

**Savannah River Site (SRS) Citizens Advisory Board
The Strategic & Legacy Management Committee Meeting
Aiken Municipal Conference Center, Aiken, SC
January 8,2008**

The Savannah River Site (SRS) Citizens Advisory Board (CAB) Strategic and Legacy Management (S&LM) Committee held a meeting on Tuesday, January 8, 2008, 6-8 p.m., at the Aiken Municipal Conference Center in Aiken, SC

The purpose of the meeting was to discuss:

1. Proposal to use the Savannah River Site (SRS) Property for Military Training
2. Environmental Justice Program Upcoming Activities
3. National Environmental Policy Act (NEPA) Process; and
4. Opportunity for public comment on CAB related items.

Attendance was as follows:

CAB Members

Madeleine Marshall, Chair
Ranowul Jzar, Vice Chair
Wade Waters, Vice Chair
Robert Meisenheimer
Alex Williams
Manuel Bettencourt
Judy Greene-McLeod

Mary Drye

Leon Chavous
Donna Antonucci

Joe Ortaldo
Frank Boulineau
Stan Howard

Stakeholders

Lee Bradley, DHEC
Eric Nelson, SRNL
Will Emerson, US Army
Joseph Baker, US Army
Al Nevez, US Army
Carolyn Haugerbook, EPA
Murray Riley, Citizen
Dr. Ken Saywain, Savannah
State University
Dr. Julius Afolabi, Savannah
State University
Ralph Phipps, US Forestry
Tiajuana Cochmauer, US
Forestry
Paul Sauerborn, WSRC
Charlie Davis, SREL
Liz Goodson, Citizen
Kurt Buhlmann, SREL
*Rick McLeod, Technical
Advisor

DOE/Contractors

Sheron Smith, DOE-SR
De'Lisa Bratcher, DOE-SR
Drew Grainger, DOE-SR
Chuck Borup, DOE-SR
Helen Belencan, DOE-SR
Amanda Watson, DOE-SR
Barry Shedrow, WSRC

Welcome, Introduction, and Committee Chair Update:

Ms. Madeleine Marshall, Chair, S&LM, wished everyone a Happy New Year and thanked them for recognizing the new committee meeting start time of 6pm. She then called the meeting to order at 6:00pm and welcomed all in attendance.

Ms. Marshall referred to the meeting ground rules and requested that everyone abide by them. Then, the attendees introduced themselves.

Ms. Marshall began the meeting by stating the 2008 Work Plan topics for this committee will be developed and approved at the full board meeting scheduled to occur at the end of this month. She continued by reviewing the 2007 Work Plan S&LM purpose and reviewing the topics considered by the committee this year. For those who are new and to refresh those of us who are not so new, the S&LM Committee are involved in strategic issues relevant to the future of SRS. This includes long-term policy, planning and other "cross-cutting" issues related to other CAB committees. The Committee's work includes many programmatic topics. Specific areas of interest are the

SRS budget decision-making process, future land use, legacy management/long term stewardship, historic preservation and relevant national environmental policy. Our committee encourages other CAB committees to integrate long-term stewardship. Topics considered by this Committee in 2007 include:

- Budget Development (*February / March / May / November*)
- Gold Metrics (*May / August / November*)
- End State Vision Document (*August*)
- Land Management Plan (*September, and this evening*)
- Biomass Utilization (*June meeting and onsite tour*)
- Integrated Operable Units (*May*)
- Historic Preservation (*August / September*)

(Italicized text indicates when presentations and discussions occurred on the topic this year.)

Discussions continued by reviewing the five open and pending S&LM Recommendations. Ms. Marshall indicated that the Fiscal Year (FY) 2009 budget rollout had occurred according to the Weapons Complex Monitor, and Ms. Helen Belencan stated that the rollout referenced is the FY 2008 budget rollout. The FY 2009 budget is embargoed until after the President's budget release scheduled in early February.

Meeting Summary:

A Strategic and Legacy Management Committee meeting was held on Tuesday, January 8, 2008, 6:00-8:00 p.m., at the Aiken Municipal Conference Center, in Aiken, SC. The topics included a presentation on a proposal to use SRS property for military training; a briefing on the SRS Environmental Justice Program's upcoming activities to include the Strategic and Five-Year Plan to prepare for stakeholder input; provided a presentation on the National Environmental Policy Act process; and provided an opportunity for members of the public to comment on CAB related issues. The committee meeting was well attended and all presentations were well received. No issues or recommendations are expected from the meeting discussions.

