E**nvironmental **R**esponse, **C**ompensation, & **L**iability **A**ct (CERCLA):
 - 1980 federal law enacted in response to legacy environmental problems (e.g. Love Canal, NY; Times Beach, MO; Valley of the Drums, KY);
 - Federal authority to deal with threats to human health and the environment from hazardous substances or waste sites; and
 - CERCLA was designed to clean up hazardous waste sites not covered by other Federal regulations:
 - 1972 Clean Water Act (CWA)
 - 1976 Resource Conservation and Recovery Act (RCRA)



Valley of the Drums
Bullitt County, KY

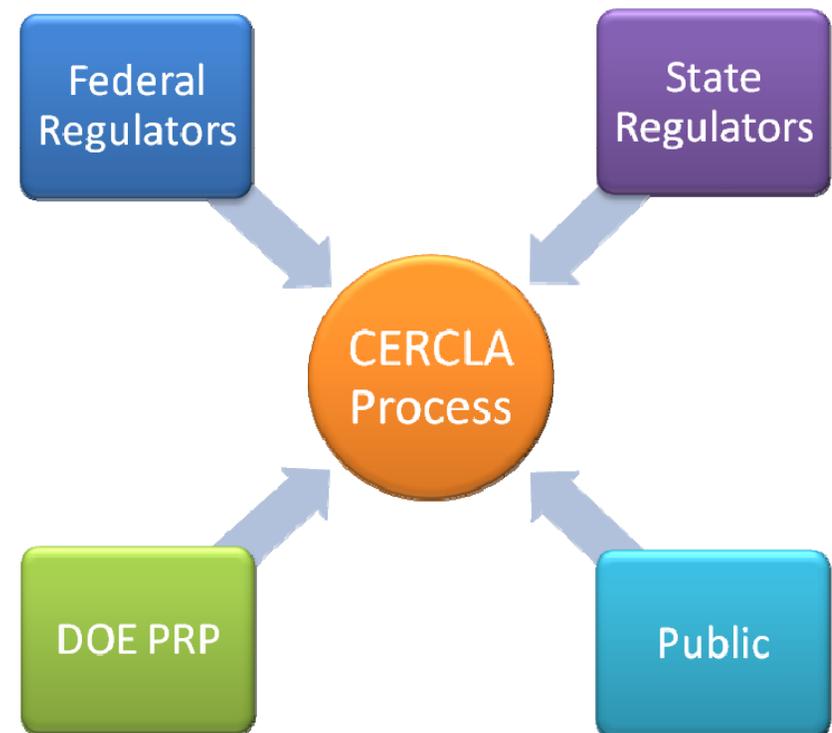
The National Oils & Hazardous Substance Pollution Contingency Plan (NCP) **is the regulation that implements CERCLA**



What is CERCLA?

- CERCLA was amended in 1986 by the Superfund Amendments and Reauthorization Act (SARA) that strengthened and expanded the regulations:
 - Increased importance of permanent remedies and the use of treatment technologies
 - Incorporated other State and Federal regulations
 - Increased State involvement in the process
 - Increased focus on human health
 - Encouraged greater citizen participation in decision making

Stakeholder Participation





Who is Responsible for CERCLA?

- DOE, as the facility owner-operator, is responsible for implementing CERCLA
- Ohio Environmental Protection Agency (OEPA) is the lead regulatory agency for CERCLA
- U.S. Environmental Protection Agency (USEPA), Region V, supports OEPA in administering CERCLA regulatory oversight
- DOE employs contractors to implement CERCLA work at the Portsmouth Site
 - LATA/Parallax
 - RSI
 - Other contractors yet to be selected





Where is the CERCLA Process Being Implemented at Portsmouth?

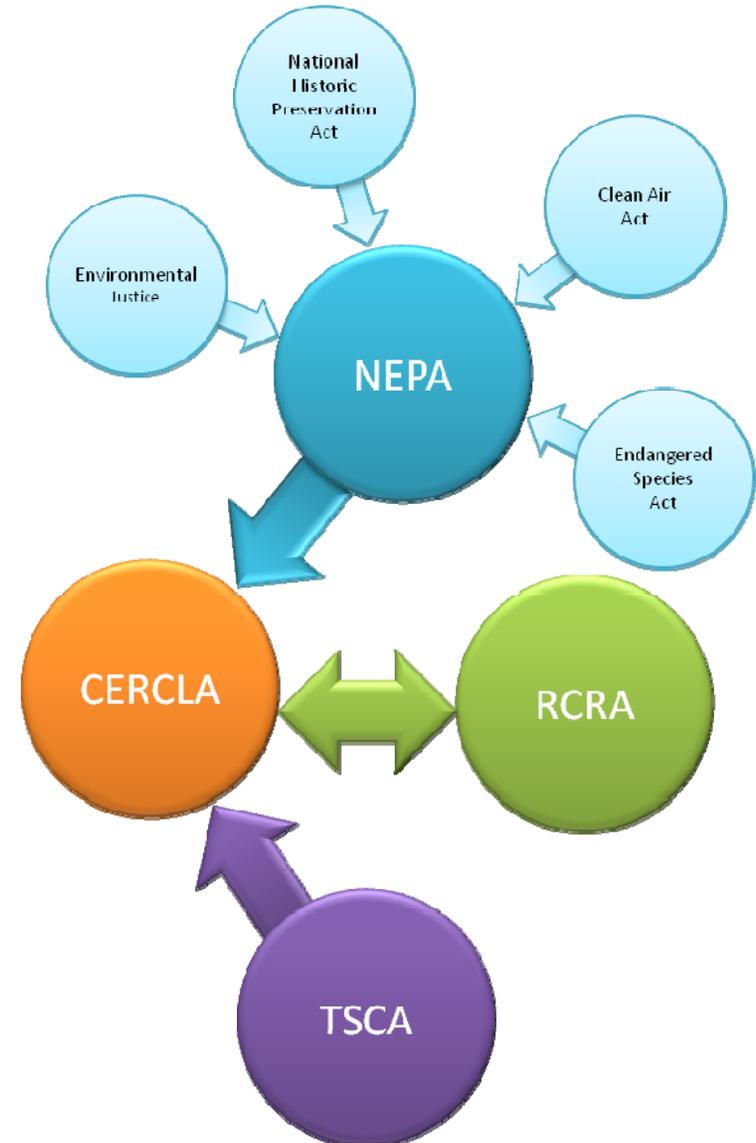
- The CERCLA process will be used to make decision on:
 - (1) decontamination and demolition of facilities
 - (2) disposition of demolition wastes from the uranium processing facilities at Portsmouth
- Environmental “Earth” Media (Soil, Sediment and Groundwater) at Portsmouth are being addressed under RCRA
- CERCLA and RCRA are roughly parallel processes with **a common goal to protect human health and the environment** from the release of hazardous substances





