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## **1. Attendance**

### Members/Alternates Present:

See Attached Sheets.

### Others Present:

S. Anker, B. Blenn, P. Bond, T. Burke, H. Carrano, A. Carsten, P. Chaudhari, I. Chaudhary, J. Clodius, F. Crescenzo, T. Daniels, J. D'Ascoli, B. Dorsch, G. Goode, L. Hill, B. Howe, S. Johnson, T. Kneitel, S. Kumar, R. Lee, M. Lynch, S. Medeiros, A. Peskin, F. Petschauer, A. Rapiejko, S. Robbins, J. Tarpinian,

## **2. Correspondence and Handouts**

Items one through three were mailed with a cover letter dated September 3, 2004. Items four and five were placed in the member's folders, and items six through eight were available at the meeting as handouts.

1. Draft agenda for September 9, 2004.
2. Draft notes August 12 meeting
3. Invitation to CAC reception
4. Final notes June 10 meeting
5. Copies of letters transmitting CAC recommendation
6. Copy of presentation on Controlling Phragmites in the Peconic River
7. Copy of the presentation on Proposed Changes for Groundwater Projects
8. Copy of George Goode's Environmental Update (not presented due to late hour)

## **3. Administrative**

The meeting began at approximately 6:40 p.m. Reed welcomed everyone and acknowledged that it was the CAC's sixth anniversary. He went over the ground rules and the draft agenda. An issue with waste transportation and a request for dealing with phragmites in the Peconic River were added.

Dr. Chaudhari congratulated the CAC on their sixth anniversary and said their advice has been very, very helpful. Dr. Chaudhari said for his two previous science talks he had spoken about Laboratory initiatives related to space and the universe on a grander scale. Tonight, he would come down to Earth and discuss the 60% of the work the Lab does that deals with atoms and the periodic table, which is less than 100-odd atoms and make up all of the world that is seen around us. He talked about inanimate materials and said the underlying phenomenon that determines how the materials behave is covered by just one simple law of nature, a set of rules called quantum mechanics. Dr. Chaudhari explained the rules of quantum mechanics and discussed quantum computers, super conductivity, and difference in the scale of materials at the nano level.

As a quorum had been reached, Reed asked the CAC to review the August notes. He asked if there were any additions, deletions, or corrections. Member Proios asked that his statement on page 3 be corrected to reflect that he had asked his group for direction however they did not comply. The notes were approved, pending the correction, with two abstentions.

Tom Daniels briefed the CAC on a 37-car train derailment in Utica, New York that included one car from Brookhaven Lab. The material from Brookhaven was not manifested as hazardous or radiological. The material, Peconic River sediment, that spilled is covered and surrounded by hay bales. Someone from the Lab will be dispatched to oversee the clean up. The material will be loaded into trucks on Monday to continue the trip to the landfill.

Daniels also said that the onsite remediation of the river has been completed. The sediments have been removed and all the conformation samples are in. The regrading has been completed and restoration is expected to be completed next week. The original cleanup goal was 1 ppm, the average of the confirmation samples was 0.2 ppm. The onsite cleanup is done, once the regulatory requirements are completed, the offsite work will begin.

Member Conklin commented on risk and said he felt that the Lab was doing everything they could to keep things within bounds. He felt that after the last meeting, perhaps the impression was given that the Lab should meet impossible expectations regarding safety and he felt that might be unfair.

#### **4. Control of Phragmites in the Peconic River, Skip Medeiros**

Skip Medeiros reminded CAC members that during the public comment period a meeting was held on the restoration process following the removal of the sediment. At that time several commitments were made regarding frequent updates and notification on how the phragmites would be controlled. He explained that phragmites are an invasive species and that they are presenting a problem for the restoration because they are rapidly returning to areas where the sediment has been removed. There are several methods that can be used to control phragmites, however, they are not very effective. Medeiros said that the method left is the use of a herbicide, which has been requested by the DEC. Glypro, the chemical being considered, is very non-toxic. It acts by controlling photosynthesis. The Lab is proposing that it be applied directly onto the foliage using a wicking method.

The CAC members asked questions about toxicity to fish, if it would wash off in the rain, if it would be used onsite and offsite, when it would be applied, and how much time there was for input. Medeiros said using it only onsite was being considered now. He noted that it has been used in the Wertheim National Wildlife Refuge and that The Nature Conservancy is scheduled to use it in the Long Pond greenbelt. He said it has been studied for sometime.

