

November 17, 2022

#### Chair Don Barger

Vice-Chair Fran Johnson

#### **Board Members**

Myron Wessell

Jennifer Woodard

**Board Liaisons** 

Brian Begley Division of Waste

Management Victor Weeks

Mike Hardin

Stephanie Brock Radiation Control Branch

DOE Federal Coordinator

Riley Willett Elizabeth Wilson

DOE DDFO

Buz Smith

Phillip Brown Eric Butterbaugh Victoria Caldwell Hannah Chretien William Robert Clark Clint Combs Bill Murphy Blake Summarell

**Liaison Comments** 

#### **Administrative Issues**

2022 Fall Chairs Meeting Update **Election of Officers** FY23 Work Plan Vote Operating Procedures-2<sup>nd</sup> Reading and Vote Recommendations

- 23-1-CAB suggestions to increase views Virtual Museum
- 23-2-CAB suggestions to increase views EM 101-Paducah video
- 23-3-CAB suggestions to increase views Building on a Legacy
- 23-4-CAB suggestions for Worker Recruitment and Retention

#### **Presentations**

**CERCLA** Process

#### **Public Comments**

**Final Comments** 

#### Adjourn

Support Services EHI Consultants, Inc. Emerging Technology Center 5100 Alben Barkley Dr. Paducah, KY 42001 Phone 270.554.3004 www.energy.gov/pppo/pgdp-cab info@pgdpcab.org

Environmental Protection Agency

Fish and Wildlife Resources

### November 2022 Citizens Advisory Board Meeting Agenda

#### 5:30 pm

Call to order, introductions Review of agenda

#### **DOE Comments**

#### **Federal Coordinator Comments**

### PORTSMOUTH PADUCAH PROJECT OFFICE (PPPO)





Paducah Gaseous Diffusion Plant Citizens Advisory Board ANNUAL WORKPLAN Fiscal Year 2023

#### INTRODUCTION

The Paducah Gaseous Diffusion Plant (PGDP) Citizens Advisory Board (CAB) is a Federal Advisory Committee Act board, chartered to provide advice to the U. S. Department of Energy (DOE) Office of Environmental Management (EM) located at the Paducah site. The Portsmouth/Paducah Project Office (PPPO) manages the Environmental Management activities at Paducah.

The CAB is comprised of up to 15 individuals from the Western Kentucky and Southern Illinois areas. The members, who can serve up to three consecutive two-year terms, represent business, academia, labor, local government, environmentalist, special interest groups, and the general public. In addition to DOE, the Environmental Protection Agency Region IV, the Kentucky Department of Waste Management, the Kentucky Cabinet for Health Services, and the West Kentucky Wildlife Management Area are represented on the board in an advisory capacity.

The scope of the CAB is to provide advice and recommendations concerning the following EM site-specific issues: clean-up standards and environmental restoration; waste management and disposition; stabilization and disposition of non-stockpile nuclear materials; excess facilities; future land use and long term stewardship; risk assessment and management; and clean-up science and technology activities. The Board may also be asked to provide advice and recommendations on any other EM projects or issues.

The board meets monthly to hear presentations by persons working on relevant environmental management topics. Additionally, the board meets to consider recommendations developed by the PGDP CAB, to listen to and discuss input from citizens, and to perform other business. The board strives for consensus in reaching decisions and conducts business under a set of bylaws, standing rules, and special rules of order.

The Paducah CAB generally works to achieve its mission through its subcommittee structure, and each year the board holds a planning meeting to determine how best to address its mission. An active educational series operating in an administrative and preparatory manner to prepare board members and future subcommittees for the task of advising DOE. The educational series has been developed based on future project priorities, as selected by the CAB members, with guidance from DOE.

This work plan addresses the CAB's educational priorities for fiscal year (FY) 2023 and the anticipated topics. While the board intends to structure its activities to focus on the priority subjects, it is understood that other topics may present themselves that could result in deviation from the work plan and the development of *ad hoc* subcommittees.

#### CAB Executive Subcommittee

The board's executive subcommittee is typically comprised of the current board chair and vice chair; and chairs of active subcommittees established at the annual retreat. Under the current CAB structure, the 2023 Executive Committee will be comprised of the board chair, vice chair, the past vice chair, and 3 "delegate" board members as elected by the CAB. The executive subcommittee meets regularly to direct administrative actions of the CAB, as well as to maintain the focus and direction of the board and any *ad hoc* subcommittees.

#### **CAB Meetings**

CAB meetings are intended to communicate the business of the CAB and to discuss and vote on recommendations to be submitted to DOE. In addition, DOE and liaison comments will be made in the form of a presentation intended to brief CAB members of recent developments and provide site highlights and accomplishments. DOE plans to have administrative CAB meetings on the following dates:

- August 18, 2022
- November 17, 2022
- January 19, 2023
- March 16, 2023
- May 18, 2023
- August 17, 2023

Paducah CAB 2022 – 2023 Meeting <mark>Sc</mark> hedule			
Month	Meeting Topic		
August 2022	Paducah Site Virtual Museum; Paducah DOE Site African American Oral		
<b>Board Meeting</b>	History Video; and EM 101: Paducah Site		
October 2022	C-211A Treatment Zone Injection Field Activities Update		
November 2022 Board Meeting	CERCLA Process		
December 2022	Contractor Community Commitment Plans		
January 2023 <mark>Board Meeting</mark>	C-400 RI/FS		
February 2023	Infrastrcture Project Discussion		
March 2023 Board Meeting	Waste Management Presentation/Budget Update/IPL		
April 2023	FRNP Performance Incentive Mechanisms		
May 2023 Board Meeting	C-333 Material Sizing Area/Deactivation Update		
June 2023	Non-Destructive Assay Methods		
July 2023	DUF6 Update		
August 2023 Board Meeting	Board Planning Session		
September 2023	Election of Officers & Ratifying Work Plan		

### Paducah CAB 2022 – 2023 Workplan Topics and Deadlines for DOE Recommendations

	Work Plan Item:	Paducah Site Virtual Museum; Paducah DOE Site African American
		Oral History Video; and EM 101: Paducah Site
	Briefing Provided:	August 2022
	Recommendation/Deadline:	November 2022
August 2022	Description: If the local COVID-	Background:
	19 levels are in a red status,	The focus of the meeting will be to view and discuss a series of videos
	DOE, board members and	and web pages highlighting work at the site: Paducah Site Virtual
	support staff will meet in-person	Museum; Paducah DOE Site African American Oral History Video; and
	with regulators, liaisons and	EM 101: Paducah Site.
	support contractors	
	participating virtually.	CAB Scope:
		The CAB will be asked to provide insight and recommendations on
		how to best utilize these outreach tools and mazimize their impact to
		the community and DOE.

	Work Plan Item:	C-400 RI/FS
	Briefing Provided:	January 2023
	<b>Recommendation Deadline:</b>	March 2023
	Description: If the local COVID-	Background:
2023	19 levels are in a red status,	With a Remedial Investigation/Feasibility Study (RI/FS) submitted to
January 20	DOE, board members and	the regulators, the CAB will be provided with a presentation on the
	support staff will meet in-person	summarized RI data and the potential remedy options in the FS.
	with regulators, liaisons and	
	support contractors	CAB Scope:
	participating virtually.	The CAB will be asked to provide a recommendation on all treatment
		options for the C-400 Complex that best aligns with community
		values.

March 2023	Work Plan Item:	Waste Management Presentation/Budget Update/IPL
	Briefing Provided:	March 2023
	<b>Recommendation Deadline:</b>	May 2023
	Description: If the local COVID- 19 levels are in a red status, DOE, board members and support staff will meet in- person with regulators, liaisons and support contractors participating virtually.	Background:DOE submits its budget justification during the month of March. DOEwill provide an update on the FY 2024 budget and Integrated PriorityListing for the Paducah site.CAB Scope:The CAB will be asked to provide a budget prioritizationrecommendation that helps align funding projections with DOEcleanup needs and community interests.