Why is CERCLA Process being Implemented at Portsmouth?

- The CERCLA process must integrate other environmental regulations:
 - National Environmental Policy Act (NEPA)
 - National Historic Preservation Act
 - Endangered Species Act
 - RCRA
 - Regulations for waste generation, storage and disposal
 - Toxic Substances Control Act (TSCA)
 - PCBs
 - Asbestos

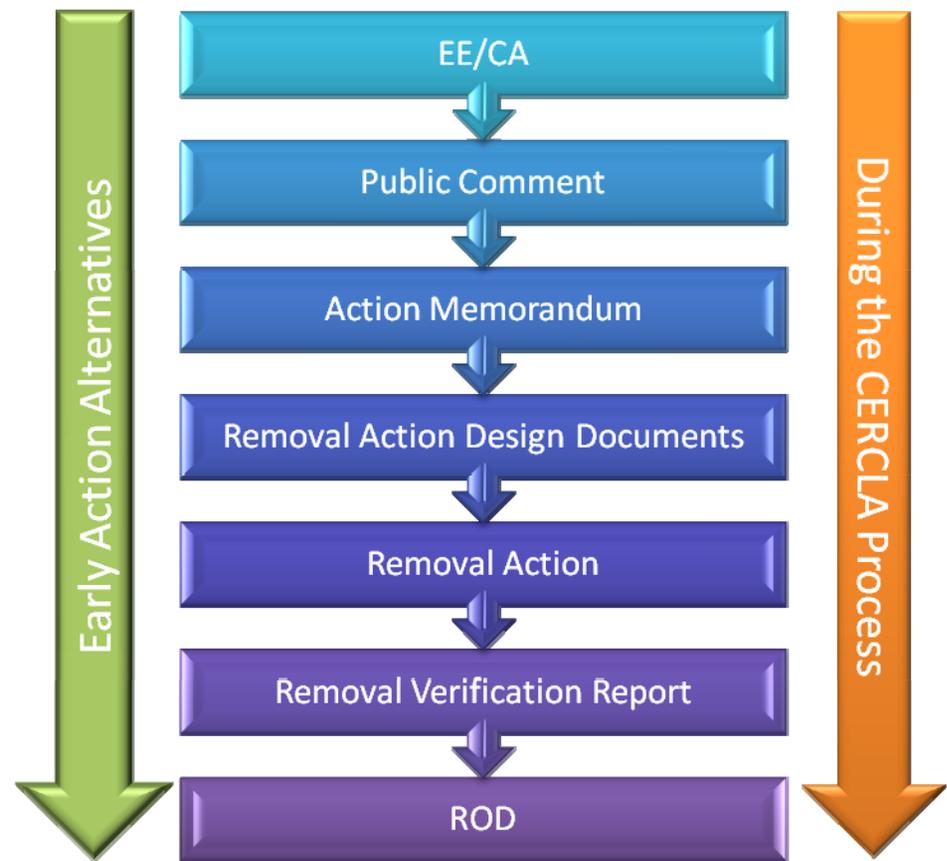




What is DOE doing to Expedite the Cleanup of the Portsmouth Site?

- Non-time critical removal actions can be initiated early (prior to a ROD) in the CERCLA process
 - An Engineering Evaluation/Cost Analysis (EE/CA) is performed to evaluate the appropriateness of the proposed early action alternatives
- Proposed early action alternatives are put before the public for comment in an EE/CA that is followed by an Action Memorandum decision document that:
 - Determines the needs for the action,
 - Authorizes the action,
 - Identifies the action and clean up goals, and
 - Explains the rationale for the authorizes the early response action

