

Parks Township SLDA Cleanup
8 May 2002 Public Meeting
Comments, Concerns, and Concepts Expressed by the Community

1. It was requested that a participating and working citizen's oversight/advisory panel/committee comprised of Kiskiminetas valley residents be established in accordance with a proposed memorandum of understanding.

In the FUSRAP program, the Corps of Engineers has no specific authority or funding for establishing citizen's oversight/advisory panels or committees. However, the Corps considers any groups formed by the private citizens in the area important stakeholder groups and will keep them informed through our normal (and proactive) public participation process. The Corps will be holding public information sessions on a fairly regular basis. We can also offer to meet with stakeholder representatives individually if they want to discuss issues in more depth.

2. There was concern about construction of an emergency evacuation road for Kiskimere residents.

This issue will be addressed at the time of Remedial Design as part of the Safety and Health Plan for the site.

3. An actively practiced evacuation plan for Kiskimere and neighboring areas and businesses using local police and fire departments was proposed.

The development of an evacuation plan is the responsibility and under the direction of local authorities. The Corps of Engineers will provide any available information about the Shallow Land Disposal Area that may be required.

4. It was proposed that all soil, water, air, and vegetation sampling use split sampling methods.

The Corps of Engineers implements a series of Quality Control/Quality Assurance methods as a part of any sampling effort. The Corps will have split samples taken and analyzed by a separate and independent laboratory not

associated with the laboratory used to analyze samples during the Remedial Investigation.

5. A conveniently located and centralized document room/repository open to the public for all documentation was proposed. As envisioned, it would contain, among documents generated during cleanup efforts, any interagency memoranda of understanding, consent orders, and agreements.

In addition to our web site, the Corps of Engineers has already arranged for shelf space at the Apollo Library for this effort. Copies of all pertinent documents generated during the cleanup effort including memoranda of understanding, consent orders and agreements will be located in the library and be accessible to the community.

6. A peer review(s) of all proposals, plans, tests, studies, and conclusions by the National Academy of Sciences and/or the Institute for Energy and Environmental Research was proposed.

All plans and documents are reviewed by independent and technically qualified individuals within the Corps of Engineers district offices, the Corps' Hazardous, Toxic and Radioactive Waste Center of Expertise in Omaha, the Pennsylvania Department of Environmental Protection, and other stakeholders.

7. Standards should be more restrictive than those of the Nuclear Regulatory Commission, it was proposed. In accordance with the National Environmental Policy Act of 1969 (NEPA) and with ALARA (as low as reasonably achievable) concept, the Environmental Protection Agency's maximum allowable exposure dose to the general population of 25 millirems/year should be applied instead of the Nuclear Regulatory Commission's standard of 100 millirems/year. It was further proposed, in conjunction with ALARA, that no more than 10 Pico curies/gram be permitted to remain in any one location or spot. An exception to the 10 Pico curie/gram standard should apply only to those radioactive elements that do not occur naturally such as Plutonium and Americium. For those elements, which are not naturally occurring, the standard should be zero, it was proposed.

A thorough analysis of Applicable or Relevant and Appropriate Regulations (ARAR's) and development of site-specific cleanup levels will be performed as

part of the Feasibility Study. Public Law 107-117 authorizes the Corps of Engineers to clean up the Parks Township site. This will be accomplished in accordance with the July, 2000 Memorandum of Understanding (MOU) between the Corps and the Nuclear Regulatory Commission. Article III.G. of the MOU provides that, in the cleanup, the Corps will at least meet the requirements of the Comprehensive Environmental Response, Compensation, and Liability Act and 10 CFR Part 20 (Volume 10 of the Code of Federal Regulations, Part 20). While a more stringent standard may be adopted, that will depend first upon safety, but also upon cost-effectiveness.

8. It was requested that quantitative and qualitative comprehensive on- and off-site core sampling be performed to the mine water level. Testing for radiological and chemical contaminants that were used and/or buried at the Parks Township SLDA was requested.

