

Community Advisory Council
May 8, 2003
Action Items/Notes

These notes are in the following order:

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2. Correspondence and handouts
3. Quorum
4. Administrative Items
5. Briefing on meeting with Jessie Roberson, Asst. Sec for EM, Dr. Chaudhari
6. Environmental Management Process to Reach End State, Tom Sheridan, Deputy Director for Operations
7. Community Comments
8. Community Involvement Plan for the Development of Cleanup Strategy, Ken White, EM Community Involvement Manager
9. Land Use Vision, Drew Bennett, ESD
10. Agenda Setting

1. Attendance

Members/Alternates Present:

See Attached Sheet.

Others Present:

M. Bebon, D. Bennett, J. Carter, A. Carsten, H. Carrano, Dr. Chaudhari, J. Clodius, F. Crescenzo, J. D'Ascoli, M. Daum, B. Farber, K. Geiger, K. Grigoletto, L. Hill, R. Hodgins, M. Holland, S. Kumar, M. Lynch, J. Parker, A. Queirolo, A. Rapiejko, M. Rowe, T. Sheridan, A. Tope, K. White

2. Correspondence and Handouts

Items 1 - 5 were mailed with a cover letter dated May 2, 2003. Items 6 and 7 were placed in the members' folders, and item 8 was available at the meeting as a handout.

1. Draft agenda for May.
2. Draft notes for April.
3. A Review of the Environmental Management Program by the Top-to-Bottom Review Team.
4. Copy of Subject: Cleanup Driven by Risk Based End States, Draft DOE Policy.
5. Copy of Development of Risk-based End State Visions, Draft DOE Guidance Document.
6. Developing an End State Vision, presentation by Tom Sheridan.
7. Developing an End State Vision Community Input, presentation by Ken White
8. Working EM Land Use Vision, presentation by Drew Bennett.

3. Quorum

The meeting began at 6:35 p.m.

4. Administrative

Reed went over the ground rules and the draft agenda. The CAC members and those in attendance introduced themselves.

Jeanne D'Ascoli reported that George Goode had not yet had an opportunity to focus on the P2 conference but is continuing to work toward making it happen as soon as possible. She also announced that member organization STAR is in the process of reorganizing. The Lab will contact them to ensure they will no longer be involved in the CAC and will then determine if there is an impact to quorum.

Mike Bebon reported that a news article would be appearing in the Long Island section of the NY Times on Sunday. The article will discuss a DOE Inspector General report recently issued covering an arrangement with University Hospital at Stony Brook to treat victims from BNL in the event of an accident that involved radiation contamination of victims. The report found that BNL had not updated the agreement since it was signed in 1999 and that training, as covered by the agreement, had not been provided in 2001. The report also contained three recommendations that the Lab has implemented. Bebon said that while the agreement was signed in 1999 it has been automatically renewed each year and that the Lab did not provide training in 2001, however, it was offered. The hospital declined to participate.

The notes from the March 13, 2003 meeting were approved with no additions, changes, or corrections. Two CAC members abstained. The notes for the April 10, 2003 meeting were also approved as written with two abstentions.

5. Briefing on Meeting with Jessie Roberson, Dr. Chaudhari, Director; Michael Holland

Dr. Chaudhari noted the time he has been spending on environmental cleanup since he came to the Lab. The end of April, he met with Jessie Roberson, Assistant Secretary for Environmental Management (EM), in an effort to talk directly with her about what DOE HQ expected from the Lab. He was struck by her straightforward approach to the issue and said that she is determined to finish the cleanup by the year 2008 at which time she expects the EM program will go out of business. Dr. Chaudhari noted that means the environmental management part of DOE will disappear, and the Office of Science will be solely responsible for the Laboratory and its operations from 2008 forward.

