

Community Advisory Council  
June 12, 2003  
Action Items/Notes

These notes are in the following order:

1. Attendance
2. Correspondence and handouts
3. Administrative Items
4. Core Team Update, Michael Holland, Manager, DOE BAO
5. Subcommittee Report
6. Update on the EM End State Vision process, Thomas Sheridan, Deputy Director, Operations
7. Community Comments
8. Overview of the Groundwater Project, Bob Howe, Project Manager, Groundwater
9. Overview of the Soils Project, Tom Daniels, Group Manager, Consolidated Surface Projects
10. Agenda Setting

### 1. Attendance

#### Members/Alternates Present:

See Attached Sheet.

#### Others Present:

C. Adey, T. Baker, M. Bebon, D. Bennett, P. Bond, T. Burke, J. Carter, A. Carsten, H. Carrano, Y. Colazzo, Dr. Chaudhar, J. Clodius, T. Daniels, J. D'Ascoli, B. Dorsch, K. Geiger, K. Grigoletto, L. Hill, R. Hodgins, M. Holland, B. Howe, S. Johnson, T. Kneitel, S. Kumar, M. Lynch, A. Queirolo, A. Rapiejko, Y. Rhee, T. Sheridan, J. Tarpinian, K. White

### 2. Correspondence and Handouts

Items 1 - 6 were mailed with a cover letter dated June 6, 2003 and items 7 and 8 were placed in the members' folders.

1. Draft agenda for June.
2. Draft notes for May.
3. Final notes for March and April.
4. Copies of June 12 presentations on groundwater and soils.
5. Project overviews on each major project category.
6. The Executive Summary of the Magogy Aquifer Characterization Report.
7. Copy of presentation for EM End State Vision Update, Thomas Sheridan, Deputy Director for Operations.
8. Figure ES-2.

### 3. Administrative

The meeting began at 6:37 p.m. CAC members and those in attendance introduced themselves. Reed went over the ground rules and the draft agenda. An update from Michael Holland, DOE BAO Manager, was added as well as time for a report from the subcommittee and

the CAC agreed to move the project presentations on groundwater and soils to the beginning of the agenda.

Jeanne D'Ascoli reported that efforts to contact Scott Cullen, STAR representative, were unsuccessful. The phones were not answered or were disconnected with no forwarding information. Without STAR, quorum is 55% of 26 member organizations or 14. D'Ascoli also introduced Yunna Rhee, a University of Maryland doctoral student who is conducting a case study of BNL's Community Involvement processes.

The notes from the May 8, 2003 meeting were approved with no additions, changes, or corrections. Two CAC members abstained.

#### **4. Core Team Update, Michael Holland, Manager, DOE BAO**

Michael Holland, BAO, gave an update on the Core Teams and their activities. The Headquarters (HQ) team consists of the Office of Science and the Office of Environmental Management (EM). The second Core Team is made up of the regulators who participate in the Interagency Agreement for the Lab. EPA and DOE developed the concept of Core teams so that decision-makers can meet face to face to make more timely decisions and cut through transmitting data back and forth.

The HQ's team will address long-term stewardship activities and how the transition will be made from EM to Science when EM phases out their work in '05 and '08 and the Office of Science takes on responsibility for remaining environmental issues. Holland was encouraged that the HQ team has come together with representatives from the Area Office, HQ's, and the Chicago DOE office to work through the issues now so that proper planning can take place.

The second team consists of NYSDEC and EPA; representatives from Suffolk County Department of Health Services also attend. They've met several times including a 5-hour meeting the day of the CAC meeting, which focused on the Peconic River. The goal of the meeting was to work toward agreement so that work could start in the river onsite in the November time frame. Holland reported that the CERCLA process would be followed, including a formal public comment period. Prior to the formal period the CAC will be given information during the project review for the Peconic. Holland noted that the CAC has had an evident impact on the Core Teams. Consideration has been given to input from the CAC at all the meetings. He said the next meeting of the Core Team regulators is July 2, and the HQ's team meets on June 23.