The Lab agreed to give CAC members until the end of the month to provide additional input into the process. There was some discussion on how effective it would be if other areas of the river weren't also treated. Medeiros said that the permit has a clause that requires the Lab to control

phragmites and other invasive species in the restoration areas. Tom Daniels said that at the rate they're growing the phragmites would overtake the native plantings.

Member Kaplan questioned why it was being required if phragmites were so pervasive and he suggested that the regulators be approached and asked to reconsider their position. Daniels said the Lab would discuss it with the regulators and let them know about the feedback received. He indicated that a special meeting might be necessary and a sign-up sheet was sent around the room to capture the names of those who would be interested in attending.

There was continued discussion about potential impacts of the application, about applying the herbicide directly to the plant as opposed to broad range spraying, and about the impacts in general of phragmites on wetlands Long Island-wide.

Reed summarized that the Lab will hold off on a decision about implementation until the end of the month in order to gain more input. The Lab is going to take the input back to the regulators and work the issues and then bring that information back to the CAC. If more information is available and if the Lab needs additional input from the CAC a special meeting may be convened.

## **5. Community Comment**

Sarah Anker commented on phragmites and the issues with them and other invasives and whether it was possible to fight them through the chemical makeup of the soil. There were no other comments from the audience.

## **6. Discussion on Process Concerns**

Reed said that there had been some comments received that expressed concern about the process used at the August meeting to gain consensus. He apologized for pushing so hard but felt the CAC could reach consensus. He suggested that the CAC take more control of the process. First, he said that those CAC members that are representatives of groups need to acquaint the group with the nature of the consensus process and get them to determine exactly how much latitude the member has to work in the consensus. You need to have an understanding of what your latitude is to work toward your group's interests. If that understanding from the group cannot be gotten, then you need to come in with one or two options. One is that you stand aside from the discussion process because you have not been able to get enough guidance from your group to participate. Or, if you want to get that guidance, but you haven't been able to get it yet and you want to participate, then you need to ask for the CAC's indulgence to delay the discussion until you get the input. At that point, the CAC would do a simple majority vote to determine whether they wished to delay the discussion or not.

Member Esposito said that should be the last resort, members need to come prepared to vote. Member Proios commented that he thought too much emphasis was being put on consensus. Reed said that sometimes the CAC is asked for consensus and sometimes they're not. He suggested as part of the process there be a check-in before starting, in which the CAC gets to decide whether they wish to work toward a consensus recommendation or not. The CAC can decide at that point if they want to build consensus or give input to the Laboratory in some other way. And that can be decided on an issue-by-issue basis.

Member Jordan-Sweet didn't think that the changes suggested would have solved the problem for two of the three cases from last month and thought it got to the point where their individual (indecipherable).....were not being respected. She didn't think that they could have changed...

Reed said that's a good reason to make a formal part of our process a check in to see if the CAC wants to reach consensus, and get input back so that Reed doesn't overtake the process and push toward something the group is not really able or interested in doing.

Member Evanzia said that at this point in time the Long Island Association would not be part of any consensus. They have not had an opportunity to discuss the issues because of people not being in attendance over the summer. They will be discussing it over the next week or so. Then they will go before the Board and make a resolution. It might be necessary then to make a recommendation directly to the Lab opposed to the CAC. If that's necessary, then that's the way they will handle it.

Member Amper said that the Lab has made it possible for every opinion to be heard regardless of whether or not a consensus is arrived at and doesn't think that there's a danger that the lone voice will be ignored. He shared the view of those who said that it is not necessary to arrive at consensus on everything, nor did he think that it was a positive approach for people to come to meetings knowing there's no way they're willing to participate in the consensus effort. Those people have a responsibility to their organizations and to themselves to make sure that the Lab hears their views. But he didn't think that they had the entitlement to develop a position that says they are unwilling to join a consensus of any kind. He thought that wasn't productive.

Reed said that part of the issue is to make sure that as representatives of an organization the issue be worked within the organization to allow a discussion whether it's consensus or not. If as a group, there's a recommendation that can be made that's powerful enough to make as a body, it ought to be made. And if there's not, there's not and that's fine.

Member Conklin said that from the very beginning of the CAC there was a big discussion on consensus and one of the things the CAC is to do is to advise the Lab and give input. The process of trying to get to consensus is the democracy, which brings all of the different factors together. The littlest guy has the little voice but it made the best process and that is what the group is here for. To make suggestions, not to solve the problems, let's not get away from going for consensus for doing what we're trying do. Because in that process all these new ideas tend to come out and we're just an advisory board, it's not win, or lose!