The Remedial Investigation will be designed to determine the nature and extent of Atomic Energy Commission – related contamination at the site. This investigation will include all necessary sampling and analyses to clarify the current and future disposition of contaminants. Currently, a review of available data is being performed to identify areas where more data need to be collected. As part of this review, information on the current and possible future state of the underlying mines is being examined closely. An understanding of the hydrogeology associated with the site is crucial to determining the fate of contaminants. Any sampling needed to develop this understanding will be performed during the Remedial Investigation.

9. OSHA standards and inspections should be observed and practiced, respectively, in the cleanup. The safety of all workers should be considered, it was stated.

Safety is the number one priority for the Corps of Engineers. The health and safety of all workers and the general public will be pursued aggressively throughout the remediation process. As a part of any sampling or remediation effort, a Site Safety and Health Plan which follows all appropriate regulations and standards will be developed and implemented. All activities will be protective of workers, community and the environment.

10. It was requested that all available precautions be considered and undertaken to assure that further exposures from fugitive dust, runoff and roadway re-suspension are avoided.

All field activities will be conducted in such a way that fugitive dust, runoff, and roadway re-suspension will be minimized or avoided. Appropriate controls to assure collection, treatment, and appropriate disposal of runoff will be incorporated into the design.

11. Identification, classification, weighing and manifesting of contaminated waste prior to shipment was requested. It was further requested that copies of all shipment manifests be made available to the public in the requested document room/repository.

While the disposition and nature of remediated materials is specified in the Proposed Plan, Record of Decision, and closeout documents, which will be publicly available, the specific documents listed above are generally not included in the Administrative Record. However, they are available to the public pursuant to the Freedom of Information Act. All waste leaving the site will be properly documented with manifests or bills of lading in accordance with applicable regulations and reporting requirements. These manifests can be made public.

12. It was requested that the radiological cautionary signs that are mandated by Federal law to be placed every 50 feet be replaced on the fence surrounding the Parks Township SLDA until the cleanup is complete. These signs were removed.

Placement of signs currently is the responsibility of the current licensee. When the Corps of Engineers begins remediation at the site, all appropriate safety measures will be put in place.

13. Contaminated waste removal shipments through local road should be escorted, it was stated.

If appropriate, a detailed transportation plan will be included in the Feasibility Study and Proposed Plan. One of the principal goals of such a transportation

plan is the protection of the health and safety of the workers and residents of the impacted community.

14. It was requested that surveillance equipment and guards be provided to secure the Parks Township SLDA from human or animal intrusions.

The licensee is currently responsible for providing site security.

15. It was requested that the Nuclear Regulatory Commission be added to the list of Potential Responsible Parties. It was further requested that the amended list be provided to the U.S. Department of Justice and the Senate Committee on the Environment and Public Works.

The US Army Corps of Engineers is working with the Department of Justice to identify Potential Responsible Parties. Those persons or organizations who may be considered liable under the Comprehensive Environmental, Response, Compensation, and Liability Act (CERCLA) are discussed in 42 USC 9607 (Volume 42, U.S. Code, section 9607). Legislative language directs the Secretary of the Army to recover response costs incurred by the Corps from appropriate responsible parties in accordance with CERCLA.

16. A belief that costs of the cleanup should be recovered from those responsible was expressed.

Legislative language directs the Secretary of the Army to recover response costs incurred by the Corps of Engineers from appropriate responsible parties in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Liability under CERCLA is discussed in 42 USC 9607 (Volume 42, U.S. Code, section 9607).

17. The disposition of the \$308,000+ cost of a recovery contract was questioned.

Please see response to question 16. above.

18. Some wanted to know whether the Corps of Engineers checks (tests the water of) the Kiskiminetas River.

The Corps of Engineers routinely samples Kiskiminetas River for water quality as a part of our reservoir operation function. This sampling program is not related to the FUSRAP program. Samples are analyzed for nutrients and metals. In addition to water sampling, biological sampling is done. We have observed dramatic improvement in quality of Kiskiminetas River water in recent years. The Pennsylvania Department of Environmental Protection also has a sampling program for the Kiskiminetas River.

19. Reports from Numec, BWX Technologies, and ARCO, which contain the results of water tests were mentioned.

Reports from previous investigations are being examined as part of the current data review.

20. A report from the Pennsylvania Department of Environmental Protection on the testing of the Kiskiminetas River downstream near the BWXT facility was mentioned. TCE was tested, it was reported.

