



**Citizens Advisory Board
Idaho National Engineering and Environmental Laboratory**

Community Relations Plan

The Idaho National Engineering and Environmental Laboratory (INEEL) Citizens Advisory Board (CAB) received copies of the revised Community Relations Plan addressing public involvement in remediation activities at the INEEL. The original Community Relations Plan was published in 1995 and much has changed in the intervening years. We appreciate the opportunity to comment on the revised document. Under our charter to provide consensus advice to the U.S. Department of Energy and its regulators (Region X of the U.S. Environmental Protection Agency and the State of Idaho), we believe commenting on how the public will be involved in decisions related to cleanup at the INEEL is central to our mission. This recommendation transmits our comments on the revised Community Relations Plan.

Overall Comments

The INEEL CAB recommends that the Community Relations Plan clearly explain how the community relations program fits into the “big picture” as well as how public involvement activities will be changed to address recent relevant developments related to the cleanup program at INEEL. The INEEL CAB has recently reviewed draft Policy and Guidance documents developed by the DOE for basing cleanup decisions on risk-based end states. Those documents made repeated references to the need for public involvement in the selection of end states. We understand that DOE’s Idaho Operations Office is currently devising an end state plan for the INEEL that will be submitted to DOE-Headquarters in September 2003.

Much emphasis has been placed in recent years on long-term stewardship (LTS) activities to be conducted after cleanup has been completed to ensure ongoing and adequate protection for humans and the environment. The revised Community Relations Plan does mention the LTS program but does not include public participation activities to support the LTS program. As the purpose of the LTS program is to assure continued responsibility for long-term surveillance and monitoring at formerly contaminated sites, there will be an ongoing need to involve the public.

The revised Community Relations Plan makes no mention of how the public is to be involved in development of end state visions. The CAB believes the Plan should explain all public involvement activities and who is responsible for conducting those activities in support of all aspects of the cleanup program, including the determination of end states and decisions related to conducting LTS activities.

The INEEL CAB recommends that the Community Relations Plan avoid overstating the accomplishments to date. The INEEL CAB acknowledges that numerous Records of Decision have been signed to date. However, the cleanup of some of the more important portions of the site, including the Subsurface Disposal Area and the Tank Farm, has barely begun. Indeed, the schedule for cleanup at the INEEL delays the more challenging problems to the end, and the public is well aware of that fact. For example, Section II, under the heading “Shifting the focus

to completion” emphasizes that records of decision for all but three projects have been signed, without acknowledgement that the three remaining projects are of greatest importance to the public.

It does not help DOE’s credibility with the public to overstate how much has been done to date to remediate the contamination at the INEEL.

The INEEL CAB recently reviewed, and was impressed by, the May 2003 document titled “Public Involvement and Idaho Completion Project,” available online at <http://www.inel.gov/environment/documents/pubpartplan2003.pdf>. That document is well written. We also recently received copies of the recently approved (May 2, 2003) DOE Policy addressing Public Participation and Community Relations. **The INEEL CAB recommends that DOE make every effort to clearly delineate the rationale for multiple documents and the relationship between the various apparently similar documents.** One example of an apparent discrepancy: the levels of public involvement discussed in the May 2003 document do not correspond with the levels of public involvement addressed in the Community Relations Plan. The lack of integration leads to questions and concerns about how the two efforts will be coordinated. One suggestion might be to make it more clear that the Community Relations Plan addresses only public involvement in cleanup decisions that are driven by compliance with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and that public participation in other cleanup decisions are not required to comply with CERCLA.

The six key concerns raised by the public in the early 1990s are reviewed in Section IV under the heading of “Key concerns and values” (starting on page 16). During a presentation to the CAB, Katie Hain (DOE-ID) specifically asked the CAB’s opinion about whether the six key concerns remain valid today. The INEEL CAB believes that the six concerns remain valid today, although there may be less concern about the level of state involvement in cleanup decisions than there was a decade ago.

In developing our response to Ms. Hain’s inquiry, we noted one apparent discrepancy between the Community Relations Plan and her presentation on the document. Ms. Hain’s presentation overheads labeled the first concern “buried waste/potential aquifer contamination” whereas the first concern in the revised Community Relations Plan is called “Protection of human health and the environment.” We are puzzled by the apparent change in emphasis. The present wording in the document over-emphasizes the concern for risks to INEEL workers and the public and implies that the only environmental concern is focused on the aquifer. We believe the public is interested in the protection of human health and the environment generally, and in the buried waste and potential aquifer contamination specifically. Other public concerns include air and soil contamination, potential impacts on plants and wildlife, and impacts on cultural resources. **The INEEL CAB recommends revamping the section to reflect more accurately the full range of public concerns about the environment.**

Specific Comments

In Section I, under the heading “What is the Community Relations Plan?” (page 1), there is a statement that refers to Section III, “Community Background” for a list of public concerns. No such section exists. There is list of key public concerns and values beginning on page 16, in section IV. The INEEL CAB recommends corrections to the text.

In Section II, under the heading “What happens after cleanup work is completed?” (page 3), the discussion implies that the LTS Program is still being created and that LTS activities have not yet begun. As LTS activities begin once cleanup activities have been completed, we are confused as it states that no LTS activities have begun. The INEEL CAB recommends clarification.