CAC members asked if there were any areas where they should be concerned or needed to focus. Holland replied that there were no red flags. They asked if the people attending the meetings have the authorization to sign-off on the decisions, what the difference was between the Core Team meetings and IAG meetings, if the IAG meetings were still occurring, if Suffolk County was participating in the meetings, if the scope of work discussed for the Peconic River was limited to the onsite portion of the cleanup, if the regulators are bending the process so that progress can be made, how much time would be saved, if there were cleanup goals and standards arrived at for the Peconic and when they would be available for the CAC, and they expressed concerns about how the cleanup would be conducted in the acceleration effort.

Holland said that in most cases, there is a level of authority where some decisions can be made on the spot. There are a few instances where there will be needed input from persons with more decision-making authority. The IAG teleconferences are still held every week and they are being used to supplement the Core Team meetings. Suffolk County is participating in those meetings. Holland also reported that both portions of the river were discussed but noted that they want to be able to get into river onsite to start the first part of the work.

In regard to the process, there was a level of discomfort and distrust with Core Team members that needed to be overcome. He said that they are working through that and have come to realize that the common goal is to get out and complete the cleanup. With that in mind, the members are willing to bend and compromise where necessary to make decisions that will lead to that goal. He said that doesn't mean that the CERCLA process is being subverted. Decisions are being made that will allow the CERCLA process to move ahead. He said the goals and standards would be sent out as soon as possible. They are working backwards from mid-November when they want to start the work. They will lay all of that out over the next 2½ months.

## 5. Subcommittee Report

Member Esposito reported that many of the subcommittee members were concerned that the expedited cleanup may inadvertently lead to less cleanup because the directive or incentive to save money will lead to cutting corners and produce an end product that is less than what would have been produced if the process had been allowed to continue. She said that some of the members were wondering what the difference is between the original CERCLA process and the End State Vision process that's being proposed. They were also concerned that the accelerated cleanup effort was part of the current administration's plan to not worry too much about the environment. Member Esposito summarized three points that had come out of their meeting:

- There should be no cutting corners in the cleanup;
- They don't understand the difference in the new and old approaches to End State; and
- There is concern that DOE HQ will use the accelerated process to justify doing less cleanup.

Member Amper said that this process feels different than previous acceleration efforts. There's more a feeling that DOE wants to be "done with it." The original effort to accelerate the cleanup was about maintaining the quality of the cleanup while doing it in a shorter period of time. "This mandate doesn't feel that way."

Member Kaplan said he wasn't sure about the path. The Draft DOE policy statement says, "do it right and completely the first time rather than establishing interim steps to undefined end states or by designing remedies that either don't meet the goal or unnecessarily exceed it." He said that he had problems with that because he can't believe that the County, the DEC, the EPA, and DOH people meeting with BSA, BNL, DOE all this time haven't had some type of end state vision. He agreed with Amper and said, "it doesn't feel good."

"Ramming it ahead without taking needed time will jeopardize the end state," said member Mannhaupt. She also questioned how the EM work would be transferred to the Office of Science, what kind of funding there will be for the future, and how the legacy programs will be funded. She said that her group had many questions that she submitted to the Lab in a written memo.

Member Graves said that the history of the Superfund is not one of tremendous accomplishment for the funds that they have. The statistics are something like 80% for litigation and 20% goes to cleanup. He thought that it was a good thing that DOE and the Lab want to speed up the decision-making process. He looked at the End State process as challenging the status quo of the Superfund program and thought that the regulators may act as watchdogs in the process. He sees DOE as the contractor going to the regulators and saying, "tell us what you want but do it faster so that we can save money over the long run."

Member Campbell expressed skepticism about the justification of this latest push. He felt that the process was being attacked and thought it would be a better thing to change the funding. He said if there's money to support the cleanup it's going to get done. The process by which it's

done is not nearly as important as assuring the funding to do it. He wanted to see someone address how the government is going to provide funding for the cleanup now and in the future.

Amper said that the CAC has hammered out a relationship with BSA and that the synergy between those at the Lab that want to do the right thing and see the right result and those of the CAC that don't want the process compromised in the interest of expediting it should continue to be used to focus on what can be done where there is a shared interest. He said that the things that have been agreed to need to be done and that the process shouldn't run the CAC.