Chuck Borup, DOE-SR, provided a presentation and led discussions, with the support of four Department of the Army representatives, to explain the background, ongoing activities, and status of the Department of Defense's proposal to use SRS property for military training. A Memorandum of Understanding (MOU) was signed between the Army and the Department of Energy in May 2007 which provided the general concepts. The Army would like to use the SRS property because of the facilities (i.e. reactor) available to provide specialized training to the armed forces. To implement the MOU, the National Environmental Policy Act requires an environmental assessment (EA) be completed to ensure no harm to the environment occurs. After the EA is complete, the Interagency Agreement (IAG) will be developed to provide specifics of the funding, safety, security, and the activities that must avoid any interference with the Site and Wackenhut operations. SRS will retain full control of all real property. The possible training opportunities include dismounted/light infantry maneuver training; 12 events per year (5-14 days duration); logistic functions; establish communications or command & control facilities; aviation; and joint training with Special Operations Forces. The CAB members were very supportive of the proposal, but expressed concerns of safety and funding. Their questions included if the site boundaries would be affected (would fences be removed?), they expressed concern for impacts or disturbances to the wildlife, (i.e. endangered species, woodpeckers, etc.); and inquired if the Army plans to interact with the surrounding communities. The IAG which is expected to be complete in October 2008 will detail all terms and conditions. The Department will keep the CAB members informed as the IAG develops.

The meeting continued with a presentation from de'Lisa Bratcher, DOE-SR, on the Environmental Justice (EJ) Program history, upcoming activities, and strategies. EJ is the fair treatment to address disproportionately high and adverse human health and environmental effects on minority and low-income communities.

The Department and the Environmental Protection Agency Region 4 have pledged \$300,000 annually to fund the activities. The EJ Task Force was reestablished in November 2007 to educate the stakeholders who have the right to be heard, the strategy was updated in December 2007, stakeholder comments on the Five-Year Plan in March 2008, and plan for public release of the Five-Year Plan by the end of March 2008. The CAB members applauded the revived EJ efforts and looks forward to the opportunity to comment on the Five-Year Plan.

Drew Grainger, DOE-SR, provided a presentation on the National Environmental Policy Act (NEPA) process. He reviewed the law, regulations, guidance, and provided in-depth discussions on the timeline and criteria of the process. In theory, all federal actions are subject to NEPA review. At SRS the process starts in the field with contractor NEPA coordinators and occurs early in the planning process. The three basic types of NEPA reviews are categorical exclusion, environmental assessment, and the Environmental Impact Statement. Public involvement occurs during the public scoping meetings and the comment period. Open discussions centered on who monitors and provides feedback on the NEPA analysis. Very well received and appreciation expressed for the clear and valuable information.

In closing, the S&LM Chair reminded the attendees of the upcoming SRS CAB meetings and encouraged attendance. The meeting was adjourned at 8pm.

Public Comment(s):

- Murray Riley - There should be a town hall meeting, or series of meetings (sponsored by the Army?) on the proposed use of SRS for military training.
- Lehr Brisbane - The SRS is a National Environmental Research Park. This kind of activity is welcome, but studies should be designed to assess the impact and see if NEPA predictions are correct. Wildlife movements should be monitored. Will briefly explained that the Army does exactly this at other locations where similar training activities are carried out.

Actions:

- CAB comment on the Environmental Assessment.
- Continue to keep CAB members informed of Environmental Justice opportunities to review and comment.
- Chuck Borup provides the Proposal to use the Savannah River Site Property for Military Training presentation at the full board meeting in January.

Adjourn:

Ms. Marshall adjourned the meeting at 8:00 p.m.

Presentations:

Proposal For Utilizing SRS Land For Military Training Purposes (Presented by Chuck Borup)

Background

- Global Situation Generated New Training Requirements
 - Large and disparate land areas
 - Insufficient land available at military installations
- June 2004, Army Approached SRS
- May 2007, DOE / Department of Army Memorandum of Understanding Signed
 - Provided General Concepts
 - Allowed DOE-SR to Develop Interagency Agreement with Army

Implementing MOU

- Conduct Environmental Assessment (EA)
- Develop Specifics of Agreements and Processes in Inter-Agency Agreement (IAG)

Training Possibilities

- Dismounted/Light Infantry maneuver training
 - Includes Special Operation Forces (SOF)
 - No Live Fire
 - No Tracked Vehicles
 - Potential for airborne and heliborne operations
- 12 Events per year, 5-14 days duration
- Logistics functions:
 - Long haul logistics

- Convoy ambush training
- Establish communications or command & control facilities
- Joint training with SOF
- Aviation
 - Establish forward base for deep helicopter operations
 - Establish Helicopter Refuel Points
 - Establish Helicopter Landing Zones/Pick up zones (LZ/PZ)
- Interagency training with DOE Site Security Force