Reed added "And in the process of having the discussion, whether it ends in consensus or not, a great result has been achieved."

Discussion continued on the process of consensus with many members expressing strong feelings on the importance of finding ways to participate in the process. Some members expressed the sentiment that advance notice of upcoming votes would help members in obtaining input and direction from their groups.

Member Esposito thinks that it is a valuable process to try to achieve consensus. It's valuable to hear everyone's views and to try to work together as a group to try to come up with a uniform recommendation to BSA. It might not always be possible, but she thinks that it's important to try. She also thought that there was notice of upcoming votes and that coming prepared to vote shouldn't be a problem because members should be keeping their organizations up-to-date. She said that everyone should have a process to go to their membership, no matter what its make up, so that they can come prepared. If that can't be done then the CAC can't have consensus and we need to figure out something else.

Reed said that they are talking about one meeting of lead-time before going to consensus. If you can't get input from your group or authority to participate in the process, you come in and tell the group and stand aside for the discussion. "That is how we'll operate, we check in with the group before we start working toward consensus to make sure that the CAC wishes to move to consensus on a particular issue. The last thing I want to add is that when it looks like we're

there, we stop the process and do another check-in around the table. That's what I'd like to do to refine the process." The CAC agreed.

## **6. Input on the members who agreed to report on their positions on the BGRR**

Two of the three members that agreed to bring back information on their group's position were absent. Member Proios said that he spoke with the co-chairs of his group about their opinions and got two different answers so he will continue to abstain.

Member Guthy asked if the members not present had at least emailed their input. Jeanne D'Ascoli reported that Member Giacomaro had formerly submitted comments and Member Mannhaupt had asked to submit NEAR's comments on the 10<sup>th</sup>.

## **7. Proposed Changes to Groundwater Projects, Bob Howe**

Bob Howe reviewed the information that he had previously presented to the CAC. He said that he intended to ask the CAC for their feedback and if they could support the two proposals to change the OU III Record of Decision (ROD). He showed the plumes on a chart and explained the types of contaminants and concentrations found in them. He explained that the Strontium-90 contamination was solely onsite and in the Upper Glacial Aquifer. The VOC contamination is in the Magothy Aquifer offsite.

Howe said that all of the RODs for the Groundwater Program have been signed and issued. He went over the current language in the OU III ROD and explained that an Explanation of Significant Differences (ESD) would be needed to change it.

For the Magothy Aquifer, the Lab proposes active treatment of VOC's at two offsite locations using existing carbon treatment systems and monitoring at all areas. This will meet drinking water standards within 65 years at a capital cost of \$825,000 for operation and \$1,500,000 for maintenance over ten years.

For Strontium-90, the Lab proposes active treatment, which will meet drinking water standards within 70 years at the BGRR/Waste Concentration Facility, and 40 years at the Chemical Holes. The capital cost is expected to be \$2,950,000 for operations and \$10,950,000 for maintenance over ten years. The plumes will remain onsite.

CAC members asked about the flow rates of the systems using the resins, why a range of different flows wasn't looked at to begin with, if the number of years and cost were the significant changes, if the systems were going to operate for only ten years, what the half life of Strontium-90 is, if the VOC plume was in both the Upper Glacial and Magothy aquifers, why the ROD didn't have a target concentration, what sources were used to derive the remedy, and the amount of rainwater used in the projections.

Howe responded to all questions. After ten years, any concentrations remaining would be reduced through natural attenuation. The half-life of Strontium-90 is approximately 28 years. The ROD did not have a target because there was not enough data and they did not want to hold up the whole decision while more information was gathered. Analytical data from vertical profiles, additional monitoring wells, and more characterization were used. After concentrations were determined, groundwater models were used to project what would happen with no treatment, with the proposed remedy, and one other scenario.

A member asked what the concentrations are that will be left behind after ten years of active work when the natural attenuation phase begins? Howe said he did not know off the top of his head and did not want to guess. He said he would get the information.

**ACTION ITEM:** Obtain information on concentrations left at the end of ten years.

**ACTION ITEM:** Get information on the rainfall data used in the projections.

Howe said that comments had been received from the EPA and DEC on the draft ESD and it would be resubmitted for approval. A formal public comment period is not required under the CERCLA process for an ESD, but it is important that input is received so there will be a 30-day comment period, hopefully starting in October. Once public comments are received, responses will be put together and the document will be given to DOE and the regulators. The Lab will continue to keep the community involved in the remediation.