### Paducah Gaseous Diffusion Plant Citizens Advisory Board

### **Operating Procedures**



Date of First Reading: 8/18/2022

Date of Second Reading: 11/17/2022

Adopted: 11/17/2022

signature on file Don Barger CAB Chair signature on file Jennifer Woodard U.S. DOE, DDFO

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#### I. MISSION

The mission of the Environmental Management (EM) Site-Specific Advisory Board (the Board or Citizens Advisory Board [CAB]) at the Paducah Gaseous Diffusion Plant (PGDP) is to provide meaningful opportunities for collaborative dialogue among the appointed Board members, EM, and the U.S. Department of Energy (DOE) Portsmouth Paducah Project Office (PPPO). The Board is chartered under the EM Site-Specific Advisory Board Federal Charter. Serving at the request of the Assistant Secretary or the Deputy Designated Federal Official (DDFO), the Board is tasked to provide advice and recommendations concerning the following EM site-specific issues: clean-up standards and environmental restoration, waste management and disposition, stabilization and disposition of non-stockpile nuclear materials, excess facilities, future land use and long term stewardship, risk assessment and management, and clean-up science and technology activities. The Board may also be asked to provide advice and recommendations on any other EM project or issue. The Board promotes early ongoing dialogue with the community that improves the quality of the decision-making process of EM.

#### **II. FUNCTIONS, SCOPE, AND ACCOUNTABILITY**

- A. Functions: The Board will provide independent advice and recommendations to the Assistant Secretary for Environmental Management or PPPO Field Manager on the following EM site-specific issues: clean-up standards and environmental restoration; waste management and disposition; stabilization and disposition of non-stockpile nuclear materials; excess facilities; future land use and long-term stewardship; risk assessment and management; and clean-up science and technology activities. The Board will provide advice and recommendations on additional topics in response to requests issued by the Assistant Secretary for Environmental Management or the PPPO Field Manager.
- **B.** Scope: The scope of the Board's duties includes:
  - 1. Discuss EM proposals and plans for such matters as EM facility expansions and closings, environmental projects, and the impact of environmental regulations.
  - 2. Advise EM on issues related to clean-up standards and environmental restoration, waste management and disposition, stabilization and disposition of non-stockpile nuclear materials, excess facilities, future land use and long-term stewardship, risk assessment and management, and clean-up science and technology activities.
- **C. Accountability:** The Board interacts with the appropriate EM decision makers and CAB Liaisons to provide advice on matters it is charged with, on behalf of the citizens surrounding the PGDP.
  - 1. The CAB is part of the Environmental Management Site-Specific Advisory Board, which is chartered pursuant to the Federal Advisory Committee Act. The Board is thereby subject to the requirements of the Environmental Management Site Specific Advisory Board Charter, Membership Balance Plan, the Federal Advisory Committee Act (FACA), as amended (5 USC Appendix 2), and its implementing regulations (41 CFR 102-3, et seq.).

- 2. The CAB seeks a free and open two-way exchange of information and views between Board members and EM, where all Board members are invited to speak and to listen.
- 3. CAB members may request access to independent technical advice, staff, and training.
- 4. The CAB will conduct business according to these specific operating procedures and undergo requisite training from DOE (any training necessary for participation in CAB activities, including Orientation) so that all members will hear a wide range of views and use constructive methods for resolving conflict, making decisions, and dealing with the differing viewpoints.
- 5. In compliance with FACA, CAB meetings will comply with Federal regulations concerning advisory Subcommittee meeting and recordkeeping procedures (41 CFR 102-3, Subpart D), including but not limited to: CAB meetings must be open to the public, and notice of CAB meetings must published in the Federal Register to provide the required advance notice. In addition, notification of any Subcommittee meetings (including ad hoc) or work groups will be posted on the CAB website (https://www.energy.gov/pppo/pgdp-cab/paducah-citizens-advisory-board) to provide stakeholder awareness. Board meetings will be held at reasonable times in publicly accessible locations to encourage maximum public and Board participation.
- 6. EM will provide the opportunity for interested parties and stakeholders continue to be adequately and equitably represented on the membership of the Board.
- 7. The Board members will send all requests to the DDFO or designee to obtain a prompt response. The DDFO is responsible for tracking DOE responses to requests from the Board and verifying the completeness of those responses.

#### **III. MEMBERSHIP**

- **A. Membership:** The Board is a broadly constituted organization consisting of a diverse group of people representing the interests and concerns of the Paducah area.
  - 1. Pursuant to delegated authority, the Assistant Secretary for EM is authorized to appoint and reappoint EM SSAB members and also to terminate any Board membership. Members serve at the pleasure of the Assistant Secretary and their membership may be terminated at any time during their tenure.
  - 2. Members shall be appointed to bring views associated with residence or employment in the PGDP community and region and may include, but is not limited to, individuals representing the interests of local government; Tribal nations; environmental, civic, and religious groups; labor organizations; ethnic minorities; academia; women's groups; and other interested individuals or organizations in the

PGDP area.

- 3. The Assistant Secretary for Environmental Management or Field Manager may request that other Federal Government employees, elected officers of State, local, and Federal recognized tribal governments (or their designated employees with authority to act on their behalf), and other authorized inter-tribal organizations<sup>1</sup> to serve as non-voting liaisons to the local Board who provide information to the Board and represent their agency's organization's interests at local Board meetings.
- 4. Terms of office for Board members are two years from the date of official appointment by DOE. Members are to serve no more than three two-year terms for a total of six years. Exceptions from term limits can be requested and will be considered on a term-by-term basis if a member represents a specific organization on the board or where a member brings diversity that is important to balance board views. A request for an exception from term limits may be made by the affected Field Office Manager during the membership package process and must be approved by the Assistant Secretary.
- **B.** Vacancies: When a vacancy exists following completion of a Board member's term, resignation, or termination by DOE, Board members and members from the Paducah community at large may nominate someone or themselves to fill the vacancy. Nominees submitted by Board members and members of the Paducah community at large should meet, as far as possible, the Board's existing stakeholder balance, diversity and geographical distribution goals. DOE may consider such nominees, as well as any other potential member candidates, to fill vacancies. The DDFO shall evaluate the nominee submissions and forward his/her recommendations to fill the vacancy to EM for approval. When a vacancy exists due to resignation or termination by DOE of a Board member, the vacancy may be filled by interim appointment for the remainder of the unexpired term.

#### C. DOE and Other Liaisons:

- 1. Liaisons may participate in Board discussions to provide information to the board on matters than are both substantive and procedural.
- 2. Liaisons may not participate in the formation of recommendations when the Board is determining what substantive advice it wishes to give or what procedural direction it chooses to take.

2. Each liaison shall designate its own representatives and alternates, notify the DDFO of such designees, and give timely notice if a replacement is required.

<sup>1</sup> An authorized inter-tribal organization is an organization composed of elected officers of more than one Tribal government (or their designated employees with authority to act on their behalf), which has been officially designated by the elected or duly appointed leader of at least one federally recognized Tribal government to represent that Tribe on a particular issue.

3. The Board may recommend to DOE that a new liaison be requested for excessive absence.

#### **IV. MEMBERSHIP RESPONSIBILITIES**

- 1. To attend meetings regularly; a member who fails to attend three (3) consecutive Board meetings without an absence excused by DOE in one calendar year may be recommended to the DDFO for removal from the Board. In cases of excessive and/or unexcused absenteeism, the DDFO will contact the member in writing fifteen (15) days prior to the next Board meeting to determine the member's circumstances and intention for future meeting attendance. The Board will, based on the information given by the DDFO, determine whether to recommend termination of that member's appointment to EM.
- 2. To review and comment on EM and other documents received by the board according to Federal law and within their purview, and submit timely recommendations to EM;
- 3. To work collaboratively and respectfully with other Board and liaison members;
- 4. To represent accurately all matters before the Board;
- 5. To share any written communication about or for Board activities with the Board as a whole and with the DDFO;
- 6. To be a public representative willing to communicate as needed
- 7. To abide by the terms and conditions of the EM SSAB charter and these Operating Procedures.