IAG Items

- Funding
 - No Cost to SRS
- Safety
 - Army fully responsible for safe execution of their activities
- Security
 - Foreign Nationals in Army Units
 - Security Clearances
 - Access to Designated Training Areas
- Army Aviation
 - Avoid any Army interference with Site and Wackenhut Operations
- Environmental
 - Threatened and Endangered Species
 - Archeological Sites
 - Forestry
- NEPA
 - An Environmental Assessment is underway
- Logistical Support
 - Minor logistical support may be required
- Real Property
 - SRS retains full control

Path Forward/Timeline

- EA initiated late October 2007 – Notice of Intent
- EA Internal Scoping Meeting January 2008
- Monthly working group meeting with Fort Gordon/SRS beginning January 2008
- Analyze Army proposals against SRS resources and constraints
- Draft EA for 30-day public comment March 2008
- Final EA with FNSI or determination to prepare EIS May 2008
- Initial Draft IAG to DA and DOE leadership and other agencies for review June 2008
- Initial Draft SOP for Training Area Utilization; scheduling; occupation and clearance; resourcing July 2008
- Presentation of EA, Draft IAG, and Draft SOP at SRS Workshop August 2008
- Complete IAG – September 2008
- Signing of IAG October 2008
- Boots on the Ground – January 2009

Savannah River Site's

Environmental Justice (EJ) Program (Presented by de'Lisa Bratcher)

Purpose

To provide the history, upcoming activities, and strategies of the Environmental Justice Program.

Contents

History of Environmental Justice

Executive Order 12898

Implementation Activities

DOE Environmental Justice Task Force
Revised Environmental Justice Strategy and Five-Year Plan

History of Environmental Justice Program

- Warren County, North Carolina - 1982
Hazardous Waste Landfill site
Vocal outcry
- United Church of Christ issued landmark study - 1987
Race was a major factor in siting
Three out of four sites were in predominately African American communities
- Causes
Economics
Lack of Civic Empowerment
Communication and cultural barriers

Executive Order 12898

- Executive Order – February 1994
- Definition – Fair treatment to address disproportionately high and adverse human health and environmental effects on minority and low-income communities.

Four goals:

- Identify and address programs and policies that have disproportionately high and adverse human health and environmental effects on minority and low-income populations.
- Enhance credibility and public trust by making public participation a program component.
- Improve research and data collection methods relating to human health and the environment of minority and low-income populations.
- Integrate Environmental Justice criteria, as appropriate, with activities and processes related to human health and the environment.

Implementation Activities

- Savannah State University
 - Environmental Science Laboratory
- Medical University of South Carolina
 - Community Leadership Institutes (9)
 - Community Leadership Institute Technical Workshops (3)
 - Made-for-TV Programming (2)
- National Small Town Alliance
 - Two of Six Computer Hubs

Summary:

The Department of Energy and the Environmental Protection Agency Region 4 have pledged \$300,000 annually through 2012.

National Environmental Policy Act (NEPA) Process (Presented by Drew Grainger)

The NEPA Process

Law, Regulations, and Guidance

- A National Environmental Policy
- Planning: information made available before decisions are made.
- Procedural – no requirements or penalties, except to carry out the process.
- Section 102 – Action-forcing
- Established the Council on Environmental Quality.

Regulations

- Council on Environmental Quality 40 CFR Parts 1500 – 1508
- Agency Regulations

- DOE 10 CFR Part 1021, including Subpart D, Typical Classes of Actions
- DOE Order 451.1B, NEPA
 - Document Managers
 - NEPA Compliance Officers
 - Level of approval for NEPA reviews

DOE Guidance

- Issued by the Office of NEPA Policy and Compliance.
- Detailed
- From general topics (Accident Analysis, style and format) to specifics (the number of copies of an Environmental Impact Statement for the Interior Department).
- Introduces the Sliding Scale: analysis commensurate with risk.
- The Law, Regulations, and Guidance are all available on the DOE NEPA web site
 - www.eh.doe.gov/nepa/
- Link from the SRS NEPA web site
 - shrine01.srs.gov/eshqa/EPD/nepa/NEPA.html
- Deciding to do a NEPA review
 - In theory, all Federal actions are subject to NEPA review.
 - At SRS the process starts in the field with contractor NEPA coordinators.
 - Recommendation up through the contractor organization to the DOE NEPA Compliance Officer.
 - When: EARLY IN THE PLANNING PROCESS.
- Three basic types of NEPA reviews
 - Categorical exclusion – approved by the DOE NEPA Compliance Officer.
 - Environmental Assessment (EA) – approved by the DOE Site Manager.
 - Environmental Impact Statement (EIS) – approved by the DOE General Counsel (GC-1).