The Pennsylvania Department of Environmental Protection (PaDEP) completed a report on the testing of the Kiskiminetas River downstream near the BWXT facility during the summer of 2001. Trichloroethylene (TCE) was detected along the riverbank adjacent to the facility and immediately downstream near the outlet of Dry Run. This was reported in the local newspapers. The TCE detected adjacent to the facility is believed to be from the groundwater contaminated with TCE below the BWXT Parks facility. According to PaDEP, the detections near the outlet of Dry Run could not be attributed to a specific source at that time. For general facts regarding TCE please check the website, <http://www.atsdr.cdc.gov/tfacts19.html>

21. How the Corps of Engineers will protect them when remediation is initiated is a question that is important to local people.

Please see response to question 9. above.

22. Some meeting attendees indicated they have proof of other incidents (other than disposal at the Parks Township SLDA).

The Corps encourages anyone who has any knowledge about the site to provide it to us. Once we receive it, we will evaluate on a case-by-case basis whether the information is relevant to the site and materials we are authorized to address. If the information is relevant we will incorporate it in our investigation. If not, we will forward the information to the appropriate state or Federal agency that has the responsibility and authority to address it.

23. Who will accept the disposed wastes, which will be removed from the Parks Township SLDA, was a question asked at the public meeting.

A detailed study of disposal alternatives will be developed during the Feasibility Study.

24. Meeting attendees indicated that they want to be notified of the next meeting.

The next meeting will be widely advertised. The Corps of Engineers maintains and updates a mailing list. Please contact us if you would like to be included in our mailing list. The contact phone number is (412) 395-7221 (if no answer, please leave a voice mail message). The e-mail contact address is, Ronald.W.Wazenegger@usace.army.mil.

25. The statement was made that, since 11 September 2001, the Parks Township SLDA is an easily accessible site to terrorists.

Site security is currently the responsibility of the licensee.

26. It was recommended that flyover of the Parks Township SLDA be prohibited.

Issues relating to the restriction of airspace should be referred to the Federal Aviation Administration (FAA).

27. It was reported that there are volatile materials (2) stored at the Parks Township SLDA that are dangerous if mixed.

Please see response to question 22. above.

28. It was reported that barrels of nuclear materials were disposed of offsite according to truck drivers who were reported to be involved.

Please see response to question 22, above.

29. Metals (radioactive) are buried offsite, it was reported.

Please see response to question 22. above.

30. It was reported that a truck containing nuclear waste or which was contaminated by carrying nuclear waste is buried at the site of a Gulf gasoline station in Apollo.

Please see response to question 22 above.

31. It is speculated by some that there are plutonium mixtures in the Kiskiminetas River. It settles in the curves, it was claimed.

Please see response to question 22. above.

32. It was reported that some nuclear waste was carried out of the processing plant(s) when they were operating on workers' shoes.

Please see response to question 22. above.

33. It was suggested that we should enclose the site and apply a negative air pressure inside the enclosure, to ensure that airborne contaminants do not leave the site.

Appropriate remedial action will be developed and described in detail in the Feasibility Study and Remedial Design. Every precaution and appropriate control method will be used to minimize dust and airborne contaminants.

34. It was reported that material taken from the Parks Township SLDA and placed on a farm resulted in malformed farm animals.

Please see response to question 22. above.

35. Potassium 40 was mentioned, presumably because it was used or was a byproduct in the operation that yielded the waste at the Parks Township SLDA.

The nature and extent of Atomic Energy Commission-related contaminants will be defined during the Remedial Investigation.

36. River monitors can be activated in about one week's time, it was stated.

Please see response to Question 20. above.

37. Who are the truck drivers and contractors who shipped radioactive wastes, it was asked? Confidentiality statements should be offered to them to help persuade them to provide the information they have.

Interviews with former workers will be conducted during the Remedial Investigation. The Corps of Engineers will explore the issue of confidentiality if it becomes necessary in order to obtain needed site-related information.

38. It was asked whether removal of the radioactive wastes from the Parks Township SLDA is a given?

No. Under the Comprehensive Environmental Response, Compensation, and Liability Act, all remedial alternatives must be considered and evaluated against the nine criteria presented at the meeting.