#### **V. BOARD STRUCTURE**

- A. Chair and Vice Chair: In alternating years, the Board will elect by a majority vote of a quorum of the full Board the Chair and Vice Chair, who will encourage consideration of a diversity of viewpoints in Board discussions. The Chair will support the Board in a balanced and unbiased manner. All Board members have the opportunity to express their views.
  - 1. The election for Chair and Vice Chair should be held at the CAB meeting closest to September 30<sup>th</sup> of each year. The terms of the Chair and Vice Chair will be two years beginning October 1<sup>st</sup> of each year or immediately after the election, whichever date is sooner.
  - 2. The Chair certifies to the accuracy of all CAB meeting minutes within 45 calendar days of each meeting.

- 3. The Chair signs the certification of a recommendation that has been passed by the Board.
- 4. The Chair shall recommend to the DDFO candidates for positions on Subcommittees and ensure that the membership of the Subcommittees reflect the diversity of the Board to the extent practicable.
- 5. The Chair serves between regular meetings of the Board as the point of contact for DOE.
- 6. The Vice Chair serves as Chair in the absence or incapacity of the Chair.
- 7. The Chair and Vice Chair may have other duties as assigned by the Board consistent with the EM SSAB charter.
- 8. In the absence of the Chair and Vice Chair, the immediate past Chair, if that person still serves on the Board, shall serve as Chair of the board meeting. In the absence of the immediate past Chair, the immediate past Vice Chair, if that person still serves on the Board, shall serve as Chair of the Board meeting. If none of these persons is present, those Board members present shall select a chair for the meeting.
- **B.** Subcommittees: The Board may establish Subcommittees that reflect the Board's approved work plan for that year and promote efficient operations of the Board.
- C. Ad Hoc Subcommittees: The Board may establish ad hoc Subcommittees as it deems necessary.

### D. Structures of Subcommittees and Ad Hoc Subcommittees (collectively referred to as "Subcommittees"):

- 1. Membership on Subcommittees will be on a volunteer basis. Board members are encouraged to serve on at least one Subcommittee.
- 2. Subcommittees may not directly submit recommendations to DOE. They are solely responsible for producing draft proposals or information for the full Board. Before presenting a recommendation to the Board, the Subcommittee shall have passed the recommendation by majority vote of the full Subcommittee.
- 3. Subcommittees may meet independently of the Board. If the meetings of a Subcommittee are open to the public, they must be held in public locations.
- 4. A written summary of all Subcommittee meetings will be prepared, and the chair of the Subcommittee will provide it to the Board.
- 5. Subcommittees may, at their discretion, internally select, elect, appoint, or remove

a Subcommittee Co-Chair or Vice-Chair (either title bearing the same intended meaning) from among only the properly appointed members of the Board. Co-Chairs or Vice-Chairs shall serve and act in the temporary absence of the duly elected Subcommittee chairperson.

- 6. Subcommittee chairs shall notify the Board Chair and the DDFO of the selection, election, appointment, or removal of any Subcommittee Co-Chair or Vice-Chair.
- 7. Any Subcommittee may include non-Board members. Non-Board members shall be allowed to vote in Subcommittee meetings but shall not hold Subcommittee leadership positions. Non-Board members of Subcommittees and ad hoc Subcommittees shall be confirmed by the Board Chair. The DDFO shall concur in all recommendations for participation by non-Board members.
- 8. Ad hoc Subcommittees may be established by the Board for the purpose of investigating special topics. The charge to, Board membership of, and chair of the ad hoc Subcommittees shall be established by the Board or the Executive Subcommittee and approved by the DDFO. The Board, in consultation with the DDFO, shall further establish the term of and reporting requirements of each ad hoc Subcommittee.
- 9. A Board support staff representative will provide meeting support including, but not limited to, securing locations, notifying members, and producing a meeting summary.
- 10. Virtual participation at Subcommittee and ad hoc Subcommittee meetings may be allowed, so long as all members are afforded the same opportunity.
- **E. Executive Subcommittee:** The Board has an Executive Subcommittee consisting of the Board Chair, Vice Chair, the most recent Chair that still sits on the Board, and other Board members as elected by the Board. The Executive Subcommittee will meet at least once every two months and may hold other meetings at the call of the Board Chair or DDFO to consider matters of importance that may require immediate resolution. The DDFO is a non-voting member of the Executive Subcommittee.
  - 1. During the intervals between Board meetings, decisions involving the daily business operations of the Board (e.g., agendas, administrative decisions, coordinating Subcommittee requirements and activities, etc.) shall be made by majority vote of the Executive Subcommittee. However, this Subcommittee shall have no authority to set Board policy or make any recommendations to the DOE.
  - 2. The Executive Subcommittee shall have no authority to act for the Board on any motion or recommendation that affects a decision made by the full Board. Any motion or recommendation affecting a decision of the Board shall be submitted by the Executive Subcommittee to the Board for consideration at the next regularly scheduled Board meeting.

- 3. Actions on routine general administrative matters requiring time-critical action by the Executive Subcommittee may be handled by polling members of the Executive Subcommittee through any quick means of communication. Decisions will be validated by the Board Chair and documented in the minutes of the next regularly scheduled Board meeting.
- **F. Removal of Board Officers:** Upon recommendation by the Executive Subcommittee, the DDFO, or a duly authorized motion tendered by a Board member at a regularly scheduled Board meeting and a two-thirds (2/3) vote of the Board membership, the CAB may recommend to DOE that an officer of the Board (Chair, Vice Chair, or Subcommittee Chair, Vice Chair or Co-Chair) be removed from office for misconduct or neglect of duty.

#### G. Replacement of Officers:

- 1. A Board officer vacancy (Chair or Vice Chair) will be announced at a regularly scheduled Board Meeting.
- 2. An election to fill a vacancy will be held at the next regularly scheduled Board meeting after the meeting at which the vacancy was announced. The person to fill the vacancy must be approved by a majority vote of the full Board. In the event of a vacancy created by removal, resignation, or abandonment by the Chair or Vice Chair, the term of office of any interim replacement election for the Chair or Vice Chair shall expire on September 30<sup>th</sup>, and the regularly scheduled annual election shall be held as provided in Article V, Section A, Number 1.
- 3. If both the Chair and Vice Chair become vacant at or near the same time, then the Board shall, at the meeting at which the vacancy is announced, elect by majority vote of the entire board a Chair and Vice Chair to serve for that Board meeting. To prevent delay in Board work, and in the absence of a timely interim election, the Executive Subcommittee shall appoint an Acting Chair and Vice Chair (if needed) from among the voting members of the Executive Subcommittee, to serve as the Chair or Vice Chair of the Board until the next regularly scheduled Board meeting.

#### VI. DECISION MAKING

- **A. Quorum:** A quorum of the Board consists of more than half of the DOE appointed members of the Board; liaison members do not count towards quorum.
- **B.** Rules of Order: All decisions are made by majority vote of a quorum of the full Board, unless otherwise stated within the operating procedures.