Dr. Chaudhari reported that Ms. Roberson said the Lab has until the end of September to prepare an end-state vision - what the site will look like with regard to environmental cleanup in 2008. Once that is done, a plan on how to implement that vision will be developed. The Lab is in the process of doing that now and will be discussing it with the CAC at tonight's meeting. When the plan is done the findings will be presented to the Assistant Secretary. Chaudhari said that in September a determination will also be made on whether or not the Lab will continue to manage the cleanup or if DOE will ask an outside contractor to take over. Either way, the Lab would continue to be involved since the Lab wants to be sure the cleanup is done properly. The CAC would also continue to be involved.

Mike Holland, DOE site manager, said that the meeting with the Assistant Secretary went very well, that it was important to meet with the program sponsor, go over progress to date, see where the Lab is headed, and where it needs to go. The Asst. Secretary was encouraged by the report given to her. She was supportive and wants to work with the Lab. Holland said that what the Lab is doing is consistent with what's going on in the rest of the DOE complex. Holland stressed the importance of completing the majority of the cleanup work by 2005 and noted that there would be some additional work that will extend to 2008 and beyond. Up front

planning must be done so that the Lab can go out and start the physical work as soon as possible so that as much of the cleanup as possible can be completed over the next 29 months.

Holland explained that End State is a term that has come about in the Department based upon successes they have had at other sites. The Department has seen that when you know exactly what it is that you need to do and how you're going to end your project everything else falls into place. It's really an upfront decision that has to be made and coordinated with the community, regulators, and the Laboratory. He said that they are also looking at how work is managed. There are key decisions to make, including what the ultimate cleanup remedy will be for the Peconic River. He said they are committed to working much more closely with the regulators - NYSDEC, EPA, and the Suffolk County Department of Health Services – and will be using a Core Team Concept, where the decision makers get together, talk about the issues and resolve them in a manner that addresses everyone's concerns. Those meetings will be accelerated if needed, so that the physical work can get done within the current timeframe.

Next Tuesday, Holland will attend a meeting in Washington DC with Asst. Secretary Roberson and Dr. Ray Orbach, Director of the Office of Science and their principle managers. This will be the start of the Core Team Process within the DOE to ensure that the accelerated cleanup process is worked out and to ensure that there are no conflicts. Holland stated that the CAC's input is important and that between now and August there will be formal and informal opportunities for input.

The CAC asked questions about their need to go to Washington, if this was happening at other DOE sites, about using an outside contractor and if they would have any influence or input on the cleanup plan for the Peconic River or if they would cut the CAC out of the process? They asked if there have been meetings with the regulators and what the reaction has been, if BNL was being compared to other sites and how BNL will compete for funding, if the End State would include public comment, and about the Graphite Reactor.

Holland said Tuesday's meeting was to talk about focusing on the longer term and what sort of activities will become the responsibility of the Office of Science once EM is completed so that planning for budgeting processes can take place. He said that deciding to use an outside contractor would be a mutual agreement and that a new contractors' input would be limited as the End State Vision would already be in place by the time they would to come onboard. There have been meetings with the regulators focusing primarily on the Peconic River with the recognition that there are other things that need to be talked about, as well. The regulators have been very receptive to the approach. Holland said in resolving the issues face to face, there has to be a give and take in the process.

Holland explained that DOE, to some extent, has always sent as much money as possible to the place where the highest risks are. BNL's funding profile is known and no one is looking to shift that. What the Lab is being pushed to do in the sense of planning, is to make the best case possible for completing the work by planning it out right down to the nickel.

6. Environmental Management Process to Reach End State, Tom Sheridan, BNL

Tom Sheridan described the approach that will be used to develop the End State Vision; it will be developed by conducting cleanup project reviews, developing an Integrated Risk-based Vision, by gaining regulatory approval, and approval by the DOE Asst. Secretary for EM. By September, the End State Vision will be completed, the description of work and baseline will be revised, the plan that describes the End State Vision will be finished, and the contracting structure will be revised. He reported that most of the information needed to write the baseline is available, the Lab is still getting some clarification on the funding, and is having weekly

discussions with the regulatory agencies. He said that there is a finite amount of time. The Lab needs to get as much work done as possible with the funding that's been allocated.