The CAC agreed that the goal has to be to clean up BNL properly. There was concern about whether or not DOE HQ's would accept the BSA version of the End State, if changes were made, if the contract for cleanup was put out for competitive bidding, and where the CAC would fit into that process. CAC members also asked to hear the regulators viewpoint on the process.

Reed noted the comments of the CAC and then summarized them. They will be sent back to the members to be sure they were accurately recorded.

**Action Item:** Respond to Mannhaupt memo.

**Action Item:** Anthony Graves to put together a letter requesting the regulators address them at the July meeting. Letter to be coordinated with Jeanne D'Ascoli via email.

## **6. Update on the EM End State Vision process, Thomas Sheridan, Deputy Director, Operations**

Tom Sheridan reiterated that BNL has been charged with completing an End State Vision by the end of September that has input from the regulators and the stakeholders. He reported that the Office of Science was coming up to speed and understands that they will have a lot of responsibility when they take over. He talked about the key areas of focus, the Land Use vision, and the regulatory process. Sheridan went over how the project reviews would be presented to the CAC and said that there was a focus on work left to be completed and that there were uncertainties in some areas such as the Strontium-90 plumes and the Magothy aquifer that had to be resolved. He said that the contract would be performance based using the End State Vision as a benchmark. DOE will decide whether BSA will do the work or if a specialty contractor will be brought in.

The CAC asked why the HFBR was included in the projects but not the Medical Reactor, and who makes the decision if more or less work is necessary. The cutoff date for additional projects was September 2001; work that had been defined and characterized prior to that was included. Since that work had not been completed for the Medical Reactor, it wasn't included. He added that old facilities being phased out and new facilities coming online is an ongoing process. To address this, decontamination and decommissioning plans are being made upfront. Sheridan gave the NASA facility as an example where money has been put aside in escrow for decommissioning.

## **7. Community Comments**

None presented.

## **8. Overview of the Groundwater Project, Bob Howe, Project Manager, Groundwater**

Bob Howe introduced Tom Burke, project manager for Strontium-90 and the Magothy Aquifer and Bill Dorsch, project manager for the Groundwater Monitoring Program. He reminded the CAC that several years ago a remedial investigation and feasibility study for OU III had been

completed. At that time, there was limited characterization data obtained on the Magothy aquifer. When the study and proposed plan were presented, the community noted it. The CAC and regulators requested that more data be obtained before a decision on a remedy for the Magothy aquifer was made. When the OU III ROD was signed additional characterization was required, which was done during 2001 and 2002. Twenty-two vertical profile wells and 13 monitoring wells were installed. The report was recently completed and the executive summary was sent to the CAC in this month's mailing.

Howe said that there were six areas that were investigated. High concentrations of VOCs were identified in two areas offsite and one location onsite. These are not new plumes; they are a continuation of the contamination from onsite that has moved through the Upper Glacial aquifer and into the upper portion of the Magothy that occurred in breaks in the clay that separate the two aquifers.

He explained the interface between the Upper Glacial and Magothy aquifers and showed how the contamination entered. The goal is to limit plume growth now to prevent substantial contamination of the Magothy aquifer. If the contamination isn't addressed it may require a more costly or intensive cleanup down the road. He reported that there is no current pathway of exposure, however, under current modeling in 80 to 100 years it may reach the Carmans River. Remediation recommendations are to add two extraction wells to the planned systems at the industrial park and the LIPA/Airport locations and to continue monitoring all areas.

There are two plumes containing Strontium-90:

- ✓ One plume is at the chemical holes and is expected to decay to approximately the drinking water standard by the time it reaches the site boundary; however, this is uncertain. A pilot study for a strontium cleanup system has been operating at the chemical holes for two months. Not a lot of data is yet available. There is concern that there is a great deal more waste being generated from this system than was originally expected.
- ✓ A second plume is at the Waste Concentration Facility. It will continue to be monitored; there is currently no risk to human health and the plume is expected to remain onsite. Additional data is needed from the pilot before a specific recommendation will be made for this plume. Additionally, several other options are also being considered.

Howe discussed the actions taken on the Building 96 PCB soils project. He said that 1200 cubic yards of soil had been excavated. What is left is some residual contamination of PCBs in the area. Additional sampling is needed. Based on state cleanup levels a course of action will be determined.