#### C. Requirements for Recommendations to EM:

1. Recommendations shall be approved by majority vote of the full Board.

- 2. When an issue comes before the Board, the Chair may refer the issue to the appropriate Subcommittee or create an ad hoc Subcommittee for that issue. The Subcommittee will provide a report of its activities to the Board as soon as possible given the issue.
- 3. Recommendations to be considered by the Board shall be processed in the following manner:

The Board's work is primarily conducted and accomplished at the Subcommittee level. Meetings are held, information and perspectives are discussed and exchanged, and draft recommendations are prepared and approved for review by the full Board. In the process, the Subcommittee may hear from outside technical experts, DOE staff, environmental groups, academia, representatives from other public agencies, or other stakeholders. Differences in viewpoints are generally resolved at the Subcommittee level, and a consensus position or recommendation is developed. In the event that consensus is not achieved, a minority position paper may be included with the Subcommittee recommendation. Ultimately, the Subcommittee's recommendations are presented by the Subcommittee Chairperson or designated Subcommittee member to the full Board for further action and consideration as a formal CAB recommendation, if appropriate, to EM.

- 4. Upon passage by the Board, all recommendations will be signed by the Chair and conveyed to EM in writing within fifteen (15) calendar days.
- 5. The Board requests that EM provide timely response to the Board recommendations and explain the basis for EM's decision and how it will implement any recommendations that are accepted.

#### **D.** Administrative Decision Making:

1. DOE will provide administrative support for the board. Any request for specific administrative functions will be made by the Chair to DOE.

If the Board finds a need to review or affirm specific decisions made under the authority delegated to the Chair, such affirmation will be expressed by a majority vote of the full Board.

#### VII. CONDUCT AND FORMAT OF MEETINGS

#### A. Meeting Format:

1. Public notices for board meetings will be printed in the Federal Register. Announcements may be made via radio, television, local newspapers, or the CAB website.

- 2. The Board will meet as needed, with the length of meetings determined by the agenda.
- 3. Board meetings will be open to the public; a section of the meeting room will be set aside for observers, videographers, and media. Public comment is invited at appropriate times during a meeting. Public comment within the meeting will follow procedures laid out in the Paducah Gaseous Diffusion Plant Citizens Advisory Board Visitor and Public Comment Guidelines.
  - a. There will be a fixed agenda time for public comment. A Board member may not address the Board during the time set aside for public comment. The public comment period may be extended by the Chair or by consensus of the Board members in attendance.
  - b. If required, per the Public Comment Brochure, the fixed time will be divided equally among the members of the public who request to speak.
  - c. Before a decision on a recommendation is made, the Chair will invite members of the public to offer their input. The Board will determine in advance how much time they will allocate for public input.
  - d. Members of the public may offer their comments in writing and give them to the DDFO.
  - e. Time will be set aside for Board member comments during each meeting.
- 4. Any Board meeting will be set up in terms of both the physical arrangements and the agenda to facilitate hearing and discussion.
- 5. Minutes of the Board meetings will be kept by DOE, distributed to the Board members for their review, certified by the Chair, and then made available to the public. The Chair or Vice Chair must certify the accuracy of the minutes within forty-five (45) calendar days of the meeting to which they relate. In the absence of the Chair or Vice Chair, the DDFO must make such certification.
- 6. Any product of the Board such as policies, positions, reports, advice, or recommendations given to DOE must be reviewed by the Board in final\_distribution form before providing the product to DOE.

#### **B.** Conduct of Meetings:

- 1. DOE may, at its discretion, utilize a neutral third-party facilitator to assist it in accomplishing its mission; the facilitator will operate in a neutral, balanced, and fair manner;
- 2. Board members will act in a professional manner to each other, EM, liaisons, and the public.

#### VIII. MEETING FREQUENCY AND LOCATION

**A. Federal Register:** In compliance with the Federal Advisory Committee Act (FACA), meetings of the full Board must be published in the Federal Register to provide at least fifteen (15) days advanced notice of Board meetings. The local DOE Field Office must ensure that Federal Register notices are sent to the Designated Federal Official (DFO) at least 30 calendar days in advance of the meeting.

#### **B.** Meeting Frequency:

- 1. Regular Board meetings of the full Board shall be held a minimum of four times a year.
- 2. Working Sessions and Subcommittee meetings will be held as needed to further the progress of Board activities at the discretion of the Subcommittee.
- 3. A quorum of the Board must be present in order to conduct meetings and take actions as defined in this document.
- **C. Location:** Meetings shall be held near the affected communities in order to facilitate communication between the Board and the concerned public.
- **D. Extraordinary Meeting:** At the request of a minimum of six (6) members of the Board, or at the request of DOE, the Chair shall call upon the Deputy Designated Federal Official (DDFO) to schedule an extraordinary meeting of the Board. Presence at extraordinary meetings may not be factored in determining a member's attendance record.

#### **IX. BUDGET**

- **A.** Authority: The DDFO retains fiscal responsibility for the Board. The Board may provide a proposal to the DDFO. Funding amounts will be determined yearly based on the Board's approved work plan and availability of funds.
- **B.** Compensation: Board members will serve without compensation.
- **C. Travel Expense:** Board members are required to follow applicable federal travel regulations. All travel expenses must be submitted to the DDFO for reimbursement according to Federal guidelines.

#### X. CONFLICT OF INTEREST

- **A. Enforcement of Conflict of Interest Policy:** Questions concerning conflict of interest shall be referred to the DDFO, who will seek the advice of legal counsel for resolution, as required.
- B. Recusal: If a Board member is aware of an appearance of a conflict of interest, the member

shall immediately inform the DDFO and the Board of the interest and shall refrain from participating in discussions and recommendations in which a conflict or potential for conflict of interest exists.

#### C. Principles of Conduct:

The Board consists solely of representative members under FACA. Board members who serve as representatives shall abide by the following conduct principles:

- 1. Members shall refrain from any use of their membership, which is motivated by, or gives the appearance of being motivated by, the desire for the private gain of the member or anyone else;
- 2. Members shall not use, either directly or indirectly for private gain, any non-public information obtained as a result of Board or Subcommittee service;
- 3. Members shall not use their positions in any way to coerce, or give the appearance of coercing, another person to provide a financial benefit to the member or any person with whom the member has family, business, or financial ties;
- 4. Members shall not knowingly receive or solicit from persons having business with the DOE anything of value as a gift, gratuity, loan, or favor while serving on the Board or in connection with such service.

**Exceptions:** Members may receive an unsolicited gift from persons having business with or an interest in DOE only if:

- a. The gift has an aggregate market value of \$20 or less per occasion, provided that the aggregate market value of the individual gift received from any one person under the authority of this paragraph shall not exceed \$50 in a calendar year;
- b. The gift is motivated by a family relationship or personal friendship rather than a member's position; and
- c. The gift results from the business or employment relationship of a member's spouse or the outside business or employment activities of a member when it is clear that such gifts are not enhanced because of the member's position.

#### XI. AMENDING THE OPERATING PROCEDURES

#### A. Policy:

1. The Board shall have the power to alter, amend, and repeal these operating procedures in ways consistent with the Amended Charter of the Environmental Management Site Specific Advisory Board and other applicable laws, regulations and guidelines.

- 2. Any member of the public, the Board, or one of the stake holder entities may propose in writing an amendment. To be considered by this Board, however, the proposed amendment must be sponsored by a Board member.
- 3. The Board may consider and take action on the amendment to the operating procedures at the meeting following the introduction of the proposed amendment.
- 4. Amendments require the affirmative vote of two-thirds majority of the full membership of the Board.
- 5. All amendments to these operating procedures must be approved by the DFO in consultation with the Office of General Counsel.
- 6. These operating procedures will be effective upon the affirmative vote of a twothird majority of Board membership, execution by the Chair, review and concurrence by the DOE Office of General Counsel, and approval of the EM SSAB DFO.
- 7. All previous bylaws or procedures are hereby rescinded.