Early Action Removal/Remedy Process

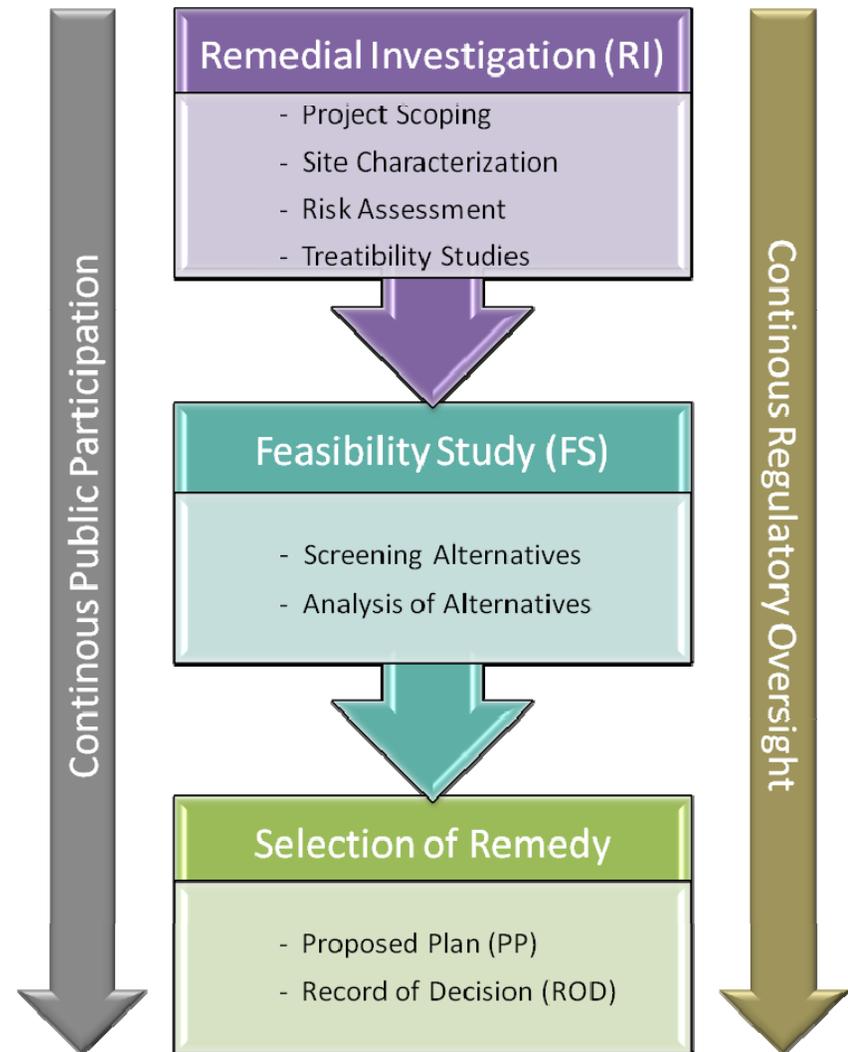




Where is Portsmouth Currently in the CERCLA Process?

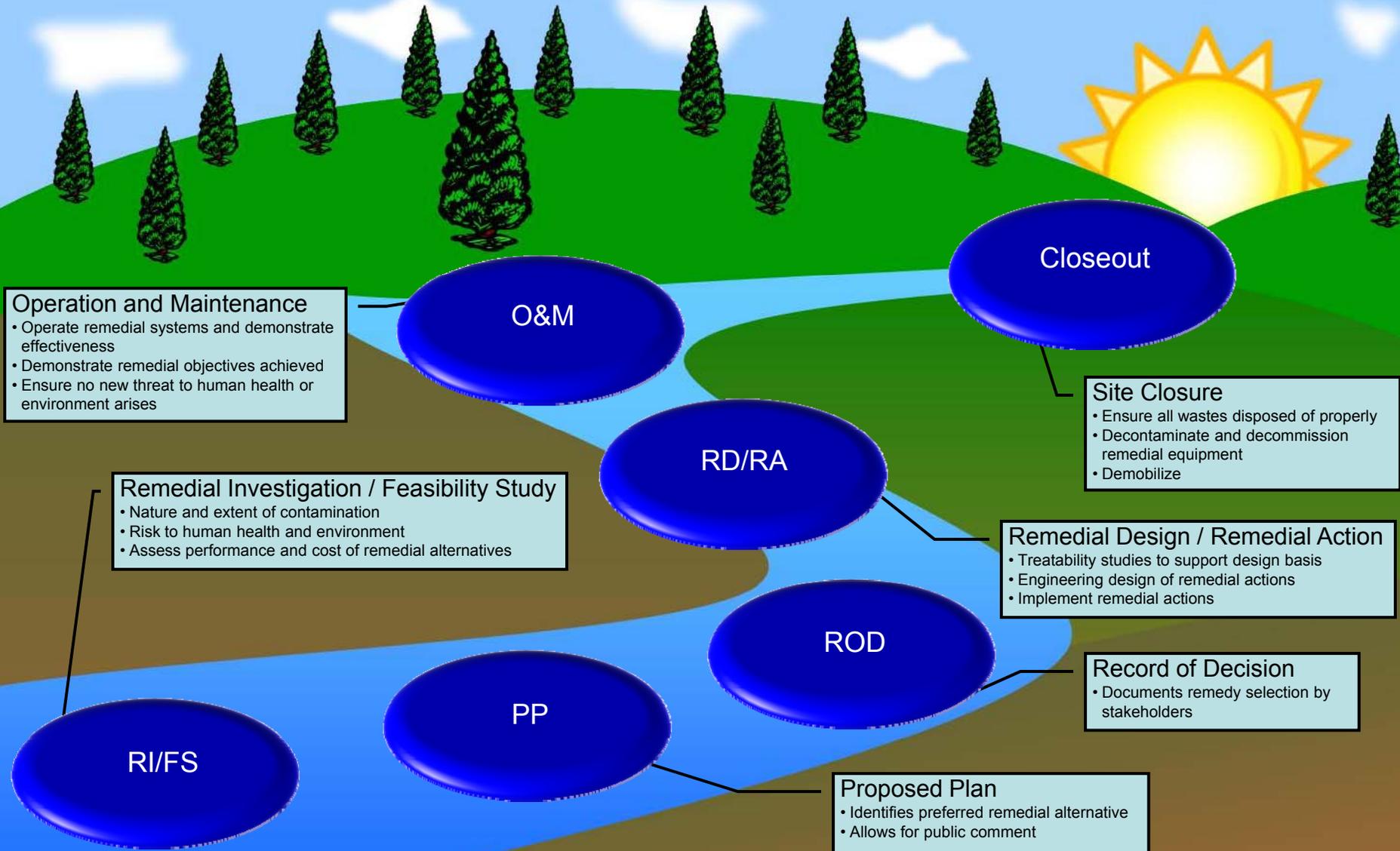
- DOE is currently planning the RI/FS process to make an integrated waste disposition decision:
 - (1) Determine the nature and extent of hazardous substances present;
 - (2) Assess risks to human health and the environment; and
 - (3) Evaluate alternative remedies for the disposition of the materials and contaminated wastes generated from D&D activities
- The results of the RI/FS will lead to the selection of a preferred remedy for D&D and waste disposition that will be presented to the public in a Proposed Plan
- A Record of Decision (ROD) will then be issued documenting the selected remedy

