



# **November 1994 Meeting Minutes**

**SRS Citizen's Advisory Board**

**Barnwell, S.C.**

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## **Members Present**

Members present were Julie Arbogast, Anne Brown, Lenola Cooks, Thomas Costikyan, Brian Costner, Myles Grant, Thomas Greene, Rachael Harper, Alice Hollingsworth, Thelonius Jones, William Lawless, Ann Loadholt, Kathryn May, Mildred McClain, JoAnn Nestor, Kamalakar Raut, Andrew Rea, Robert Slay and Beaurine Wilkins. Ex-Officio Representatives were Thomas Heenan, Ann Ragan and Camilla Warren.

Members absent were Walter Jones, Lane Parker and Pat Tousignant. Jeff Crane of the Environmental Protection Agency (EPA) and Myra Reece of the South Carolina Department of Health and Environmental Control (SCDHEC) were not in attendance. The Department of Energy (DOE) Designated Federal Official present was Thomas Heenan.

This meeting was open to the public and posted in the *Federal Register* in accordance with the Federal Advisory Committee Act (FACA).

## **Key Decisions Made by Board**

The Board elected Mildred McClain and Bob Slay Co-chairpersons of the Board.

The Board elected Tom Costikyan subcommittee chairperson of the Nuclear Materials Management/Health Effects Subcommittee and Bill Lawless co-chair of the Environmental Remediation Program/Health Effects Subcommittee.

All issues-based subcommittees will report through the Education Subcommittee for planning and coordination purposes.

The Board will meet bi-monthly in 1995 beginning in January.

The Board adopted the Risk Management & Future Use Subcommittee Operating Guidelines.

## **Approval of Minutes**

The minutes of the October 25, 1994, CAB meeting were approved with minor changes.

## Agency Updates

Tom Heenan stated that DOE would respond to the CAB's first recommendation on independent peer review shortly. He stated the Environmental Advisory Committee was uncomfortable with approving and taking ownership of the site's Environmental Report, but that the resistance revolved around semantics and the use of the word approval. He stated he was working with the Committee to bring back a favorable response to the recommendation.

Camilla Warren of EPA stated she would be working with the Federal Facilities Dialogue Committee, which will provide recommendations on cleanup, priorities and funding in the form of a new report.

Brian Costner asked for an update on proposed plans for the Mixed Waste Management Facility, TNX Groundwater, the D Area Oil Seepage Basin and Tank 105-C waste units. Tom Heenan replied DOE had signed Records of Decision on all four plans and Camilla Warren stated EPA had signed all but the D Area Oil Seepage Basin Record of Decision.

## Election of Officers and Subcommittee Chairpersons

Ann Loadholt stated there were very few nominations for officers. The Board had to first choose between co-chairpersons or a chairperson and vice chairperson. **Bill Lawless moved that the Board elect co-chairpersons. Anne Brown seconded the motion. The motion passed with a vote of 14 in favor, two opposed and one abstention.**

Mildred McClain and Bob Slay were nominated to chair the Board. **The Board voted by silent ballot to elect Mildred McClain and Bob Slay Co-Chairpersons of the SRS CAB. The vote was 17 in favor and 1 abstention.**

Bill Lawless and Tom Costikyan were nominated for subcommittee chairpersons of the Environmental Remediation/Health Effects Subcommittee and the Nuclear Materials Management/Health Effects Subcommittee respectively. Bill Lawless stated he preferred to co-chair a subcommittee. **Brian Costner moved that Tom Costikyan be elected Chairperson of the Nuclear Materials Management/Health Effects (NMM) Subcommittee and Bill Lawless be elected Co-Chairperson of the Environmental Remediation/Health Effects (ER) Subcommittee. P.K. Smith seconded the motion. The Board voted unanimously in favor of the motion.** Myles Grant was nominated to co-chair the ER Subcommittee. An election will be held at the January 24, 1995 meeting of the Board.

Bob Slay announced the resignation of Harry Jue as an SRS CAB member effective November 28, 1994.

## Bylaws Subcommittee Report

Rachael Harper stated that in recent weeks, Section 3.3 of the Bylaws had come into question. She stated that this section of the Bylaws mirrored the original charter and read Section 3.3 A-F. She stated there is a degree of latitude between the number of individuals participating from

South Carolina and Georgia as well as the counties surrounding the site and the Membership Replacement Subcommittee can be flexible when filling vacant positions. She discussed minimum requirements for Board membership.

Bob Slay stated he had asked Ms. Harper to give this presentation because there appeared to be conflict within the Membership Replacement Subcommittee in filling a vacant position. Ms. Harper said the subcommittee had run into problems because the application was ambiguous. She also said some subcommittee members had personal knowledge of an applicant's status as a public official even though the applicants had not indicated they were. She suggested all original applicants be asked to update their file since vacant positions are to be filled from the current pool of applicants and everyone should be given equal opportunity. Board members discussed the definition of a public official and suggested an explanation of stakeholder categories be provided. **Brian Costner moved that the applications on file be updated prior to replacing the second vacant position of a public official. The motion passed with a vote of 18 in favor and one abstention.** Andrew Rea suggested all prospective Board members be made aware of the various subcommittees and invited to participate.