#### **B.** Absentee Voting for Amending the Operating Procedures:

- 1. A vote to amend these Standard Operating Procedures may be cast by a Board Member by Absentee Ballot at any regularly scheduled meeting of the Board at which a vote to amend these Standard Operating Procedures is an agenda item.
- 2. Each Board member shall be entitled to vote in person or by an absentee ballot (duly submitted in writing, or by electronic means, signed or electronically annotated and dated by such member prior to the meeting). The staff shall prepare and make available on request suitable absentee ballots for use in voting on amendments.
- 3. To be valid, an absentee ballot shall be executed by the Board Member (see 2. above) and submitted to the Board's offices or Chair not later than 12:00 noon on the day prior to the date of the regularly scheduled Board meeting at which the vote is an agenda item.
- 4. In the event an absentee ballot cannot be properly filed and a two-thirds quorum is not possible, then absentee members may be contacted to participate by teleconference, provided that all similarly constrained absent members are given the same opportunity.
- **C.** Absentee Voting Prohibition: Except as provided in Section XII.B above, nothing in this section shall be construed to permit or authorize absentee voting by any Board member on any other Board or Subcommittee action.

#### XII. ADOPTION OF THE OPERATING PROCEDURES

- **A. Date of Adoption:** These operating procedures will be effective upon the affirmative vote of a two-third majority of Board membership, execution by the Chair, review and concurrence by the DOE Office of General Counsel, and approval of the EM SSAB DFO.
- B. Status of Previous Bylaws: All previous bylaws or procedures are hereby rescinded.



# **DRAFT**-Recommendation No 23-01: Suggestions to increase views and traffic to the Paducah Gaseous Diffusion Plant Virtual Museum.

Rev 6 November 10, 2022

#### Background

In July 2022, a virtual museum cataloging and commemorating the history of the U.S. Department of Energy's Paducah Gaseous Diffusion Plant was announced as available online.

It can be viewed at <u>pgdpvirtualmuseum.org</u>.

The plant was built in the 1950s to enrich uranium for military nuclear reactors and weapons development and later to support the nation's commercial nuclear power program. The Paducah site manufactured low-enriched uranium, which was further enriched and processed at the Portsmouth Gaseous Diffusion Plant in Piketon, Ohio, and the K-25 plant in Oak Ridge, Tennessee.

The virtual museum includes detailed information on the history and processes used at the PGDP, as well as information about why Paducah was chosen as an enrichment site. Viewers can also find a comprehensive history of the PGDP, including how it began, life at the plant, timelines, and missions at the Paducah site. In addition, the virtual museum incorporates personal accounts from past employees on what it was like to work at the PGDP through the museum's "Faces of PGDP." Another feature of the virtual museum is the Sights and Sounds section, which highlights dozens of photos and videos from the Paducah site.

In August 2022, DOE asked the Paducah CAB for recommendations on how to better utilize the PGDP Virtual Museum as an asset and educational tool.

#### RECOMMENDATION

#### The PGDP CAB recommends that

- DOE requests the City of Paducah, Visitors Bureaus, and Chambers of Commerce from McCracken and surrounding counties to include the virtual museum link on their websites.
- DOE creates a worksheet or curriculum corresponding to the Virtual Museum in order that teachers can easily incorporate the site into their standard curriculum.

- DOE includes the link to the Museum in future press releases and print media provided during site tours.
- DOE drafts a Site Introduction Session for new and onboarding officials and groups including, but not limited to, city/county leaders, leadership KY, Young Professionals, Chambers of Commerce, NAACP, etc.
- DOE develops a mass media calendar to push the video out to the public when it is most likely to be viewed and searched for by topic. For example, push the Virtual Museum during April's Earth Day.
- DOE builds a Virtual Museum display at the McCracken County Public Library to give the library patrons and the general public access. In addition, it creates wall art that includes the website link, using a QR code for easy location of the Virtual Museum.

#### Who We Are

The EM SSAB is the DOE-EM's most effective vehicle for fostering two-way communication between DOE-EM and the communities it serves. The EM program is the world's largest environmental cleanup program and the EM SSAB its only citizen advisory board. For more than 20 years, the volunteer citizens of the EM SSAB have partnered with EM officials at both the local and national levels to ensure that the public has a meaningful voice in cleanup decisions.

Public participation is required/recommended as part of a number of environmental regulations. It is also good business practice, resulting in better decisions that often result in improved cleanup. Over the past two decades, EM SSAB members have volunteered over 48,000 hours of their time and submitted to EM officials over 1500 recommendations, 88% of which have been fully or partially implemented, resulting in improved cleanup decisions.

The EM SSAB comprises approximately 200 people from communities in Georgia, Idaho, Kentucky, Illinois, Nevada, New Mexico, Ohio, Oregon, South Carolina, Tennessee and Washington. The Board is cumulatively representative of a stakeholder population totaling millions of people who are affected by generator sites, transportation routes and disposal sites. As we move forward the EM SSAB welcomes the opportunity to highlight the value of this unique volunteer board and discuss its priorities during the months and years ahead.



# Recommendation No 23-02: Suggestions to increase views and traffic to the video on a Legacy: Honoring Black History at the Paducah Gaseous Diffusion Plant.

Rev 7 November 18, 2022

#### Background

In June 2022, Four Rivers Nuclear Partnership, a PPPO Paducah prime contractor, released an inspirational oral history video that gives voice to African American workers and honors their contributions to the Paducah Site's past and current missions.

The video can be viewed at https://fourriversnuclearpartnership.com/building-legacy.

Throughout the life of the plant, a broad and diverse workforce was needed to accomplish the Site's many missions. Of note, many African Americans played essential roles in the plant's maintenance, operation, and management. The oral history video allows for the telling of these stories and reflects on the impacts that were made. The video is a unique and important part of the history of the Paducah Site and should be utilized as a key component of its legacy.

In August 2022, DOE asked the Paducah CAB for recommendations on how to better utilize this oral history video as an education and enrichment tool.

#### RECOMMENDATION

The PGDP CAB recommends that

- DOE requests the City of Paducah, Visitors Bureaus, and Chambers of Commerce from McCracken and surrounding counties to include the link to the Building a Legacy video on their websites.
- DOE contacts Maiden Alley and/or Cinemark to request they show the Building a Legacy video during their movie previews before the feature movie.
- DOE includes the link to the Building a Legacy video in future press releases and print media provided during site tours.

- DOE drafts a Site Introduction Session for new and onboarding officials and groups including, but not limited to, city/county leaders, leadership KY, Young Professionals, Chambers of Commerce, NAACP, etc.
- DOE develops a mass media calendar to push the video out to the public when it is most likely to be viewed and searched for by topic. For example, push the Building a Legacy video during February, Black History Month, and June when Juneteenth is recognized.

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## **DRAFT**-Recommendation No 23-03: Suggestions to increase views and traffic to the EM 101-Paducah video.

Rev 5 November 10, 2022

Background

In December 2021, the Office of Environmental Management released a series of videos providing a brief history and the current cleanup mission status. The videos are highlighted on new site-specific webpages that provide a "one-stop shop" for high-level information about each site. The site-specific webpages are part of an effort underway by the newly formed EM Web Steering Committee to create a complimentary, cohesive, EM-branded network of public websites. As the world leader in radioactive and hazardous waste cleanup, EM headquarters, sites, and contractors' websites are an authoritative resource on this critically important mission.

The video can be viewed at https://www.youtube.com/watch?v=ePA2wjvV-jY

In 1950, the Atomic Energy Commission, a predecessor agency to DOE, selected a 3,556-acre tract of government-owned land near Paducah, Kentucky, as the location to construct a second gaseous diffusion uranium enrichment plant (GDP) to support US national security needs. The Paducah GDP enriched uranium from 1952 to 2013 and was the last government-owned uranium enrichment facility operating in the United States. The Paducah GDP produced low-enriched uranium originally as feedstock for nuclear weapons materials and later for commercial nuclear power plants. This October 2021 video centers on the Office of Environmental Management's mission at the Paducah Site. In addition, the video explores the unique history of the Paducah site through the years and should be utilized as a key component of its legacy.