Sheridan described the work scheduled for completion by October of 2005. The groundwater treatment systems should be installed, the Peconic River sediment cleaned up, surface structures and soils addressed, and the BGRR decommissioned. Additional work that EM is responsible for after 2005 includes decommissioning the HFBR. Responsibility for the Medical Reactor Facility, the Magothy aquifer, and long-term monitoring will fall to the Office of Science.

The Lab will focus resources on projects that ensure the protection of the public and Lab employees, protects the environment, completes CERCLA related activities, reduces long-term potential liabilities, and minimizes the long-term operational and monitoring costs of institutional controls. Continuing the science mission at BNL will require safe operation of the facilities, maintaining the monitoring programs, and operating and maintaining the cleanup systems.

The CAC members asked if the End State Vision included the HFBR and Medical Reactor, if the decommissioning of the BGRR meant having the plan in place or having the work done, if the sampling, characterization, the risk analysis, and the public comment all need to be completed by September, and what the list of projects to be completed included. They expressed concern that bad decisions would be made and that decisions would be made with a lack of information; they asked about their role and whether they would respond to the plan or actually help design the plan, and they asked how changes to the existing baseline will occur if they are necessary. There were also concerns about financial impacts of handing the cleanup program over to the Office of Science, and if the financial impacts would be felt by the research programs.

The CAC was told that the Lab has 29 months to have the work on the Peconic River sediment, surface soils, and decommissioning of the BGRR done. Sheridan said that the HFBR will not be done between now and 2005 and the Medical Reactor will be the responsibility of the Office of Science. He assured the CAC that the Lab won't be lacking information and won't make decisions if the information is not available. Les Hill said that the vast majority of the characterization is done, the risk assessments are complete and there are only a handful of issues remaining at the BGRR. The RODs are going to tell the Lab what work is to be done. Les Hill said that there is a change process under CERCLA that would be used. Sheridan said there are concerns about financial impacts to the research programs and conversations addressing that issue have begun.

7. Community Comments

There were no comments from members of the community.

8. Community Involvement Plan for Risk-based Cleanup Strategy, Ken White, BNL

Ken White explained the challenges the Lab is facing in developing the End State Vision. He said that there are opportunities throughout the process for the public to participate and the CAC is essential. The Lab would like input from the CAC on key community issues that the Lab should consider as the End State Vision is developed.

He talked about future meetings and the information that would be forthcoming on the projects that are left. The Lab is trying to get a common understanding of what the projects are, what's left to be done, and the options available to finish them.

He said that some of the DOE sites including Mound and Fernald already have End State visions on the web. The CAC will have input and a public workshop is planned to get broader

public input. The role for the CAC in the workshop has yet to be determined. Following the workshop, the vision would go to DOE HQs for review and approval.

Action Item: CAC members asked questions about the timeline and if a one page fact sheet on the status of the projects could be put together (Ken said good idea, we can do that.)

There was a great deal of discussion on the role the CAC would play in the process. They also asked for clarification on what the Lab expected from them. CAC members asked if the role of the CAC in this process was to react to information brought to them by the Laboratory or if they were expected to participate more actively. White said things will be brought to the Council, probably more frequently than monthly, in order to achieve the schedule.

Dr. Chaudhari said that it's best if the Lab keeps the CAC engaged and thought there may be occasions where the Lab might need the CAC as part of the group.

CAC discussed the pros and cons of forming a subcommittee. Many members felt the subcommittee should be open to everyone to attend meetings as they are able and that everyone should get the notifications. They asked about the possibility of using email to communicate in a timely manner. It was determined that two CAC members who wanted to be involved did not have email (Conklin & Biss) and alternative communication would need to be arranged with them.

There was some concern over the role of the existing subcommittees and whether they get dissolved. It was suggested that a joint subcommittee encompassing the existing groups be formed. The CAC asked if they could have administrative support to take notes and create reports. The CAC was told that help would be available.