## **Membership Replacement Subcommittee Report**

Beaurine Wilkins reported the subcommittee had met November 12 in Hampton, S.C. and agreed on five applicants for replacing the vacant position of a public official. She said each of the five individuals had been mailed a letter asking if they were still interested in Board participation and that three had responded. She stated that Sam Booher, Dennis Williams and Vernon Zinnerman were the three qualified applicants being presented to the Board to fill the vacant position and that the election would be held at the January meeting of the Board. She stated the applications would be mailed to the Board members and Agencies for review and public notification would be made. Following a 15-day public comment period, any comments will be forwarded to the full Board and the Agencies at least 10-days prior to the election, she said.

Ms. Wilkins also asked Board members to be responsible about Board attendance and to please give notice if they will be unable to attend a meeting.

## **Subcommittee Relationship Discussion**

Bob Slay stated the Executive Subcommittee unanimously voted to recommend to the Board that each of the issues-based subcommittees report through the Education Subcommittee for the purpose of planning and coordination only. He said this is to avoid duplication and simplify the process of setting agendas. Brian Costner stated this clarification was very helpful for him and asked that it be acknowledged in the record. Andrew Rea stated he is extremely uncomfortable with a Westinghouse employee being chair of the committee that controls all recommendations presented to the Board. Bill Lawless stated it was not a matter of control but one of planning and coordination.

**Bill Lawless moved that all issues-based subcommittees report through the Education Subcommittee for planning and coordination purposes. Tom Greene seconded the motion. The motion passed with 17 members in favor of the motion and one opposed.**

## **Board Meeting Frequency**

Bob Slay stated that board meeting frequency was discussed at the October retreat and some members felt the Board could begin meeting six times a year as opposed to monthly because issues-based subcommittees had been established. Tom Costikyan stated that the basis for this discussion was that all members would be involved in subcommittee work and the full Board could meet less frequently, but that this would not give members a day off. Kathryn May stated it would be more productive to allocate time for subcommittee meetings. Andrew Rea stated board meetings at SRS should be stopped and the site should be used for meetings only on special occasions. Mildred McClain stated she supported board meetings being held every other month and subcommittee meetings being rotated around the various SRS communities. **Brian Costner moved the agenda be changed to allow a vote on a 1995 Board Meeting Schedule. Kathryn May seconded the motion. The motion passed with 18 members in favor and one abstention.**

**Brian Costner moved the Board meet bi-monthly in 1995 beginning in January. Tom Greene seconded the motion. The Board voted unanimously in favor of the motion.**

## **Risk Management and Future Use Subcommittee Report**

Brian Costner presented revised operating guidelines and stated several minor revisions were included. He said language had been added to recognize the importance of diversity and to show efforts will be taken to minimize the burden to the general public of participating on the working group in Section 8 of the guidelines. He noted an addition in Section 9 and stated he would add a section concerning the relationship between this subcommittee and the Education Subcommittee.

**Brian Costner moved the Board adopt the Risk Management & Future Use Subcommittee Operating Guidelines. (see attached) Rachael Harper seconded the motion. The motion passed with 19 members in favor and one abstention.**

Board members discussed using these operating guidelines as a basis for all issue-based subcommittee's guidelines.

## **Motion Submitted by Brian Costner**

Rachael Harper asked Brian Costner to withdraw his motion (see attached) until the Executive Subcommittee had a chance to develop operating guidelines. She stated the Executive Committee had discussed this motion and they recognized that although they believed correct procedures have been followed, that there could have been the appearance that decisions were being made during conference calls, when in fact they were not. She stated the Executive Subcommittee was waiting for permanent leadership before developing the guidelines and now that co-chairpersons have been elected, the operating guidelines were forthcoming. She stated all Executive Subcommittee meetings would strictly adhere to the Bylaws.

Brian Costner stated he wanted the history behind this motion on the record. He stated the motion did not appear out of the blue, but only after written and verbal requests that a record of

Executive Subcommittee meetings be kept. He said the answer then was not "We are waiting for operating guidelines," but the answer was "No." He also said the motion came after a confusing situation in which members of the Executive Subcommittee invited an individual to participate in a workshop that was clearly within the purview of the Risk Management & Future Use Subcommittee, but not discussed with him. He stated he thought it was very bad that it has taken this long for the Executive Subcommittee to proceed with operating guidelines.

Following discussion, Mildred McClain stated the process would be more open and democratic and that operating procedures would be developed and distributed to the full Board for comments. Brian Costner withdrew his motion.

