

FINAL



Chemical Demilitarization Citizens' Advisory Commission
Chemical Destruction Community Advisory Board
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Chair

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**Chemical Demilitarization Citizens' Advisory Commission (CAC) and
Chemical Destruction Community Advisory Board (CDCAB) Meeting
Summary of Action Items and Discussions
Dec. 9, 2008
Eastern Kentucky University
Richmond, Kentucky**

Meeting Synopsis

The meeting was designed to provide an update on the following:

- U.S. Army Element, Assembled Chemical Weapons Alternatives (ACWA)
- Blue Grass Chemical Agent-Destruction Pilot Plant (BGCAPP)
- Systems Contractor
- Chemical Weapons Working Group (CWWG) and Monitoring Working Group (MWG)

Meeting Summary Structure

This meeting summary is not intended to be a verbatim record of conversations, but instead will provide an overview of the discussions and next steps committed to by the government and various members of the CDCAB. Key action items identified in the meeting and a synopsis of the major questions and comments discussed during the various updates are noted below. Copies of slides and handouts presented during the meeting can be obtained from the Blue Grass Chemical Stockpile Outreach Office at (859) 626-8944 or bgoutreach@bah.com.

Action Items

Action Item: Howard Baker requested the potential future cost of conventional weapons disposal per ton in reference to the reuse capabilities of supercritical water oxidation (SCWO) for destruction of conventional weapons at the Blue Grass Army Depot (BGAD).

Responsible Entity: Todd Williams, BGAD environmental manager

Timeline: March 10, 2009

Action Item: Doug Hindman asked CAC/CDCAB members to think about ways by which the commission and board could inform the public if there was a decision to ship hydrolysate off site at BGCAPP.

Responsible Entity: Doug Hindman

Timeline: March 10, 2009

Outline of Key Issues and Discussions

Welcome and Introductions – Stephanie Parrett, Blue Grass Chemical Stockpile Outreach Office

Stephanie Parrett welcomed the attendees, reviewed the meeting agenda and noted the action items from the Sept. 9 CAC/CDCAB meeting, which consisted of the following: Craig Williams to work with the U.S. Army Chemical Materials Agency (CMA) to set up a meeting with a representative from the Joint Program Executive Office for Chemical Biological Defense (JPEO) regarding monitoring technologies. Williams stated dialogue was going back and forth and the next MWG meeting would be scheduled in mid-January.

Opening Remarks – Doug Hindman, CAC Chair; Kent Clark, Madison County Judge-Executive and CDCAB Co-Chair; and Craig Williams, CDCAB Co-Chair

Doug Hindman, CAC chair, welcomed everyone to the meeting and thanked participants for their time. Kent Clark, CDCAB co-chair and Madison County Judge-Executive, also welcomed attendees. Craig Williams thanked Kevin Flamm, ACWA program manager, for sending CAC representatives to Washington D.C. for the National Research Council (NRC) and Noblis Public Forum. Williams noted that representatives from the Kentucky and Colorado Senators' offices attended. He said he appreciated Flamm's openness and transparency regarding treatment of secondary waste.

Key Updates

BGCAPP Update – Jim Fritsche, BGCAPP, Site Project Manager

Slides of this presentation are available by contacting the Blue Grass Chemical Stockpile Outreach Office at (859) 626-8944 or bgoutreach@bah.com.

Jim Fritsche gave a year-end presentation, which covered accomplishments in 2008, a chronology of main events and a look-ahead forecast for 2009. He discussed the erection of the Personnel Support and Maintenance Buildings, redesign of the Munitions Demilitarization Building (MDB) blast wall, placement of the 138kV electrical substation, release of the NRC and Noblis reports on secondary waste and installation of the flashing signal on U.S. Highway 52 for the pilot plant entrance. The year's chronology covered the congressional site tour, construction going vertical at the site, Operation *Swift Solution*

site preparation and successful start-up and the Department of Defense's program acceleration options. His look ahead covered *Swift Solution* completion, the upcoming decision on the disposal of hydrolysates created during BGCAPP operations, the move of office staff to a larger location, the occupation of the Personnel Support and Maintenance Buildings and the completion of the underground utilities.

Robert Miller, CAC and CDCAB member, asked how the MDB redesign issue affected schedule and cost. Fritsche explained the reason for changing the design and said that the Department of Defense Explosives and Safety Board was not comfortable with the new design without more testing, so they made the decision to go back to the standard design, which should be completed in late January 2009. He noted that Mark Seely, Bechtel Parsons Blue Grass project manager, would discuss the matter in more detail.

Fritsche then made personal comments regarding his retirement. He thanked everyone and emphasized the importance of the chemical weapons disposal program.

Hindman gave Fritsche an award from the CAC/CDCAB.