The last project Howe discussed was the groundwater-monitoring program. The program is transitioning from studies and characterization to systems being constructed and long-term operations and monitoring occurring. It is appropriate at this time to do less monitoring in some places. Overall this approach will provide for some savings.

Member Giacomaro expressed a great deal of concern about the addition of the two wells. He and other CAC members asked a number of questions including information on the depth of the plumes and where the sampling was done, about the original concentrations of the plumes, for clarification about breaks in the clay lens and questions regarding the location of the Stratler Drive well, what the concentrations would be if the plume reached the Carmans River, and for an explanation on the fluctuation of the contamination concentrations. They also asked how long the monitoring wells would be monitored and how often they will be sampled, if the plan has been approved, about Suffolk County Water Authority wells in the area and if there were any projected impacts, if any of the monitoring wells were in the vicinity of the Stratler Drive well, and requested that the data from monitoring the wells continue to be entered into the GIS database.

Howe told the CAC that the VOC plume was 350 feet below grade. He said that a particle tracking model had been used to determine the track of the plume and that it does not give data on the plume concentrations. When questioned, Howe noted that original concentrations at the source might have been as high as 100,000 ppb, but that he was not positive. He agreed to provide additional information to the CAC (see Action Item below). As for the explanation on the fluctuation of the contamination concentrations, Howe said that a permanent monitoring well will fluctuate as the contamination passes by. It's the pulse nature of groundwater, as plume moves past monitoring wells the numbers are different. Howe assured the CAC members that data would absolutely continue to be entered in the GIS system.

**Action Item:** Provide horizontal and lateral cross-section plume information from the report.

**Action Item:** Provide answers to questions regarding the concentrations of the contamination at the source of the plume, what they are at the Stratler Drive location now, and what the concentrations of the plume will be when it reaches the Carmans River, if the well is not installed.

## **9. Overview of the Soils Project, Tom Daniels, Group Manager, Consolidated Surface Projects**

Tom Daniels, group manager, said that they had looked at the remedies for completed projects and remaining work to define the scope of work that still needs to be done to complete the program. There is a signed ROD, and all of the decisions have already been made. All of the projects fall under the OU I ROD signed in March of 1999. Areas were identified and cleanup objectives were established. As part of the remedy review, projects were looked at again just to be sure the right scope was defined and that the correct remedy was recommended.

The areas of concern addressed in the ROD are the radiological contaminated soil site and facilities, the landfills, and the ash pit and meadow marsh. Daniels went over the list of actions that have been completed and outlined the work remaining. At the former Hazardous Waste Management Facility (HWMF) they reviewed reusing the buildings and leaving them in place. It was determined that the buildings would be taken down but the concrete foundations could be left in place. Any residual contamination left in the concrete will be factored into the residual contamination left in the soil there and will meet the soil cleanup objective. Some funding will be saved because most of the contamination is in the top 1/8 inch, which will be cleaned. The Lab will proceed with the decisions in the ROD for the HWMF soils.

It was determined that the cleanup for Bldg. 811 will proceed as planned in the ROD, however, the volume of soil to be disposed of offsite is likely to be greater than planned.

Daniels said that it was originally assumed that the meadow marsh pond berms had the same levels of metals as the sediments, but after sampling it was confirmed that the levels are below the state levels therefore the volume of material to be removed here may be less than estimated. The remediation for the ash pit will proceed as specified in the ROD.

Member Shea questioned the contamination being left in the surface soils at the HWMF. The CAC also asked when the meadow marsh work would begin. Daniels said that it was scheduled for this summer. He said the HWMF buildings are being taken down now and the soil remediation will start in January. Work at the waste concentration facility will also start in January, and the ash pit was scheduled for this summer. The CAC also asked about the 50-year scenario being in the ROD.

**CAC ACTION ITEM:** Provide input on the two project reviews by email before the July meeting, (will email prior to the meeting).

**Action Item:** What is the dose (for HWMF soils) from now until the 50 years when the cleanup level (of 15 mrem/year) is reached.

**Action Item:** Provide copies of maps.

Reed asked about the level of detail in the presentations and if it was sufficient for the CAC to evaluate where the projects are and what the options are. He also asked if the CAC has enough information for discussions on the End State. The CAC said they did.