39. What is the total number of curies at the site, it was asked?

A 1995 Draft Site Characterization Report prepared by ARCO and BWXT estimates that 6 curies of uranium and thorium were disposed of in the trenches.

40. It was stated that, based on known data, all records of buried material have not been found.

The Remedial Investigation will be designed to fill any data gaps identified during the current data review.

41. It was questioned whether companies kept the required records to maintain their licenses.

The companies were licensed by and operated under the Nuclear Regulatory Commission (NRC). Any questions related to record keeping under the NRC license should be addressed to the NRC and/or the companies.

42. It was asked what technical expertise the Corps of Engineers has. Can the Corps contract for the needed expertise as an alternative, it was asked?

The Corps of Engineers has, on staff, experts in all disciplines necessary for FUSRAP projects. Experts in Corps offices around the nation, including the Hazardous, Toxic, and Radiological Waste Center of Expertise in Omaha, are used as technical resources for FUSRAP projects. In addition, the Corps can contract with qualified contractors as needed.

43. It was asked what criteria were used to select the Parks Township SLDA as one of the FUSRAP sites?

It is unclear to what list is being referred. The sites designated currently in the FUSRAP program were designated by the Department of Energy (DOE) using the following criteria:

- 1) Was the site/operation owned by a DOE predecessor or did a DOE predecessor have significant control over the operations or site?
- 2) Was a DOE predecessor agency responsible for maintaining or ensuring the health, safety and environment of the site?
- 3) Is the waste, residual, or radioactive material on the site the result of DOE predecessor related operations?
- 4) Is the site in need of further cleanup and was the site left in an unacceptable condition as a result of DOE predecessor-related activities?
- 5) Did the present owner accept responsibility for the site with the knowledge of its contaminated condition and that additional remedial measures are necessary before the site is acceptable for unrestricted use by the general public?

The Parks Township Shallow Land Disposal Area was added to the FUSRAP program by Section 8143, Department of Defense Appropriations Act, 2002,

Public Law 107-117, which directs the Secretary of the Army, acting through the Chief of Engineers, under the Formerly Utilized Sites Remedial Action Program (FUSRAP) to clean up radioactive waste at the Parks Township SLDA, together with other specific provisions.

44. In the Oakridge National Laboratory and ARCO study(ies), all trenches were not excavated, it was reported.

It is reported that trenches 2, 4, and 5 were exhumed in 1965 to investigate discrepancies in material accounts of disposed uranium. Some of the materials were replaced in the trenches in 1966 and some were shipped offsite for disposal at a licensed facility.

45. It was asked how often sampling would be scheduled? If a hot sample appears, what would we do, it was asked?

Currently there is a monitoring program in place at the Shallow Land Disposal Area, as required by the Nuclear Regulatory Commission license. Plans for any sampling to be done by the Corps of Engineers will be included in the Remedial Investigation Work Plans, which will be developed after the current data review is complete.

46. An explanation of the effects of radiation was requested.

There are fact sheets on the FUSRAP web page for such information. The web address is <http://www.lrb.usace.army.mil/fusrap/facts.htm>

47. Since TCE has been found, will a comprehensive study of the Kiskiminetas River be performed, it was asked?

The Pennsylvania Department of Environmental Protection will conduct additional sampling and further investigations this coming summer (2002).

48. Concern was expressed about consumption of fish caught in the Kiskiminetas River. An alert should be put out (this was to be coordinated with the Pennsylvania Department of Environmental Protection).

The Pennsylvania Department of Environmental Protection is working with the Pennsylvania Fish and Boat Commission, the Pennsylvania Department of Health, and the Pennsylvania Department of Agriculture to determine if there is need for a fish advisory.

49. What is the average radiation left at the Parks Township SLDA site in Pico curies, it was asked? The minimum level at the Parks Township SLDA (30 at Apollo) was also requested.

The specific cleanup level for each radiological contaminant will be developed during the Feasibility Study.

50. It was asked whether the Parks Township SLDA is the first site to be cleaned up by the Corps of Engineers under the Formerly Utilized Sites Remedial Action Program (FUSRAP).