CERCLA Decision Process





CERCLA Process



What the Law Requires in Making Cleanup Decisions

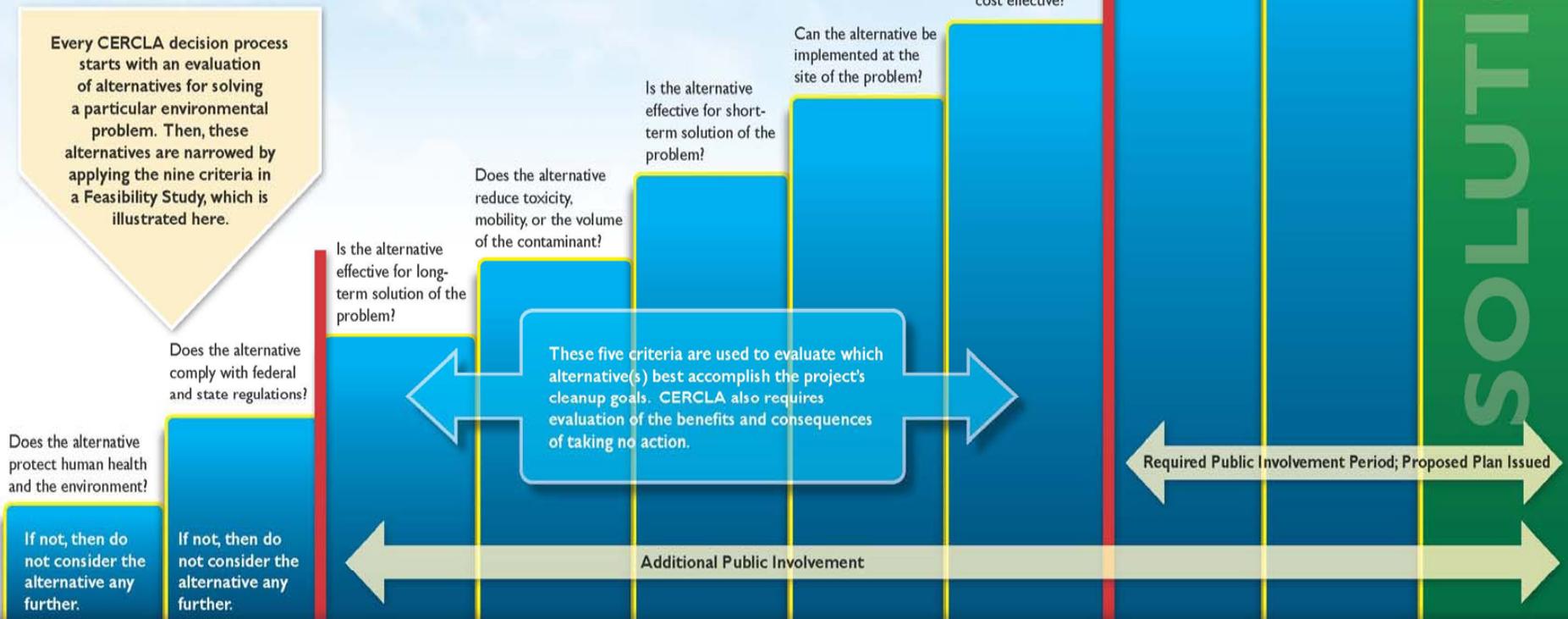
Before making cleanup decisions,

DOE must evaluate potential cleanup technologies against criteria spelled out in a federal law called CERCLA. There are nine criteria to be considered, which are divided into three categories.

Threshold Criteria determine if the possible solution to an environmental problem protects people and the environment and meets federal and state regulations. **Balancing Criteria** are used to determine which of the criteria meeting the Threshold Criteria will work the best. **Modifying Criteria** are used to determine if the recommended solution is acceptable to Ohio and the local community.

Select and implement the best solution.

Every CERCLA decision process starts with an evaluation of alternatives for solving a particular environmental problem. Then, these alternatives are narrowed by applying the nine criteria in a Feasibility Study, which is illustrated here.



Threshold Criteria

Balancing Criteria

Modifying Criteria



How Does the Community Participate?