Systems Contractor Update – Mark Seely, Bechtel Parsons Blue Grass, Project Manager

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Seely provided an update on the systems contractor's progress and highlighted key construction and design milestones that had been met in 2008.

He noted that the project has more than 3.5 million hours and 2,000 days of safe work at this point. He explained the MDB blast containment area issue and noted that the redesign should be submitted in late January and approved by May 2009. He highlighted current construction activities including the status of the MDB non-blast concrete, the use of temporary electricity until the main feed from Kentucky Utilities could be connected and the first concrete pour for the MDB. He also noted the dollar value of subcontracts issued to Kentucky businesses.

Miller asked if the original design of the MDB was made to save money and Seely replied yes, and to avoid risk in construction. He referred to voids in the walls in previous structures and revised his statement to say it was more like risk and cost avoidance. Miller questioned that there was no real decision about the redesign, that it had to be done and Seely replied in the affirmative. Hindman then asked how much impact the redesign would have and Seely said it would cost about four to five months on the schedule but they had more than ample time and funds to accelerate construction, and they were looking at ways to accelerate construction and structural steel work.

ACWA Update – Kevin Flamm, ACWA, Program Manager

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Kevin Flamm gave a briefing on the Selected Acquisition Report (SAR), Operation *Swift Solution* and the question of hydrolysate disposal. He emphasized that the SAR and acceleration are separate issues. He discussed hydrolysate disposal options in detail, pointing out key findings from the NRC and Noblis reports, and comparing the results of the 2006 and 2008 Noblis reports. He listed pros and cons for the off-site disposal option and highlighted the fact that safety and environmental considerations remain cornerstones of the chemical weapons demilitarization program. He noted the Department of Defense Senior Governance Board meeting would be in January and was hopeful the decision would come early next year. He said he came into the program favoring the off-site disposal option, but that he had gained an appreciation of community issues and he wants to make sure he characterizes fairly both pros and cons to the senior Defense Department managers.

Jeanne Hibberd, CDCAB member, asked about Flamm's point that off-site disposal would decrease hazardous shipments coming in to the site and asked if those materials were as hazardous as the hydrolysate. Flamm referred to a back-up slide that referenced the number of truckloads and type of materials going to and from the site for each option.

Miller asked Flamm where the balance of risk would fall. Flamm replied that there was a lower risk with going off site, since it would reduce the shipment of acids into the site. Miller then asked if going off site would change anything currently going on, such as permitting, and how it would affect the schedule and cost of the project. Flamm replied the current permit is for on-site treatment and to do off-site disposal would require a Class 3 permit modification and the need for public comment. He said there was no clear answer if construction or the start of operations would be impeded or not.

Aaron Thompson, CAC member, said he appreciated the pros and cons of the situation but was interested in a cost-benefit analysis on the impact to the local economy if SCWO was eliminated from the design. Flamm said an analysis had not been done from the community standpoint and there would be a small decrease in the number of employees. Thompson asked about the job opportunity window for workers who would support SCWO. Flamm said from the accelerated 2017 standpoint, two years of SCWO employment would be cut and with the current funding profile, five years of SCWO employment would be lost.

Williams made a statement about his calculations on savings and costs of treatment per gallon and said it looked like the program would save about two percent of the total by disposing of hydrolysate off site. His point was the loss of 50 to 60 jobs during a two to five year span was a significant impact against the small percentage of program savings.

Carl Richards, CDCAB member, asked about the nerve bio-treatment listed on Flamm's Slide 11 and it was discussed that bio-treatment was an original option for disposal that had since been dismissed.

Hindman questioned the impact of off-site disposal on the site permit and asked how long the program could continue. Flamm said it would have to be discussed with the Kentucky Department for Environmental Protection and said the Research, Development and Demonstration (RD&D) permit would be applicable even without SCWO because of other planned processes and equipment. He also said that if they had to apply for a Part B permit (in lieu of the RD&D permit), it has not been determined if construction could continue in parallel, or would have to be halted. There have been no formal discussions with the state on this question.

Miller voiced his concern over how far the process might go before Flamm would decide to dispose of the hydrolysate on site to save money from program delays, and asked if the time and cost issues could be resolved early enough to make the off-site decision. Flamm replied the decision could be made now, but Congress could possibly legislate against it. He explained the potential life-cycle cost would be speculative. They would have to weigh near-term cost avoidance and the costs freed up that could be used to accelerate the program, the cost to get rid of hydrolysate down the line would be more speculative and said it is easier to obtain funding in out-years rather than near-term years.

Miller then asked why a congressional action wouldn't be an advantage. Flamm replied that legislation could be passed to prohibit transportation of off-site shipment of hydrolysate. He added that he hoped that Congress would take into account all technical considerations regarding off-site shipment.