The CAC asked additional questions about comments from the regulators, adjusting the pumping to the size of the plume, and about the Strontium-90 plume not leaving the site above drinking water standards.

Howe reported that the regulators were in favor of the remediation. One of the state's concerns with the Strontium-90 project is that monitoring wells be placed well in advance of the plume to detect any movement beyond what is expected.

**ACTION ITEM:** Member Shea asked if someone from the EPA, the DEC, and Suffolk County could comment at the next meeting.

## **8. Update on Transportation Incident, George Goode**

George Goode gave an update on the incident of the leaking package in Wyoming. The material was repackaged and the shipment continued on to Utah. The package met the company's acceptance criteria when it arrived, meaning that there were no free liquids in the waste when the package was emptied.

A team was formed to investigate what went wrong. The independent team was made up of a packaging expert from DOE, a solidification chemistry expert from the Lab, a waste operations engineer from Argonne Lab, a quality assurance engineer, an emergency management specialist to look at the response aspects, and a root cause specialist from an outside company. They looked at the documents available, a series of demonstrations were done for the team, and a report was developed. The draft is due next Monday. Goode shared some of the things learned. He said the process is a solidification/absorption process for liquid radioactive waste. It allows for a solid material to be shipped instead of a water-type product.

The leak was estimated to be about a half gallon of material. It was found that the liner, which was specified as a waterproof liner with a water-tight seal, was not water tight. Even though it was inspected, it had not been performance tested. That was root cause number one. Why the solidification process didn't work was also looked at. It was determined that the waste stream had a higher than usual salt concentration and the agent did not solidify the material as it normally does.

Goode said the next steps are to draft a Corrective Action Plan.

Reed asked if the CAC felt there was closure on this issue. They agreed.

## **9. Community Comment**

Sarah Anker inquired about her membership status and asked if she should resubmit her application.

CAC members suggested that they vote on her membership at this meeting, however, Reed said there was a process issue where the bylaws say there must be one meeting's notice. The vote would take place at the October meeting.

Another member of the audience, Iqbal Chaudhry, also inquired about membership on the CAC. Reed suggested that he make a presentation to the CAC about his background and interests. He should submit a resume to Jeanne D'Ascoli to be sent out prior to the meeting.

## **10. Agenda Setting**

### **October Agenda**

Membership of Sarah Anker  
Presentation by Iqbal Chaudhry?  
Groundwater Recommendation  
Environmental Update  
Phragmites Update  
BGRR input from NEAR

Meeting adjourned at 9:46 pm.

2004	Affiliation		First Name	Last Name	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
<b>Chart Key X = Present O = Absent</b>						No Mtg.					No Mtg.					
ABCO (Garber added on 4/10/02)	Member	Don	Garber	X		X	O	X	X	X		X	X			
ABCO	Alternate	Richard	Johannesen	O		O	O	O	O	O		O	O			
Brookhaven Retired Employees Association	Member	Graham	Campbell	O		O	X	X	X	X		X	X			
Brookhaven Retired Employees Association (L. Jacobson new alternate as of 4/99)(A. Peskin 5/04)	Alternate	Arnie	Peskin	O		O	O	O	O	O		X	X			
Citizens Campaign for the Environment	Member	Adrienne	Esposito	X		X	X	O	X	X		X	X			
Citizens Campaign for the Environment (Ottney added 4/02)	Alternate	Jessica	Ottney	O		O	O	O	O	O		O	O			
E. Yaphank Civic Association	Member	Michael	Giacomaro	X		X	X	X	X	X		X	O			
E. Yaphank Civic Association (J. Minasi new alternate as of 3/99)	Alternate	Jerry	Minasi	O		O	O	O	O	O		O	O			
Educator	Member	Audrey	Capozzi	O		O	O	X	O	O		O	X			
Educator (B. Martin - 9/01)	Alternate	Bruce	Martin	O		X	O	O	X	X		O	O			
Educator (A. Martin new alternate 2/00) (Adam to college 8/01)(add. alternate 9/02)	Alternate	Adam	Martin	O		O	O	O	O	O		O	O			
Environmental Economic Roundtable (Berger resigned,Proios became member 1/01)	Member	George	Proios	X		O	X	X	X	X		X	X			
Environmental Economic Roundtable (3/99, L. Snead changed to be alternate for EDF)	Alternate	None	None													
Fire Rescue and Emergency Services	Member	David	Fischler	O		O	O	O	O	O		O	O			
Fire Rescue and Emergency Services	Alternate	James	McLoughlin	O		O	O	X	X	X		O	O			
Friends of Brookhaven (E.Kaplan changed to become member 7/1/01)	Member	Ed	Kaplan	X		O	O	O	O	O		O	X			
Friends of Brookhaven (E.Kaplan changed to become member 7/1/01)(schwartz added 11/18/02)	Alternate	Steve	Schwartz	O		X	X	O	X	X		O	O			
Health Care	Member	Jane	Corrarino	X		O	O	X	O	O		O	O			
Health Care (as of 10/02 per JD)	Alternate	Mina	Barrett	O		O	O	O	O	O		O	O			
Huntington Breast Cancer Coalition	Member	Mary Joan	Shea	X		X	O	X	X	X		X	X			
Huntington Breast Cancer Coalition	Alternate	Scott	Carlin	X		O	O	O	O	O		O	O			
Intl. Brotherhood of Electrical Workers/Local 2230	Member	Mark	Walker	X		X	X	X	X	X		X	X			
IBEW/Local 2230	Alternate	Philip	Pizzo	O		O	O	O	O	O		O	O			
L.I. Pine Barrens Society	Member	Richard	Amper	O		O	X	O	O	O		X	X			
L.I. Pine Barrens Society	Alternate	Jane	Geary	X		X	O	X	X	X		O	O			
L.I. Progressive Coalition	Member	David	Sprintzen	X		X	O	O	X	X		O	X			
L.I. Progressive Coalition	Alternate	None	None			No Mtg.						No Mtg.				