- Provisions for public participation as a “stakeholder” are embedded in the CERCLA process and required for ALL Records of Decisions (RODs)
- DOE Paducah/Portsmouth Project Office (PPPO) has provisions for public outreach:
 - Community Relations Plan (CRP)
 - Site-Specific Advisory Board (SSAB)
 - Public Meetings
 - Administrative Record
 - Document repositories
 - Web accessibility
(<http://www.pppo.energy.gov/doe>)

The screenshot shows the website for the Portsmouth/Paducah Project Office. The header includes the U.S. Department of Energy logo and navigation links for 'ABOUT DOE', 'ORGANIZATION', 'NEWS', and 'CONTACT US'. The main content area is titled 'Public Participation & Involvement Policies' and features a quote: "Public participation provides a means for the U.S. Department of Energy (DOE) to gather a diverse collection of opinions, perspectives, and values from the broadest spectrum of the public, enabling the Department to make more informed decisions. Public participation benefits stakeholders by creating an opportunity to provide input on decisions that affect their communities and our nation." Below the quote is a photo of a person at a public meeting and a link to 'DOE's Public Participation and Community Relations Policy'. The page also lists 'Upcoming Meetings' for September 3, 2009 (Portsmouth Site Specific Advisory Board meeting) and September 17, 2009 (Paducah Citizens Advisory Board, Monthly Meeting). Contact information for the Portsmouth/Paducah Project Office is provided: 1017 Majestic Drive, Suite 200, Lexington, KY 40513, Phone: (859) 219-4000, Fax: (859) 219-4098, and helpdesk@emcb.doe.gov. The footer includes 'Doing Business with DOE', 'Competitive Sourcing', 'DOE Directives', 'Small Business', and various logos like 'The White House', 'FIRSTGov', 'E-GOV', 'INFORMATION QUALITY', and 'FOIA'.



What is DOE Doing to Expedite the Cleanup of the Portsmouth Site?

- DOE is conducting early removal actions in the form of D&D of support facilities
 - Cooling towers
 - Electrical switch yard
 - Small buildings
- These D&D activities are being evaluated under CERCLA as EE/CAs
- The PORTS site has received increased cleanup funding from ARRA (Stimulus) and DOE operational budgets
- It is important that DOE demonstrate the ability to utilize the funding and show progress at the PORTS site
- These early removal actions are being conducted with the RI/FS studies in mind

DOE Portsmouth Site EE/CA's

X-533 Switchyard Complex

X-633 Cooling Tower Complex

X-746 Material R&I Building

X-760 Chemical Engineering
Building



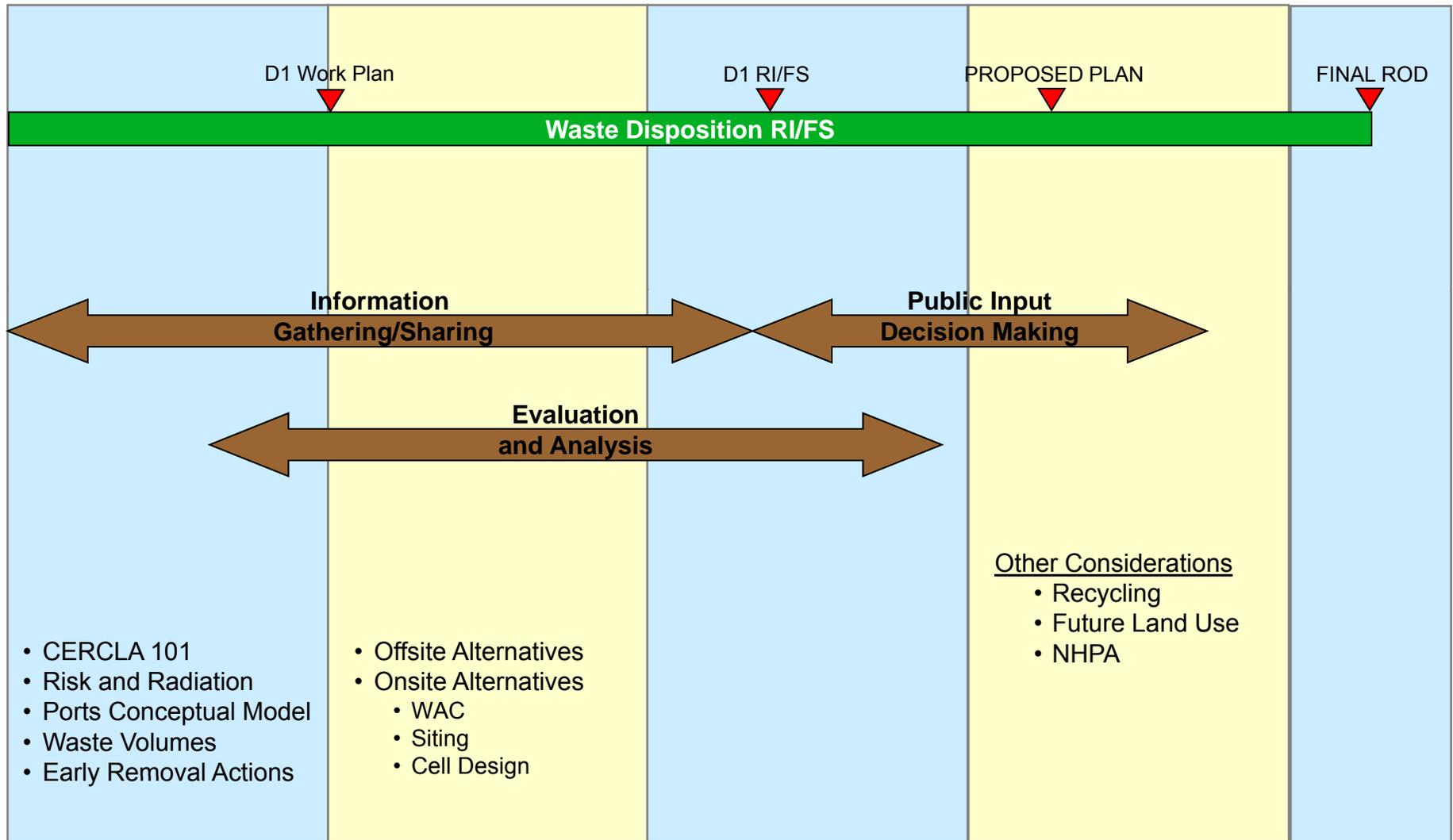
Where has DOE done this before?