Howard Baker, CDCAB member, asked about reuse capabilities of SCWO for destruction of conventional weapons at BGAD. Flamm replied it was not his decision, that his concern was to ACWA and the safe disposal of chemical weapons. He doesn't dismiss the broader application of SCWO, but it is out of his scope. Baker then asked for the cost per ton for disposal of conventional weapons, which was noted as an action item.

Hibberd made a statement about her concern with shipping hydrolysate to other communities and the costs and environmental impact to them down the road. Flamm said he will not be using any facility that is not properly permitted to dispose of the hydrolysate, and that it would be done in a safe and environmentally sound manner. Hibberd asked if any method was safer than any other and Flamm replied that the minimization of risks associated with different methods was important and he would not compromise on safety. He noted the Speedy Neut program and how procedures and training were put in place to minimize possible risk, and said the same would be done with off-site shipment. He said the regulatory framework is in place to make sure it would be safe and in environmental compliance.

Williams made a statement regarding the existing agreement with the community about on-site disposal of hydrolysate, that there is a permit already for the path the program is on and the treatment system is basically sound, with hydrolysate storage built in case of glitches in the system. He noted on the other hand, off-site disposal is highly opposed,

with challenges to the permit likely, costs yet to be identified and scientific and regulatory realities that could dramatically change eight years from now. His point was that if there is a possible two-percent savings for off-site disposal, versus all of the negative consequences, then stick with the existing method.

Williams added that the government made an agreement with the community, who had made several compromises to work with the government on that agreement. If the government changed that agreement, there would then be a question of government trust and credibility. If the SCWO part of the project were removed, it could put the permit at risk and bring the project to a halt. His recommendation was for the community's issues to be given significant weight with the Office of the Secretary of Defense (OSD).

His final point was to state he was dissatisfied with his inability to receive basic cost analysis numbers from the government and referenced a Government Accounting Office (GAO) report that was critical of the Newport project's analysis on cost savings of shipping hydrolysate off site. He said he was not satisfied with the analytical methodology used in the Noblis report. Flamm replied he was well aware of that report and had asked Noblis to recognize the GAO's concern about that analysis, and they had done that. He offered to make that data available to Williams.

Richards spoke up regarding the Noblis report and said the second report simply delivered the outcome desired by the ACWA program. He said he did not remember agreeing to the static detonation of mustard rounds but it was in the report and is skewing the cost analysis.

Williams asked where the Operation *Swift Solution* hydrolysate was being held and Flamm replied it was in eurotainers.

Flamm stated he did not have a preconceived outcome when commissioning the report and was not "fishing for answers." He said the report provides the most current data upon which to base decisions with no bias built in. He said the cost range was based on a current market survey and not on 2006 data.

Hindman commented to the CAC/CDCAB members the community agreed to on on-site SCWO with the government and if that choice changes, they would be obliged to inform the citizens and hold meetings regarding the issue. His point was that they were willing to agree to some earlier, more peripheral changes but this one "goes to the core" and he does not think the CAC/CDCAB should do it solely without involving the larger community.

Richards commented that he did not see how a change to off-site disposal would not require a new permit, along with a comment period "that could last years."

Thompson asked when the decision would be made and Flamm said he would meet with the OSD next week and the Senior Governance Board in January, and would come back

in January to let the CAC/CDCAB know how they would be approaching it. He referred to the CAC/CDCAB meeting as part of that data collection process and stated he wanted to represent the community environment the best he could.

Tammy Clemons, CDCAB member, said she wanted to echo the other community members in that the undermining of community trust would be a bad thing.

Williams stated he appreciated Flamm's transparency and willingness to accommodate.

SWWG and MWG Update – Craig Williams, CDCAB, Co-Chair

Williams stated the Secondary Waste Working Group (SWWG) met several times, with the most recent meetings on the topic of Operation *Swift Solution* waste. He referenced his second-to-last presentation slide, the SWWG recommendation to ACWA on this issue, and reiterated they were willing to accede to this small shipment but not to future shipments. He noted the flexibility and understanding within the activist community regarding this accommodation.

He then discussed the Monitoring Working Group (MWG) and stated the MWG will be meeting with ACWA, CMA, JPEO, and U.S. Army Edgewood Chemical Biological Center representatives in January. Williams said the next step will be discussion about the applicability of upgraded monitoring capabilities and the need for them, and they are having ongoing discussions.

Williams offered the services of the Chemical Weapons Working Group office on any of the above topics.

Next CAC and CDCAB Meeting

The next meeting is scheduled for March 10, 2009 at the Eastern Kentucky University's Carl D. Perkins Building, Rooms A and B.

Closing Remarks – Bob Miller, CAC Member, and Craig Williams, CDCAB Co-Chair

Hindman and Williams closed the meeting by expressing appreciation to the presenters and to the outreach office staff for organized meeting efforts.