In August 2022, DOE asked the Paducah CAB for recommendations on how to better utilize this EM 101-Paducah video as an education and enrichment tool.

#### RECOMMENDATION

#### The PGDP CAB recommends that

- DOE requests the City of Paducah, Visitors Bureaus, and Chambers of Commerce from McCracken and surrounding counties to include the link to the EM 101-Paducah video on their websites.
- DOE includes the link to the EM 101-Paducah video in future press releases and print media provided during site tours.

- DOE drafts a Site Introduction Session for new and onboarding officials and groups, including but not limited to city/county leaders, leadership KY, Young Professionals, Chambers of Commerce, NAACP, etc.
- DOE contacts local high schools, community colleges, and universities about incentives to encourage students into the plant to tour or to see future job opportunities.
- Suggests DOE use this video during the DOE Science Bowl to explain the site to coaches, parents, students, teachers, etc.
- DOE develops a mass media calendar to push the video out to the public when it is most likely to be viewed and searched for by topic. For example, push the EM 101-Paducah video on International Day against Nuclear Tests on August 29, 2023.
- DOE builds a virtual display at the McCracken County Public Library to give the library patrons and the general public access to the video. In addition, it creates wall art that includes the website link, using a QR code for easy location of the video.

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#### Recommendation No 23-04: Suggestions to Increase Department of Energy (DOE) Environmental Management (EM) Worker Recruitment and Retention

Rev 6 November 18, 2022

#### Background

In August 2022, DOE-EM Senior Advisor Ike White addressed a roomful of industry leaders, contractors, and elected officials. During his keynote address, Mr. White identified several challenges looming in his organization's near-term and distant future. First and foremost, in a list of challenges directed to everyone in the room that shares a commitment to advancing the EM cleanup mission, White identified the challenge of maintaining a high-quality and diverse workforce.

"The workforce of the future is a particularly daunting task," White said, pointing to figures showing approximately 25% of EM employees are eligible to retire presently, and almost half are eligible to retire in about five years. White further added that across the entire DOE complex, only 15 federal employees are under the age of 30.

This topic has been a discussion on the federal and contractor level for many years, with several presentations having been shared with local CABs and with the EM SSAB at National Chairs Meetings. While this is a complex-wide issue, the ramifications are most impactful at the local site level.

DOE PPPO and the Paducah Site have worked to improve the student outreach needed to engage a population that can create a future workforce for DOE and its contractors. A "homegrown" workforce provides stability and economic growth, with families staying "home" for their careers. This has long been a goal of the Paducah Area Chamber of Commerce, local economic developers, and elected officials.

#### RECOMMENDATION

To maximize this effort and to further establish clear and tangible goals for worker recruitment and retention, the Paducah CAB recommends DOE work with its contractors to:

• Utilize the information with the project baseline to identify workforce requirements for future site work. This information should be shared with local economic

developers, colleges, and secondary schools to help begin discussions on preparing future workers.

- DOE includes the link to the EM 101-Paducah video in future press releases and print media provided during site tours.
- Increase outreach with local colleges to help identify potential career paths/DOE needs that have historically been difficult to recruit (i.e., estimators or baselining specialists).
- Partner with pre-professional organizations at local colleges and secondary schools.
- Participate in trade school fairs and competitions to encourage local students to pursue careers in the areas that will be needed at the site in the future.
- Encourage a joint community task force on worker training and retention and offer input to its partner agencies on what is also needed by DOE.

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### CERCLA Federal Facility Agreement (FFA) Overview

Tracey Duncan – Paducah DOE FFA Manager

safety & performance & cleanup & closure

#### OFFICE OF ENVIRONMENTAL MANAGEMENT

### Why do we have an FFA?

**In 1994**, the PGDP was placed on the CERCLA National Priorities List (NPL).

Federal Facilities on the NPL are required to enter into Interagency Agreements (FFA) with EPA.

In 1998, DOE entered into an FFA with EPA and Kentucky
 DOE - Lead Agency
 EPA - Regulatory oversight (e.g., document review and approval), and final dispute resolution authority.
 Kentucky – Regulatory oversight (e.g., document review and approval) and ensure compliance with the Resource and Conservation and Recovery Act (RCRA) corrective action requirements.

### **CERCLA and the Paducah** Federal Facility Agreement



**OFFICE OF** 

ENVIRONMENTAL MANAGEMENT

### **CERCLA Federal Facility Agreement**

### FFA – Applicability and Scope

The requirements of the FFA/CERCLA are applicable to:

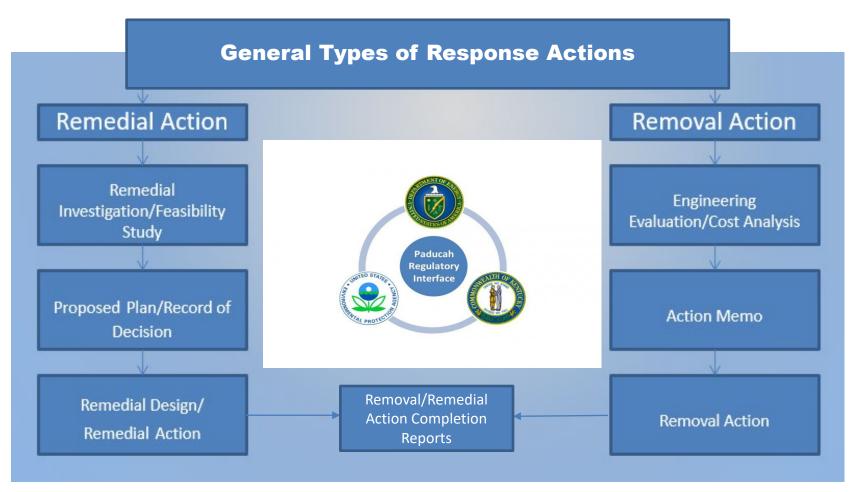
*Areas with potential or known <u>Releases of Hazardous</u></u> <u>Substances</u>.* 

- The scope of CERCLA <u>hazardous substances</u> is very broad and includes, but is not limited to, all RCRA hazardous waste constituents and <u>radionuclides.</u>
- Examples of CERCLA hazardous substances present at the Paducah Site include:
  - Trichloroethylene (TCE)
  - Polychlorinated biphenyls (PCBs)
  - Uranium and Technetium-99 (Tc-99)
  - Heavy Metals (e.g., lead, chromium, mercury)
  - Asbestos



### **CERCLA Federal Facility Agreement**

#### **Types of CERCLA Response Actions**



**Note:** The above removal action steps represent a Non-Time-Critical Removal Action, but a removal action can also consist of Emergency or Time-Critical Removal Actions depending on urgency.

#### OFFICE OF ENVIRONMENTAL MANAGEMENT

### FFA Sections X – XV: CERCLA Response Actions

### **Remedial Actions:**

- Usually long-term response actions intended to permanently and significantly reduce risk.
- > Can be interim actions, but are followed up by final actions.
- Examples of remedial actions include capping landfills, groundwater treatment systems, excavation/disposal of contaminated soils.