**Action Item:** The Lab will send out a summary of the CAC's interests as they were discussed early in the evening.

CAC decided they wanted to reschedule the Land Use discussion. They will be provided additional information to facilitate a discussion at their next meeting.

## 10. Agenda Setting

### July

Land Use discussion

Continue project reviews

Discussion on June project review

OU V (if Core Team has made it to the point that they have information – high priority)

The CAC asked: once the Core Group has reached a decision, what will they be able to do about it? What will be the point in bringing it to the CAC? Reed noted that within the process some input has already gone to the regulators, including the CAC's interests. Comments have gone to them as well. The Core Team is using their input in coming up with an initial decisions. Following that the Core Team will come back to the CAC to say how they used your input. That's one key point, that they consider you interests and how. The CAC can then tell them if they used it adequately or not. The regulators have the opportunity to modify the decision or portions of the decision based on that second feedback before it goes out for public comment.

### **Flip Chart Notes As Summarized**

(full text notes could be available if the CAC wishes to include them)

- Accelerating decision process is good and to be applauded but focus must remain on achieving a thorough cleanup
- The quality of the cleanup must be maintained and not sacrificed
- The CERCLA process must be maintained and funded (need specifics on how this will occur under the accelerated program)
- The final state of the ecosystem is important – do not sacrifice this for speed or money
- DOE must not use accelerated process to justify less cleanup – accelerate the paperwork only
- The accelerated decisions must be as good and protective as if more time were taken
- The regulators have the responsibility to protect the community's interests
- DOE should get the cleanup done through BSA
- DOE must not use accelerated process to get out of cleanup.

The meeting was adjourned at 10:09 p.m.

2003	Affiliation	Fi	Last Name	J	F	M	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
<b>Chart Key X = Present O = Absent</b>															
ABCO (Garber added on 4/10/02)	Member	D	Garber	x	x	x	x	x	x						
ABCO	Alternate	R	J	o	o	o		o	o						
Brookhaven Retired Employees Association	Member	Graham	Campbell	x	x	o	x	x	x						
Brookhaven Retired Employees Association ( L. Jacobson new alternate as of 4/99)	Alternate	Lou	Jacobson	o	o	o	o	o	o						
Citizens Campaign for the Environment	Member	A	E	x	x	x		x	x						
Citizens Campaign for the Environment (Ottney added 4/02)	Alternate	J	O	o	o	o	o								
E. Yaphank Civic Association	Member	Michael	Giacomaro	x	o	x	x	o	x						
E. Yaphank Civic Association (J. Minasi new alternate as of 3/99)	Alternate	Jerry	Minasi	o	x	x	o	o	o						
Educator	Member	A	C	o	o	o		x	x						
Educator (began as alternate in 3/99) (A. Martin new alternate 2/00) (Adam to college 8/01)(Bruce 9/01)	Alternate	B	M	x	x	o		o	x						
Environmental Economic Roundtable (Berger resigned,Proios became member 1/01)	Member	George	Proios	x	o	x	o	x	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	o						
Fire Rescue and Emergency Services	Alternate	J	M	x	x	x	o	x	x						
Friends of Brookhaven (E.Kaplan changed to become member 7/1/01)	Member	Ed	Kaplan	x	x	x	x	o	x						
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	o						
Health Care	Member	J	C	o	x	o	o	o							
Health Care (as of 10/02 per JD)	Alternate	M	B	o	o	o	o	o							
Huntington Breast Cancer Coalition	Member	Mary Joan	Shea	x	x	x	o	x	x						
Huntington Breast Cancer Coalition	Alternate	Scott	Carlin	o	o	o	o	o	o						
Intl. Brotherhood of Electrical Workers/Local 2230	Member	M	Walker	x	x	x	o	x	o						
IBEW/Local 2230	Alternate	P	P	o	o	o	o		o						
L.I. Pine Barrens Society	Member	Richard	Amper	o	o	o	o	x	x						
L.I. Pine Barrens Society	Alternate	Katherine	Timmins	x	x	o	o	x	o						
L.I. Progressive Coalition	Member	D	S	x	x	o		x	x						
L.I. Progressive Coalition	Alternate	N	N												

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