## **DOE Budget Process**

Jim Buice, DOE-SR Budget Officer, presented an overview of the Federal Budget Process (see attached). His objective was to show how DOE-Savannah River seeks and obtains budgetary resources to accomplish the Site's mission. He discussed the schedule of the budget process, terminology, the accounting structure, the key players in the process, funding allocations and shifting of funds and opportunities for the public to influence funding decisions. See Appendix A for a summary of questions and answers.

## **SRS Quality Improvement**

Tom Heenan of DOE provided a summary of quality improvements in Environmental Management Programs at SRS in the past year (see attached). He also discussed overall quality improvements in fiscal year 1994 and discussed future initiatives.

## **Administrative Items**

Clay Jones gave an update on a pilot program to be conducted in Barnwell County to help explain risk to the population. This program was initiated by several Board members. He stated citizens would be asked what their concerns are and then a needs assessment would be conducted by an independent organization, who would then help design a communication process to provide information to the community.

P.K. Smith stated she would have a rough draft of an action plan, which is required by DOE-Headquarters, at the January meeting. The action plan is due February 1, 1995.

Bob Slay announced there would be a national meeting of site specific advisory boards in Washington, D.C. on February 14-15, 1995, and that in addition to chairpersons, four additional members were invited to attend. He and Mildred McClain recommended P.K. Smith, Ann Loadholt, Myles Grant and Tom Greene attend. **Brian Costner moved the Board accept this recommendation. Alice Hollingsworth seconded the motion. The motion passed with 14 members in favor and two abstaining.**

Brian Costner stated the Consortium for Environmental Risk Evaluation would be holding two follow-up workshops and he assumed he and Bill Lawless would be invited to attend. Mildred

McClain stated that when there is an isolated national meeting, rotation of Board members should occur, but that continuity is important and therefore follow-up meetings should be attended by original participants.

Bob Slay stated that thirteen resumes had been reviewed for the position of a facilitator and that four others had been received. If none were suitable, the facilitator position will be filled through a competitive bid process, he said. He asked Board members to provide suggestions of companies to receive this competitive bid.

## **Public Comments**

No public comments were received at this Board meeting.

## **Handouts**

- "Overview -- Federal Budget Process," visuals, DOE, Jim Buice.
- Overview of the Federal Budget Process
- Environmental Management FY96 Field Submission Activity Data Sheet
- "Savannah River Quality Improvement Summary," visuals, DOE, Tom Heenan.
- "Proposed Operating Guidelines SRS Citizens Advisory Board Subcommittee on Risk Management and Future Use," Brian Costner.
- Calendar of Public Involvement Events

## **Appendix A**

### **DOE Budget Process Questions and Answers**

Following discussion of the accounting structure at SRS and the four main programs which are funded, the following questions were asked.

Q. Is there a limit to the amount of funds you can get for programs at SRS?

A. The amount of funding has to be justified, but there is no limit set on what can be requested of Congress.

Q. What is the fiscal year 1995 budget for the four programs at SRS?

A. The budget for Weapons Activities is \$114 million; Materials Production and other Defense programs is \$866 million, Defense Environmental Restoration and Waste Management is \$695 million; and the Energy Supply R&D is \$32 million. The total FY95 budget for the site is about \$1.7 billion.

Q. Are these budgets going up or down? What is the trend?

A. They are pretty stable. In FY94 the site's budget was about \$1.6 billion and in FY96, it's projected to remain about the same.

Q. How does this compare with other DOE sites?

A. The SRS budget is not dissimilar from other sites such as Hanford.

Q. What percentage of this budget is salaries?

A. The rule of thumb at the site is that salaries and benefits are about 55-60 percent of the total budget.

Q. What is the total Environmental Restoration budget for the entire DOE complex?

A. It is \$2.4 billion. The total budget for the Environmental Management Program for the DOE Complex in FY96 is about \$7 billion.

Q. What is the SRS share for Environmental Restoration in FY96?

A. The budget is about \$70 million for that program at SRS in FY96.

Q. How much of the SRS budget is going to weapons stockpile support?

A. That budget is about \$90 million in FY95 and going up to about \$114 million in FY96. This is for the nation's tritium program.

Q. When your Defense Program rolls over into the Environmental Management Program, will you have more flexibility in meeting regulatory requirements?

A. No, because when those defense programs migrate to EM, they will become an account on their own or a base table when the budget is authorized by Congress. We will not have flexibility to use those dollars for environmental cleanup projects unless we go back to Congress for reprogramming of funds. More flexibility does exist during the budget development process.

Q. When do EPA and SCDHEC become involved in the DOE budget process?

A. The agencies look at commitments and compare these to the budget requests to ensure enough money has been asked for by DOE to meet commitments. DOE is required to submit a full compliance budget.

Q. Are you assuming the outyear schedules in the Federal Facilities Agreement are the way things will go with the Environmental Restoration Program at SRS?

A. Yes. As we projected in the summer, it looks like commitments and funding will materialize. It's difficult to project the exact outcome.

Q. What subcommittee of Congress looks at the DOE budget?

A. The Energy and Water and Armed Services Committee.