- DOE has vast experience in using the CERCLA process to make both D&D and Waste Disposition Decisions





CERCLA Public Participation





REFERENCES

- U.S. Environmental Protection Agency (USEPA) - CERCLA/Superfund Orientation Manual EPA/542/R-92/005, October 1992
- U.S. Department of Energy (DOE) Office of Nuclear safety and Environmental Assistance (HS-22) - CERCLA Remedial Action Site Closure Guidance (Draft)
- USEPA - Superfund Removal Guidance for Preparing Action Memoranda, September 2009
- DOE PPPO Website <http://www.pppo.energy.gov/doe>



U.S. DEPARTMENT OF
ENERGY

A photograph of an electrical substation under construction or maintenance. Several large yellow and white excavators are positioned around the site, which is filled with tall metal power line towers and complex electrical equipment. The scene is overcast.

DDFO Presentation Portsmouth EM Site-Specific Advisory Board March 4, 2010

Joel Bradburne
Deputy Designated Federal Official



EM *Environmental Management*

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www.em.doe.gov

Agenda

- American Recovery and Reinvestment Act (ARRA) Projects Update
- Other EM Base Program Activities
- Waste Disposition
- Procurement Status
- Forthcoming SSAB Discussions
- Upcoming Events



ARRA Projects Update



- Significant progress on ARRA work:
 - Asbestos abatement activities more than 75% complete on X-633 cooling towers.
 - X-533 Switchyard Engineering Evaluation/Cost Analysis (EE/CA) public comment period ended December 4, 2009; D&D of switchyard towers began on February 11, 2010.
 - Night shift added to X-701B groundwater source removal project in December 2009. Project mixes sodium persulfate oxidant directly into 42,000 sq ft source area of TCE contaminated soils to 30 ft. depth. Initial test cells completed February 9, 2010.
 - Repackaging/disposition of ~1260 metric tons of surplus uranium underway. 5 of 15 lots shipped to Nevada Test Site to date.
 - X-760 Chemical Engineering Building EE/CA in public comment thru March 16, 2010.

5 Projects Totaling \$118 Million in Funding



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X-533 Switchyard Demolition



This series of photos shows the first cuts made by operators to the switchyard on February 11, 2010.



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X-533 Switchyard Demolition



- 18-acre Electrical Switchyard
 - Commenced field work on October 16, 2009
 - D&D of towers began on February 11, 2010
 - Completion planned for January 2011*
- * Contractor working to complete project ahead of schedule



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X-701B Groundwater TCE Source Removal



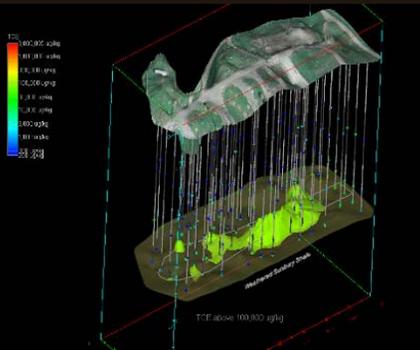
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X-701B Groundwater TCE Source Removal

Trichloroethene (TCE)
Concentrations > 100 PPM



- Project mixes sodium persulfate oxidant directly into 42,000 ft² source area of TCE contaminated soils
- Oxidant chemically breaks down contamination; application to depth of 30 ft
- Initial test cells completed February 9, 2010
- Overall project completion by September 2011*
 - * Contractor working to complete project ahead of schedule



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X-633 Cooling Tower Complex D&D



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X-633 Cooling Tower Complex D&D



- 21-acre Cooling Tower Complex D&D underway
- Asbestos paneling removal 75% complete
- Project completion scheduled for January 2011*

* Contractor working to complete project ahead of schedule



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Disposition of Surplus Uranium Materials



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Disposition of Surplus Uranium Materials



- Repackaging/disposition of surplus uranium material (~1260 metric tons)
- 5 of 15 lots shipped to Nevada Test Site to date
- Project completion scheduled for September 2010*

* Contractor working to complete project ahead of schedule



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X-760 Chemical Engineering Building D&D



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X-760 Chemical Engineering Building D&D



- X-760 EE/CA regulatory documentation in public review thru March 16, 2010
 - Initial removal of loose equipment underway
 - Proposed D&D of X-760 Building scheduled for completion in October 2010*
- * Contractor working to complete project ahead of schedule



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Other EM Base Program Activities

- 20,000 ft² Shipping and Receiving Building demolished late 2009 and debris disposed – 17th inactive facility removed in 3 years



- Total of 4,400 cubic meters of low-level and mixed low-level waste shipped in FY 2009 – 30% more than projected
- 2,100 cubic meters of waste shipped for disposal in first two months of 2010
- Project to ship 325 large classified items of equipment for disposal at Nevada Test Site is over 60% complete and on schedule for late April finish