There are currently 47 FUSRAP sites around the nation in various stages of cleanup by the Corps of Engineers. More information can be obtained from the FUSRAP web page: <http://www.hq.usace.army.mil/cecw/fusrap/index.htm>

51. A person with a well above the Parks Township SLDA indicated he wants to obtain a radioactivity test, presumably of his well water.

The Pennsylvania Department of Environmental Protection has discussed these concerns with two different homeowners in the area and will collect samples for both radioactive and non-radioactive chemicals within the next few weeks.

52. It was questioned why what has been done before should be done again.

Data from previous investigations must be reexamined to determine whether they will be useable under the Comprehensive Environmental Response, Compensation, and Liability Act process. In order to be thorough, there is a possibility that we will have to repeat certain investigations.

53. There is documentation in Federal court from B&W/ARCO, it was mentioned.

Documents filed in previous litigation, if relevant to the current situation, can be made available if required for the cleanup work.

54. It was asked whether the Parks Township SLDA cleanup is under "Superfund".

The Parks Township Shallow Land Disposal Area is not a Superfund site, but the FUSRAP program follows the Comprehensive Environmental Response, Compensation, and Liability Act process, the same process followed at Superfund sites.

55. It was asked who the contractor on the cleanup project is or will be.

Currently, URS, Inc. is under contract to the U.S. Army Corps of Engineers to collect and analyze data and documents. No contracts have yet been advertised for the cleanup.

56. It was asked whether the Corps of Engineers would act as guards and inspectors.

The Corps of Engineers will oversee and inspect all the work done by contractors. If it is eventually decided that guards are to be used during the cleanup, the contractor(s) will be responsible for providing them.

57. Why can the cleanup project not start sooner by avoiding "red tape", it was asked.

In order to achieve a safe and thorough remediation, the nature and extent of the contaminants at the site must be known and all options must be examined with the support of the state and the stakeholders. The schedule has been condensed as much as possible while still maintaining safety and collaboration.

58. The meeting attendees were told that reports would be made available for Federal, state, and public review at every stage of the cleanup effort.

There will be state and stakeholder reviews at every stage of the Comprehensive Environmental Response, Compensation, and Liability Act process. The community will have chance to review and comment on the Proposed Plan and will be kept informed at appropriate decision points.

59. The meeting attendees asked that slides be brought to future public meetings to show how the cleanup work will be accomplished.

Slides showing similar cleanup work will be presented during the public information session at which the Proposed Plan is presented.

60. How will information be transferred, it was asked.

Information regarding the site and the cleanup program will be transferred through the placement in the document repository at the Apollo Public Library, the web site established by the Corps of Engineers, public information sessions, and press releases. Other means will be used if they appear useful and appropriate.

61. Information on a study that was done previously disappeared from the library, it was alleged.

Acting as an information center for the public, the Apollo Public Library formerly housed documents from the Nuclear Regulatory Commission (NRC), acting as an information center for the public. According to the librarian, once the NRC developed a web site, they discontinued using libraries. The library disposed of all the documents they had. As indicated above, the Corps of Engineers will maintain a document repository at the Apollo Public Library.

62. The meeting attendees expressed a need to clean up nuclear remains.

The Corps of Engineers agrees and is aggressively working to cleanup the Parks Township Shallow Land Disposal Area as well as other FUSRAP sites.

63. It was stated that the Pennsylvania Department of Environmental Protection (PaDEP) has tested area wells.

Drinking water from wells at homes surrounding the Parks Township Shallow Land Disposal Area were sampled by PaDEP on two separate occasions during the past several years. None of the water samples were found to contain any site-related contaminants.

64. It was questioned whether the Corps of Engineers is comfortable enough with the existing documentation, considering the discrepancies it contains, to not perform the site inspection phase.

A Site Inspection is conducted when there is not enough information to support a decision in the Preliminary Assessment. In the case of the Parks Township Shallow Land Disposal Area (SLDA), there was already enough information to support a decision in the Preliminary Assessment. More importantly, the Preliminary Assessment was superseded by legislation. So, there was no need for a Site Inspection at the SLDA, and the next phase of the Comprehensive Environmental Response, Compensation, and Liability Act process, which is Remedial Investigation was initiated.