Categorical Exclusions

- Actions the Department has determined, by rulemaking, to be “individually and cumulatively insignificant”.
- Listed in the DOE NEPA Regulations
- Appendix A – General Actions (15)
- Appendix B – Specific Actions (86)
- Broad categories (classes) vs. narrow actions
- Environmental Evaluation Checklist prepared by the contractor NEPA coordinators.
- Contractor recommends a class of action the proposal corresponds to.
- DOE NEPA Compliance Officer determines that the proposed action fits the class and that the action may therefore be excluded from further NEPA review.
- Problems: Segmentation, DOE determination, *de minimus* level.

Environmental Assessments (EA)

- To determine if an Environmental Impact Statement is required or to assist Agency planning and decision making.
- An action that may or may not have significant environmental impacts.
- An EA is prepared if the action is listed in subpart C of Appendix A of 10 CFR Part 102, or if the action is not listed in subparts A, B, or D.
- The DOE Site Manager makes the determination that an EA is required, and approves the EA.
- Who prepares the EA?
 - At SRS, the contractor is the primary preparer
 - Part of the project process, the contractor’s responsibility
 - A DOE document, with a DOE document manager and approval by the DOE Site Manager.
 - DOE may prepare the EA
 - A support contractor may also be used for EA preparation.
- Public Involvement for EAs
 - Notification of host and affected States and Tribes of decision to prepare an EA.
 - Notification of the public through the SRS Environmental Bulletin and updates to the CAB.

- Host and affected States and Tribes are provided the opportunity to review an EA prior to DOE's approval.
- SRS provides any interested person the opportunity to review.

Findings of No Significant Impact

- Finding made by the DOE Site Manager
- Hinges on NEPA definition of "significant"
 - Context of an action – society as a whole, affected region, affected interests, and locality. Short and long-term effects are relevant.
 - Intensity – the severity of an impact. Ten factors, including effects on public health, how the action may affect threatened or endangered species, or significant cultural or historic sites, or may threaten violation of environmental requirements.

Environmental Impact Statements (EIS)

- Prepared to assess the impacts of "a major Federal action significantly affecting the quality of the human environment".
- May be programmatic or project-specific.
- Appendix D to Subpart D of the DOE NEPA regulations.
- DOE's General Counsel makes the determination that an EIS should be prepared, and approves draft and final EISs for publication.
- Who prepares an EIS?
 - A specialty contractor. Site contractors have a conflict of interest.
 - Site contractors contribute significantly, with project and alternatives descriptions, site data.
 - An EIS is a DOE document, with a DOE document, the site manager reviews and approval by DOE.
 - DOE staff prepares significant portions of EISs, including the Purpose and Need, Alternatives, and responses to public comments.
- DOE's NEPA Contractors
 - Small Business and "open competition" contractors with identical, task-order contracts.
 - Contractors bid for tasks.
 - Contracts expire this spring, and are in the process of being re-competed.
 - Each EIS has a List of Preparers – you can see exactly who prepared the EIS.
- Content of an EIS – Defined by CEQ
 - Cover Sheet
 - Summary
 - Table of Contents
 - Purpose of and Need for Action
 - Alternatives including Proposed Action
 - Affected Environment
 - Environmental Consequences
 - List of Preparers
 - Mailing List
 - Index
- Public Involvement for EISs
 - Notice of Intent to prepare an EIS published in the Federal Register, notice in the Environmental Bulletin.
 - Scoping Period and public scoping meetings – advise DOE on the issues to be considered.
 - Comment Period on the Draft EIS, and public meetings.
 - Final EIS and Record of Decision.

Records of Decision

- Documents the Agency's decision, usually the selection of an alternative, and the reasons for the decision.
- The Record of Decision, based on the EIS analysis, describes the impacts of the alternatives and describes the environmentally preferable alternative.

Environmental Assessments in preparation

- Biomass Cogeneration and Heating Facilities at SRS Draft EA available January 2008
- Proposed Use of SRS Lands for Military Training Draft EA Available March 2008

Environmental Impact Statements in Preparation

- Complex Transformation (Complex 2030) Supplemental Programmatic EIS: Draft Available January 2008, Public Meeting Thursday, February 21, North Augusta Community Center
- Global Nuclear Energy Partnership (GNEP) Programmatic EIS: Draft Available February 2008
- Surplus Plutonium Disposition Supplemental EIS: Draft available July 2008
- Disposal of Greater-Than-Class-C Low-Level Radioactive Waste EIS: Draft Available mid-2008