EM Environmental Management

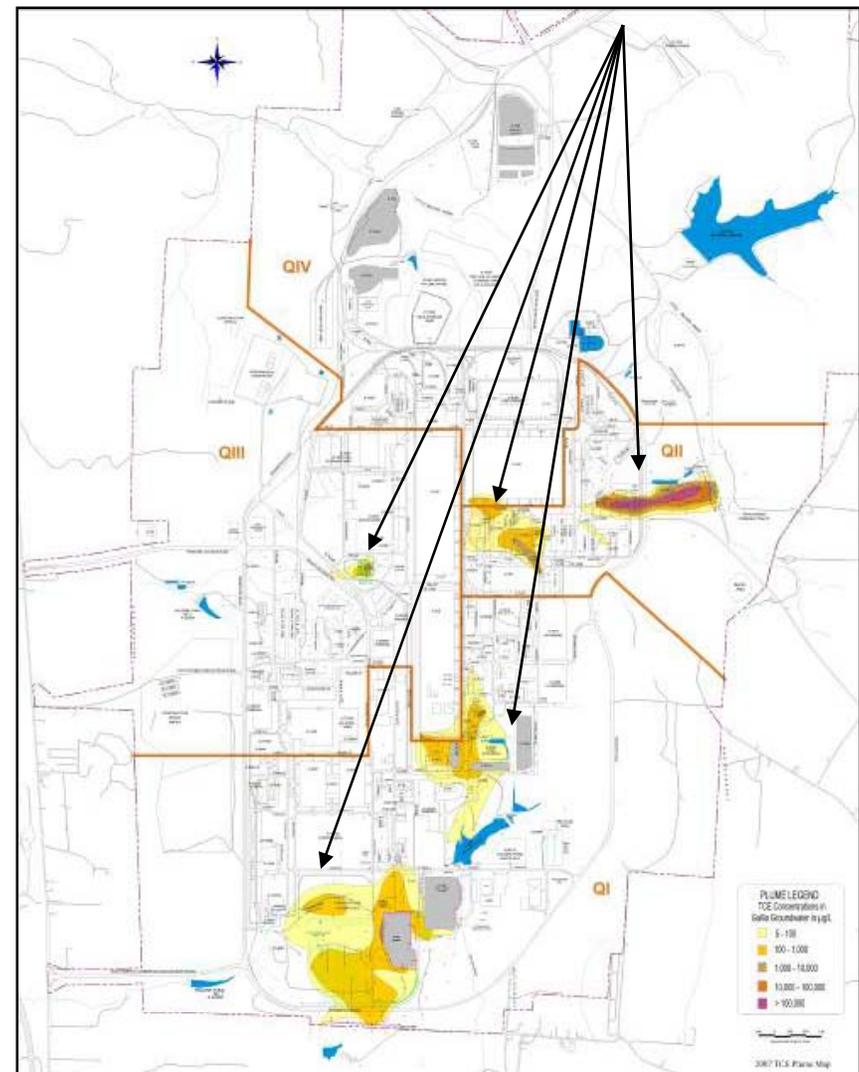
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Other EM Base Program Activities

- Continued monitoring and treatment of groundwater from five plume areas
- In FY 2009, 30.8 million gallons of groundwater were treated through four treatment facilities, removing 53 gallons of trichloroethene (TCE)

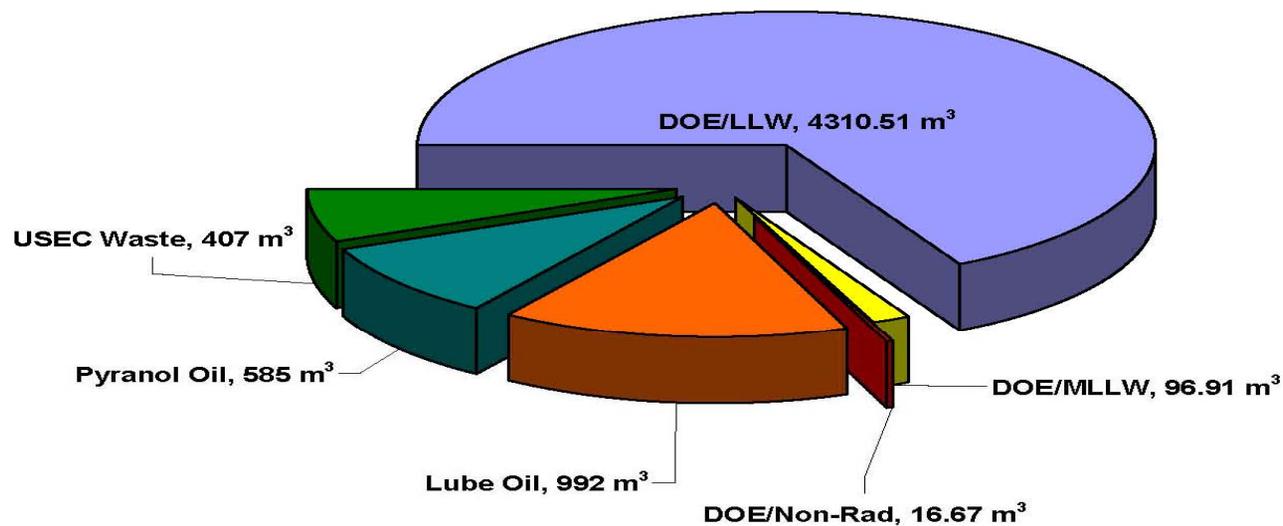
Note: TCE is an industrial solvent that was formerly used to degrease metal equipment

5 Groundwater Plume Areas



FY 2009 Waste Disposition

FY 2009 Portsmouth Waste Shipped in Cubic Meters (m³)
6408.09 m³ Total



Procurement Status

- On December 22, 2009, DOE awarded the Portsmouth Facility Support Services (FSS) Contract to Wastren-EnergX Mission Support (WEMS) of Piketon, Ohio.
 - 5 year, cost-plus award fee
 - Estimated value of \$52M
 - Facility Support Services include: roads and grounds maintenance, janitorial services, computer services, security, records management, etc.
- Bidders for the Portsmouth Gaseous Diffusion Plant D&D contract submitted proposals by November 13, 2009. The proposals are being reviewed. The D&D contract is scheduled to be awarded in first quarter of FY 2011.