2004	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	O			
	Lake Panamoka Civic Association (Rita Biss new alternate as of 3/99)	Alternate	Joe	Gibbons	O		O	O	O	O		O	O			
	Long Island Association	Member	Matthew	Groneman	O		O	O	O	O		O	O			
	Long Island Association	Alternate	William	Evanzia	X		O	X	X	O		O	X			
	Longwood Alliance	Member	Tom	Talbot	X		O	X	X	X		X	X			
	Longwood Alliance	Alternate	Kevin	Crowley	O		O	O	O	O		O	O			
	Longwood Central School Dist. (switched 11/02)	Member	Barbara	Henigin	X		X	O	X	X		O	X			
	Longwood Central School Dist.	Alternate	Candee	Swenson	O		O	O	O	O		O	O			
	NEAR	Member	Jean	Mannhaupt	X		X	X	O	O		X	O			
	NEAR (taken off ¼)	Alternate	Wayne	Prospect	O		O	O		O		O	O			
	NSLS User	Member	Jean	Jordan-Sweet	X		X	O	O	X		X	X			
	NSLS User	Alternate	Peter	Stephens	O		O	O	O	O		O	O			
	PACE Union	Member	Allen	Jones	O		O	O	O	-		O				
	PACE Union	Alternate	Philip	Plunkett	O		O	O	O	-		O				
		Member	John	Hall				X	X	X		X	X			
	Peconic River Sportsmen's Club	Alternate	Jeff	Schneider				X	X	X		O	O			
	Ridge Civic Association (resigned in 03)	Member	Ron	Clipperton												
	Ridge Civic Association	Alternate	None	None												
	Town of Brookhaven	Member	Jeffrey	Kassner	O		O	O	O	O		O	O			
	Town of Brookhaven	Alternate	Anthony	Graves	X		X	O	X	X		X	X			
	Town of Brookhaven, Senior Citizens	Member	James	Heil	X		X	X	X	X		X	X			
	Town of Brookhaven, Senior Citizens (open slot as of 4/99)	Alternate	None	None												
	Town of Riverhead	Member	Robert	Conklin	X		X	X	X	X		X	X			
	Town of Riverhead (K. Skinner alternate as of 4/99)	Alternate	Kim	Skinner	O		O	O	O	O		O	O			
	Wading River Civic Association	Member	Helga	Guthy	X		X	X	X	X		X	X			
	Wading River Civic Association	Alternate	Sid	Bail	O		O	O	O	O		O	O			
	<del>Yaphank Taxpayers &amp; Civic Association</del>	<del>Member</del>	<del>Nanette</del>	<del>Essel</del>	<del>O</del>		<del>O</del>	<del>O</del>	<del>O</del>	<del>-</del>						
	<del>Yaphank Taxpayers &amp; Civic Association</del>	<del>Alternate</del>	<del>None</del>	<del>None</del>	<del>-</del>	<del>-</del>	<del>-</del>		<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>	<del>-</del>