There was discussion on how the subcommittee should be set up. Whether there should be a subcommittee for each topic or one subcommittee and whether setting up too many committees would hinder the work the Lab needs to get done. The CAC agreed to start with one subcommittee, with the core being the existing working groups and others who wish to be involved. The process would be open to all on a continuous basis to work the issues. The exact structure may evolve based on the workload. Email is preferred to relay information back and forth in real time.

CAC members that agreed to serve on the End State subcommittee are members Talbot, Amper, Esposito, Clipperton, Heil, Shea, Graves, Conklin, Garber, Biss, Proios, and Kaplan.

The CAC was asked to identify key issues and interests that they feel need to be addressed effectively in coming up with an End State Vision. The CAC felt that they needed to see the status update on the various projects before they could give meaningful input. In the interest of time it was agreed that the first test of the email system would be to provide the members with the fact sheet and to request that they respond with their list of key issues and interests after reviewing it.

Action Item: Set email system up and do a broadcast request for the key issues and interests that the CAC feels the Lab needs to address in drafting the End State Vision. (Request for background status on each of the topics prior to submitting key issues and interests. See previous Action Item.)

9. Land Use Vision, Drew Bennett, ESD

Drew Bennett explained the EM Land Use Vision. He said that the Land Use Vision will be used for the basis for establishing realistic risk-based assumptions that will be used to determine

appropriate cleanup alternatives and to determine how long institutional controls need to be in place. He talked about the Future Land Use Plan that was compiled in 1995. He showed maps that depicted current land use, planned land use in 2014 (as projected in 1995), and land use for the facility should BNL close.

The site currently and in the future will likely have an industrial core surrounded by open space with a limited amount of residential area. Land use is not expected to evolve significantly, but other considerations in forming the Working EM Land Use Vision are the offsite land uses, the expectation that the Federal government will maintain the Lab for the next 100 years, and how any changes will be managed.

Bennett discussed the layers of existing regulations and processes should BNL remain under federal control and identified the regulations, processes, and procedures that will apply should the federal government choose to transfer the property prior to 2103.

CAC asked who was doing the planning and expressed concern that they be cognizant of the Central Pine Barrens legislation and that the Lab incorporate the management issues in the pine barrens management plan into the plan for the Lab. They also asked how the 100 year number was arrived at and expressed concern that a future activity might create the need for a change. The CAC members noted that eventually the Peconic River corridor would be incorporated into the preserve, that allowing community members to hookup to the STP and discharge to the Peconic River would be an unprecedented action, and wondered how the Year 2000 Master Plan compared.

Bennett told the CAC that several Lab organizations have come to a consensus that the 100-year target is a reasonable expectation and Mike Holland added that it is consistent with planning that is going on at other sites.

Action Item: Amper asked that the 2003 vision of what land use will be in 2014 be reconciled with the pine barrens comprehensive land use plan. (Create a map that shows how they both fit together.)

10. Agenda Setting

June

It was agreed that George Proios would contact Senator LaValle's office to let them know that the CAC is still working on the state oversight committee issue.

Extend invitation to Congressman Bishop through Brian Farber (Bishop's aide, who was in attendance at the meeting) to attend August meeting.

CAC agreed that everything else would be held until September.

The meeting was adjourned at 9:44 p.m.