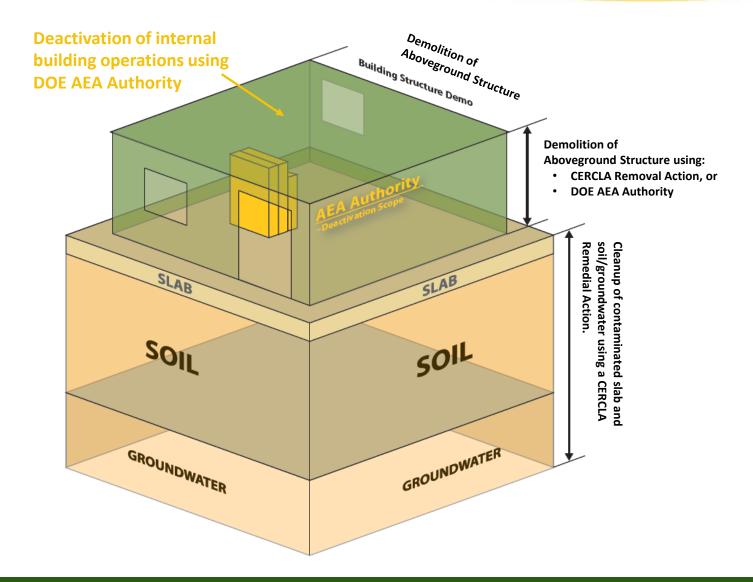
### **Removal Actions:**

- Usually short-term in duration and lower-cost than remedial actions.
- Greater sense of urgency to address risk than remedial actions.
- > Not intended to replace nor be inconsistent with the final remedial action.
- Examples include providing drinking water to residents, cleanout and sealing of sump areas, posting/fencing, demolition of contaminated facilities.

### Three Types of Removals:

- Emergency (immediate threat and planning period < six months)</p>
- Time-Critical (planning period < six months)</p>
- Non-Time-Critical (planning period > six months)
- The FFA specifies certain documentation and scheduling requirements for each particular type of removal action.

# Conceptual Application of Regulator Authorities for a Cleanup

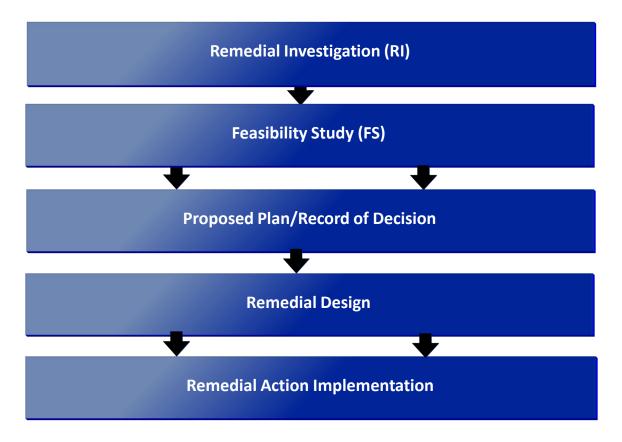


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### **FFA Sections IX – VX: Remedial Action Process**







# **CERCLA Remedial Action Process**

	Regulate	ory Process	
<ul> <li>Regulatory concurrence</li> </ul>	<ul> <li>Description of and rationale supporting the recommended alternative</li> <li>Regulatory concurrence</li> </ul>	<ul> <li>Public comment period (45 days)</li> <li>Public meeting will be held</li> </ul>	<ul> <li>Final decision document</li> <li>Explains and provides basis for any changes from the alternative recommended in the Proposed Plan</li> <li>Regulatory concurrence</li> </ul>
RI/FS Report*	Proposed Plan	Formal Public Participation	Record of Decision (ROD)
<ul> <li>Ongoing site visits and project briefings with CAB</li> <li>Public meeting following approval of the final RI/FS Report</li> </ul>	<ul> <li>Ongoing project briefings with CAB.</li> </ul>	<ul> <li>The CAB may provide formal comments and CAB members also may comment individually</li> </ul>	<ul> <li>Continued project briefings with CAB</li> <li>Includes a Responsiveness Summary to comments received during the public comment period</li> </ul>
	Duddie D	articipation	

 $E_{M}$ Environmental Management www.doe.em.gov



# **CERCLA Remedial Actions**

# **Key Schedule Requirements**

- Public comment periods at least 30 days.
- Consultation with the regulatory agencies is required within 10 days of close of public comment period.
- The Record of Decision (ROD) is due to the regulators within 30 days of close of public comment, provided no significant public comments are received.
- Notice of the final ROD shall be published by DOE, with regulator concurrence, prior to start of work.
- Work must start within 15 months of ROD signature.



## Why is the Administrative Record important?

It is the only legal evidence that courts will consider regarding the process and information that DOE relied upon to select and implement cleanup action in compliance with CERCLA.

A good Administrative Record will preserve CERCLA decisions, ensure those decisions will stand, and allow the CERCLA response action to proceed without being stopped by lawsuits.

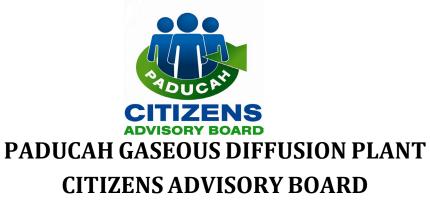
F00835CR FR0, CERCLA Federal Facility Agreement Training



## **Points of Contact**

FFA requires DOE, EPA, and Kentucky to designate certain individuals as the FFA Project Managers for implementation of the Agreement:

- DOE Tracey Duncan
- EPA Victor Weeks
- Kentucky Brian Begley



MINUTES OF THE THURSDAY, NOVEMBER 17, 2022, CAB BOARD MEETING • 5:30 P.M.

Location: Emerging Technology Building, WKCTC, Paducah, Kentucky

**Citizens Advisory Board (CAB) Members Present:** Don Barger, Fran Johnson, Victoria Caldwell, Phil Brown, William Robert Clark, Elizabeth Wilson Myron Wessell, Eric Butterbaugh, Hannah Chretien (TEAMS), Riley Willett (TEAMS)

CAB Members Absent: Clint Combs, William Murphy

**U.S. Department of Energy (DOE) and Contractors:** Buz Smith, Hayly Wiggins, EHI Consultants (EHI), Tracy Duncan

**Liaisons:** Brian Begley (TEAMS), Division of Waste Management; Christopher Travis (TEAMS), Commonwealth of Kentucky Energy and Environment Cabinet; Brian Lainhart (TEAMS), Victor Weeks, US Environmental Protection Agency

Attendees: Zachary Boyarski, Ben Frederich, Megan Frederich, Tracy Duncan

Facilitator: Eric Roberts, EHI

Approved by Don Barger, Board Chair

Signature on file

Don Barger

Call to Order: 5:30 pm Don Barger.

### Barger:

Welcome to the November Board Meeting. Thank everyone for attending.

Attendees introduced themselves.

**Review of Agenda:** You have a copy of tonight's agenda in front of you. Are there any changes that need to be made on the agenda tonight? Hearing none, we will proceed.

### Roberts:

There will be a public comment time during this meeting.

DOE comments provided by Jennifer Woodard: We are still in continuing resolution through mid-December. That means we operate to the lowest budget to remain within our appropriations. We will not be surprised if it is extended through March. We are moving into FY 2023, and in December, we will start to respond to FY 2024 questions from Congress and the Office of Management and Budget. In the Spring, we will begin working on FY 2025 Budget.

The deactivation of 333 continues to go well; the second floor is being cleaned out to be set up for the segmentation area of the converters. LINUS (Large Item Neutron Assay System) is up and running. The last part of the process with the converters is the bundle pressure, and it's all up and running, so we just need to get the segmentation process going in 333. The plan is to have that ready to go in the Spring.

C-400, we are starting the regulatory documents, which is what Tracy is here to speak about today.

We had a calendar year goal to ship one million pounds of freon. We met that goal this week and are very proud that we met that goal early. This goal was set by EM 1, Ike White, and was our major goal for this year. This is a huge milestone.

Barger: Was this the last shipment of the year?

*Woodard:* No, there will be 2 or 3 more because the destination company closes down for two weeks for the holidays.

### Federal Coordinator Comments provided by Buz Smith, DOE Federal Coordinator. We conducted a new CAB member tour last week and will have another one tomorrow.