In Section III, under the heading “Defining ‘cleanup’” (page 11), no step is identified for determination of the end state for a cleanup decision. This offers an example where the revised Community Relations Plan should be made more current with other public documents. The INEEL CAB recommends updating the section to reflect current decision making processes based on risk-based end states.

In Section III, in the box titled “Status of Interim Actions” (page 11), several interim actions are listed as completed which would be more accurately described as “in progress.” The INEEL CAB recommends correction to avoid misleading the public as to the status of various interim actions.

In that same box, the bullet referring to Pit 9 implies that all of Pit 9 cleanup is in progress. It is our understanding that the Glovebox Excavator Method is being utilized to demonstrate the effectiveness and viability of that technology in one small portion of Pit 9. The INEEL CAB recommends rewording to avoid the misperception that the current effort will effectively remediate the entire Pit 9.

In Section III, under the heading “2. Decision” (page 12), the last sentence implies that the final plan is distributed to the public. The INEEL CAB recommends clarification that Proposed Plans are distributed to the public.

The last sentence in the second paragraph, Section IV, under the heading “The affected community” (page 14) is unclear. The INEEL CAB recommends rewording for clarification.

One sentence in the second paragraph in Section IV under the heading of “Community Profile” (page 15) is misleading. It presently reads “Some citizen environmental groups support responsible cleanup and have called for an end to nuclear reactor testing until the issue of waste disposal is resolved.” The INEEL CAB suggests rewording as follows: “Many citizen groups support responsible cleanup, and some have called for an end to nuclear reactor testing until the issue of waste disposal is resolved.” Many citizen groups support responsible cleanup, but not all would call themselves environmental groups. In addition, only some of those groups would call for an end to nuclear reactor testing.

The discussion of the Administrative Record in Section V under the heading of “Information activities” (page 19) implies that the public has easy access to the technical library. We are of the understanding the access is restricted to individuals with DOE badges and those who are escorted by badged employees. The INEEL CAB recommends that the issue of public access of the Technical Library be researched and the text revised to accurately reflect the current situation.

The same section might also be improved by reference to the INEEL website and documents that are available online.

The discussion in Section V under the heading “Public Notices” (page 20) does not include reference to Federal Register notices. All INEEL CAB meetings are announced in the Federal Register; we suspect other public comment opportunities are similarly announced. The INEEL CAB recommends reference to the Federal Register as appropriate.

The last sentence in Appendix A under the heading “Public Comment Opportunities” (page 21) states that “Comment periods are generally 30 days and may be extended upon request.” The INEEL CAB recommends changing that sentence in either of two ways. It should read either: 1) “Comment periods are generally 30 days and may or may not be extended upon request” or 2) “Comment periods are generally 30 days and are extended upon request.”

The INEEL CAB recommends that all contacts listed on Page 24 include Email addresses and websites where possible.

Specific Comments Regarding the INEEL CAB

Throughout the document, multiple references are made to the INEEL CAB. Our correct name is the INEEL Citizens Advisory Board, with no apostrophe. In addition, all references to the INEEL CAB should be consistent, using either the INEEL CAB or the CAB. (The last sentence on page 20 refers to the “advisory board” and begs the question as to which advisory board.) Although the INEEL CAB is one of the Environmental Management Site Specific Advisory Boards, we officially changed our name some time ago. Using the two different names for the same board could create confusion. The INEEL CAB recommends consistent and correct referencing throughout.

Throughout the document, multiple references are made to the support services provided to the INEEL CAB by North Wind. The company’s correct name is North Wind, Incorporated, and not North Wind Environmental. The INEEL CAB recommends corrections where appropriate throughout.

Throughout the document, when stating how interested citizens can learn more about the CAB, reference should be made to the CAB’s website. The INEEL CAB recommends including the website address wherever appropriate: <http://www.ida.net/users/cab/>.

In Section IV, under the heading “DOE’s commitment to public involvement” (page 13), the last sentence states that North Wind provides only facilitation support. The INEEL CAB recommends that the text be changed to read that North Wind provides all support services for the CAB, including facilitation of meetings.

The last sentence in the section addressing the second concern discussed under Section IV, heading of “Key concerns and values” (DOE credibility and commitment to public involvement”, page 17) should be changed. The INEEL CAB recommends changing the sentence to read “Members of the public are encouraged to attend INEEL CAB meetings and provide comments during public comment sessions at all meetings. For information about upcoming meetings, call the CAB’s support services contractor, North Wind, Inc. at (208) 557-7832 or check our website at <http://www.ida.net/users/cab/>.”

The explanation of the makeup of the INEEL CAB in Section V under the heading of Advisory Board (page 20) is incorrect. INEEL CAB members are not chosen by an independent panel. The last sentence is also incorrect. The Board members do not represent the entities listed with one exception. The Shoshone-Bannock Tribes select one person to represent the Tribes on the Board. All other CAB members are chosen to represent nine key perspectives, including natural resource users, site-related union/workforce, educational community, affected local governments, health professionals, environmental interests, business interests, and the general public.