2003	Affiliation		Fi	Last Name	JAN	FEB	MAR	APR	MAY	JUN
		Member	D	Garber	x	x	x	x	x	
		Alternate	R	J	o	o	o	o	o	
Brookhaven Retired Employees Association		Member	Graham	Campbell	x	x	o	x	x	
Brookhaven Retired Employees Association (L. Jacobson new alternate as of 4/99)		Alternate	Lou	Jacobson	o	o	o	o	o	
Citizens Campaign for the Environment		Member	A	E	x	x	x	o	x	
		Alternate	J	O	o	o	o	o	o	
E. Yaphank Civic Association		Member	Michael	Giacomaro	x	o	x	x	o	
E. Yaphank Civic Association (J. Minasi new alternate as of 3/99)		Alternate	Jerry	Minasi	o	x	x	o	o	
Educator		Member	A	C	o	o	o	o	x	
alternate 2/00) (Adam to college 8/01)(Bruce 9/01)		Alternate	B	M	x	x	o	o	o	
Environmental Economic Roundtable (Berger resigned,Proios became member 1/01)		Member	George	Proios	x	o	x	o	x	
Environmental Economic Roundtable (3/99, L. Snead changed to be alternate for EDF)		Alternate	None	None						
Fire Rescue and Emergency Services		Member	D	Fi	o	o	o	o	o	
		Alternate	J	M	x	x	x	o	x	
Friends of Brookhaven (E.Kaplan changed to become member 7/1/01)		Member	Ed	Kaplan	x	x	x	x	o	
Friends of Brookhaven (E.Kaplan changed to become member 7/1/01)(schwartz added 11/18/02)		Alternate	Steve	Schwartz	o	o	o	o	o	
Health Care		Member	J	C	o	x	o	o	o	
		Alternate	M	B	o	o	o	o	o	
Huntington Breast Cancer Coalition		Member	Mary Joan	Shea	x	x	x	o	x	
Huntington Breast Cancer Coalition		Alternate	Scott	Carlin	o	o	o	o	o	
Intl. Brotherhood of Electrical Workers/Local 2230		Member	M	Walker	x	x	x	o	x	
		Alternate	P	P	o	o	o	o	o	
L.I. Pine Barrens Society		Member	Richard	Amper	o	o	o	o	x	
L.I. Pine Barrens Society		Alternate	Katherine	Timmins	x	x	o	o	x	
L.I. Progressive Coalition		Member	D	S	x	x	o	o	x	
		Alternate	N	N						

2003	Affiliation		First Name	Last Name	JAN	FEB	MAR	APR	MAY	JUN
	Lake Panamoka Civic Association (Biss as of 4/02)	Member	Rita	Biss	x	x	x	x	x	
	Lake Panamoka Civic Association (Rita Biss new alternate as of 3/99)	Alternate	Joe	Gibbons	o	o	o	o		
	Long Island Association	Member	M	C	o	o	o	o		
		Alternate	W	E	o	o	oo	x		
	Longwood Alliance	Member	Tom	Talbot	o	x	o	x	x	
	Longwood Alliance	Alternate	Kevin	Crowley	o	o	o	o		
	Longwood Central School Dist. (switched 11/02)	Member	B	H	x	o	x	x	o	
		Alternate	C	S	o	o	o	o		
	NEAR	Member	Jean	Mannhaupt	o	o	x	o	o	
	NEAR	Alternate	Wayne	Prospect	o	o	o	o		
	NSLS User	Member	J	S	o	x	x	x	o	
		Alternate	P	S	o	o	o	o		
	PACE Union	Member	Allen	Jones	o	o	o	o		
	PACE Union	Alternate	Philip	Plunkett	o	o	o	o		
	Ridge Civic Association	Member	R	C	x	x	o	o	x	
		Alternate	N	N						
	STAR	Member	Scott	Cullen	o	x	o	o	o	
	STAR	Alternate	Terry	Guglielmo	o	o	o	o		
	Town of Brookhaven	Member	J	K	o	o	o	o		
		Alternate	A	G	x	x	x	x	x	
	Town of Brookhaven, Senior Citizens	Member	James	Heil	x	x	x	x	x	
	Town of Brookhaven, Senior Citizens (open slot as of 4/99)	Alternate	None	None						
	Town of Riverhead	Member	R	C	x	x	x	x		
		Alternate	K	S	o	o	o	o		
	Wading River Civic Association	Member	Helga	Guthy	x	x	o	x	x	
	Wading River Civic Association	Alternate	Sid	Bail	o	o	o	o		
	Yaphank Taxpayers & Civic Association	Member	N	E	o	o	o	o		
		Alternate	None	N						