Brown: Where are we sending the freon, and how will they dispose of it?

*Woodard*: The freon goes to Veolia in Texas and is incinerated.

*Smith:* One more thing about the tours, I know it seems like we are making a lot of calls to get tours scheduled, and then schedules change. Please do not worry about that, we are happy to have active board members, and if your schedule changes and a tour has to be rescheduled, we do not mind at all. We know you are busy people, and this just comes with the territory.

*Barger:* Thank you for your flexibility and willingness to ensure our board gets the tour.

Liaison Comments provided by Brian Begley Division of Waste Management. DOE submitted its Site Management Plan for FY23 earlier this week. EPA Kentucky, DOE, and Four Rivers collaborated for several months on this report, so we don't expect many, if any, comments.

Last week, Kentucky EPA and DOE did a tour. This was a tour postponed due to COVID, so it has been in the works for some time. It was a very good tour. Several of the EPA folks from Region 4 had not seen the site for a long time. I want to second what Buz said. The tours are invaluable for interested parties. I know there were some questions about PFAS, the "forever chemical, a couple of months ago. DOE contractors started PFAS sampling last week and will continue to sample for the next year.

*Barger:* Are there other questions for our liaisons? Then, Tracy, we are ready for you.

### Tracy Duncan-Paducah DOE FFA Manager

Presentation-CERCLA Federal Facility Agreement (FFA) Overview The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) guides the response actions of the cleanup of all hazardous materials found at DOE sites. There are two types of Response Actions. Remedial Action is non-time critical, and its planning period can be greater than 6 months. The CAB's input is valuable during the Proposed Plan stage where public input on the various remediation options is invited. Removal Action is time-critical, and shorter-term planning and removal solutions will be implemented.

January's CAB meeting will focus on the Remedial Investigation and Feasibility Study of C-400 building and the CAB will be asked to provide insight and recommendation on how best to utilize these outreach tools and maximize their impact to the community and DOE.

Question/Comment:	Answer:	
<b>Barger:</b> What does AEA stand for?	<b>Duncan:</b> Atomic Energy Act was the regulation that was created in the 1950s for the DOE to go and build these plants, and afterward that laid out how they would function and the regulations relating to radiation.	
<b>Butterbaugh:</b> Do you ever have situations where you have gone through the process of choosing a method, only to change your mind on the best process? Do you have to start from square one, then?	<b>Duncan:</b> Yes, sometimes we get to a stage where the cost is more than was expected or the method is not performing to expectations. KY EPA can reestablish the process at a certain point to evaluate and choose another disposal method.	

**Roberts:** The January CAB meeting will be on C-400 RI/FS (remedial investigation and feasibility study). So instead of reading the thousand-page document, you will get the summary at the January CAB meeting.

Barger: Eric Roberts will present the Fall Chairs meeting update.

**Roberts:** You can see the meeting on the EM SSAB YouTube channel. <u>https://www.youtube.com/watch?v=ZEhbDcCgcUc</u>

The Northern New Mexico Advisory Board in Santa Fe hosted the Fall Chairs meeting. We heard from several speakers, including Candace Robertson, the acting EM 2, who gave an overview of the EM project across all sites. We had discussions on Justice 40, part of the environmental justice program. Justice 40 states that 40% of the benefits of environmental cleanup should go to disadvantaged communities. There is still not much detail on how this will work, but the intention is to help with education and services in the areas that qualify as disadvantaged communities. More information can be found at

https://www.whitehouse.gov/environmentaljustice/justice40/

At the Spring Chairs meeting here in Paducah, some discussions came up about how, as DOE continues to clean up sites, what happens when a site moves into Legacy Management, the long-term stewardship of these sites. Specifically, the eight EM site advisory boards are beginning to question why EM (Environmental Management) has advisory boards, but LM (Legacy Management) does not. We heard from the LM group at the Fall Chairs meeting, and this question was again raised.

*Woodard:* We are so lucky at the Paducah site that we only have one EM mission here. Some other sites have EM, LM, OS, Office of Science (the National Labs), and the NNSA, National Nuclear Security Administration (weapons side). Oak Ridge has all 4.

**Roberts:** This was the first national meeting where most folks were in the same room since COVID, so it was nice to have time to develop relationships. Spring 2023 will be in Washington, DC, Fall 2023 will be in Oak Ridge, and Portsmouth will host Spring 2024. If you are interested in visiting other sites and attending a Chairs meeting, Oak Ridge and Portsmouth will be good locations since we can drive, and the extra cost will be substantially less than if we were flying. So please consider if you would like to attend those. We will get the dates to you as soon as we have them.

*Woodard:* I strongly encourage you to attend these meetings. Oak Ridge and Portsmouth are most like Paducah in process and scope and can give you a good idea of where Paducah is heading with its cleanup. Portsmouth is where Paducah will be in 10 years.

Barger: Next up on our agenda is the election of officers.

**Roberts:** Our current leadership team comprises a six-person executive committee that provides administrative guidance to the Board. We like a mix of veteran and newer members. It is a great way to learn to move into a leadership role. The executive committee comprises the chair, the vice chair, a past chair, and three Executive Subcommittee members.

Last year we elected Fran for two years, so she is still acting Vice-Chair for one more year. Don was elected for a two-year term as Chair two years ago. We sent an email asking if anyone was interested in serving as Chair, but no one replied. Don has said he would be willing to serve as Chair again.

Election results Chair Don Barger Vice Chair Fran Johnson Executive Subcommittee Members Clint Combs Myron Wessel Elizabeth Wilson Riley Beth Willett

**Barger:** We will vote on the Operating Procedures next. We had the first reading in August so this is the second reading and vote to accept. Are there any changes you would like to make to this document? Hearing none, all in favor of adopting this document?

### Unanimous vote yay

**Barger:** Next is the 2023 Work Plan. Are there any questions regarding this document? Hearing none, is there a motion to accept this document?

Johnson: So, moved.

Brown: Second

Barger: All in favor?

Unanimous vote yay

*Barger:* Next, we will look at the recommendations and vote on them one at a time. These have been worked on via email and committee.

First is Recommendation No 23-01: Suggestions to increase views and traffic to the Paducah Gaseous Diffusion Plant Virtual Museum. Are there any changes to this recommendation? Hearing none, all in favor of accepting this recommendation and passing it on?

### Unanimous vote yay

Next, we move to Recommendation No 23-02: Suggestions to increase views and traffic to the video on a Legacy: Honoring Black History at the Paducah Gaseous Diffusion Plant. Are there any comments on this recommendation? Hearing none, all in favor of accepting this recommendation and passing it on?

#### Unanimous vote yay

Next is Recommendation No 23-03: Suggestions to increase views and traffic to the EM 101-Paducah video. Are there any comments on this recommendation? Hearing none, all in favor of accepting this recommendation and passing it on?

### Unanimous vote yay

*Roberts:* I just noticed that the footnote on these all have the same #; with your permission, we will correct that.

### Barger: Yes, thank you.

And finally, Recommendation No 23-04: Suggestions to Increase Department of Energy (DOE) Environmental Management (EM) Worker Recruitment and Retention. Are there any comments on this recommendation?

*Wilson:* Please correct the formatting spacing to make them all uniform.

*Roberts:* Thank you, we will make those corrections as well.

**Barger:** Those in favor of accepting this recommendation with the formatting changes and passing it on?

Unanimous vote yay

Barger: The public attendees have gone, so there is no public comment.

*Woodard:* Because of my travel schedule, I will not be able to attend the December educational session. I enjoy this board, and you are a very good advisory board. In my detail, I have seen several boards, and I am grateful for this GOOD board. I would have said this to you in December, so I wanted you to hear it from me tonight.

Barger: Thank you, all, for your attendance and work tonight.

Meeting adjourned at 7:10 pm.