Forthcoming SSAB Discussions

- Waste disposition, specifically focusing on the upcoming waste disposition options under the Remedial Investigation/Feasibility Study (RI/FS) for the D&D of the gaseous diffusion plant
- Potential for asset recovery of D&D materials
- Future Land Use study



Upcoming Events

- Next SSAB subcommittee meetings are Tuesday evening, March 9, 2010 (FLU), and Tuesday evening, March 23, 2010 (D&D)
- X-760 Chemical Engineering Building Engineering Evaluation/Cost Analysis (EE/CA) public comment period ends March 16, 2010; document available online for review at: www.pppo.energy.gov
- Next public update meeting being scheduled for late April 2010
- Next SSAB Board Meeting – May 6, 2010



Funding for Portsmouth Cleanup

Note: Funding in Thousands of Dollars	FY2008 Actual Appropriations	FY2009 Actual Appropriations	FY2010 Appropriations	FY2011 Congressional Request
Portsmouth Gaseous Diffusion Plant	\$224,260	\$240,715	\$301.5 M	\$479.0 M
American Recovery & Reinvestment Act		FY2009/11 - Total: \$118,200		



FY 2011 Funding Breakout

•Portsmouth Site Environmental Management Program

•Project Scope	•FY 2010 Appropriations	•FY 2011 Budget Request
•Uranium Programs	•\$8.4M	•\$0.0M
•DUF6 Operations	•\$43.9M	•\$47M
• Waste Stabilization & Disposition	•\$14.8M	•\$41.1M
• Safeguards and Security	•\$17.3M	•\$15.9M
•Environmental Remediation/Cold Storage	•\$215.9M	•\$373.5M
•Litigation/Employee Retirement	•\$0.61M	•\$0.77M
•Life/Medical	•\$0.63M	•\$0.72M
•Community/Regulatory Support	•\$0.63M	•\$0.72M
•Appropriated Totals	• \$301.5M*	•\$479.0M

•* Does not include non-appropriated funds under uranium transfer



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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, 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 Croswait 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 will be the one binder the Board uses throughout the 2010 year and the EHI staff will give the Board 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: Meeting Ground Rules; under Administrative Issues open the floor for public discussion before the vote on the recommendation; and for the Board to review 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.

- *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

<i>Question/Comment:</i>	<i>Answer:</i>
<i>Francis</i> asked what is done with the soil from the X-701B site once it is mixed.	<i>Bradburne</i> 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.
<i>Charle</i> 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?	<i>Bradburne</i> stated this was a new approach and our 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 for the use of the plume site.

	<i>Galanti</i> 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.
<i>Bandy</i> asked what the cap means.	<i>Galanti</i> 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 encountering contaminants.
<i>Charle</i> stated there has always been a lot of concern voiced about the plume. Does the action taken now with the plume remove that concern?	<i>Galanti</i> stated that it should reduce it significantly. Ohio EPA's goal is to reduce the levels of contamination.
<i>Francis</i> asked if the success for the plume is the fact that TCE is not in groundwater but only in the earth (the shale).	<i>Galanti</i> stated that TCE is a DNAPL (dense nonaqueous phase liquids) that sinks and gets in the weathered shale. No matter what technology Ohio EPA applied, we could not release it from that shale. With this technology, we have been able to expose the shale and apply oxidant to treat the TCE.
<i>Snyder</i> asked if the cleanup standard is 5 parts per billion.	<i>Galanti</i> stated yes and that Ohio EPA's objective for groundwater on site is the residential potable groundwater standard.
<i>Brushart</i> asked what the difference is between industrial and nuclear cleanup standards.	<i>Roberts</i> stated there would be a presentation in the future that will explain the difference of 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 in 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

Question/Comment:	Answer:
<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.	<i>Ironside</i> stated that the CERCLA process is in the early stages. The steps the Board has been doing were leading to this point. The actual awarding of the contract has only happened in the last 7 months.

<p><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.</p>	<p><i>Ironside</i> stated that the CERCLA process is only being used to make decisions with the historical part of the gaseous diffusion plant; but DOE has rules in place that protect people from total exposure. The total dose is taken into consideration and it is not just dose from the portion that is being cleaned up but a total dose from the entire facility.</p>
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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 Tuesday, March 23 at 4:30 p.m. This meeting will be open to the public and considered a workshop with a presentation from Bill Murphie.

Liaison Comments:

Ohio Environmental Protection Agency (Ohio EPA):

Galanti stated that comments have been sent out on the X-633, X-533, and on the sampling plan. She would also like to encourage everyone to read the X-760 EE/CA and provide comments Ohio EPA's comments 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 code of conduct 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 code of conduct. 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 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.

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

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 this Board because the members do not represent the victims.

Roberts stated to pass 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 to reindustrialization.

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.

Question/Comment:	Answer:
Minter 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 leadership such as Senator Brown’s staff.	
Manson stated to specify that the Board worked together as partners with our congressional representatives to get the funding.	
Smith asked if the Board is getting funding for tours.	Roberts 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 state her concerns of 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 is a native of Scioto County and resides in Ross County. He would like to ask the Board to think about how the most amounts of jobs can be made. 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:

Brushart stated a lot 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.

Roberts asked for any further comments from the Board.

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

- **Motion carried, Meeting adjourned**

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